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N A B REPORTS

Vol. 5

1937

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.

JAMES W. BALDWIN, Managing Director

NAB REPORTS

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DUFFY COPYRIGHT BILL

Senator Duffy of Wisconsin has reintroduced his copyright bill of the last session of Congress. Copies of the bill were not available as NAB Reports went to press but the Senator stated that the new bill contains some "minor" changes in the text as approved by the Senate last session.

NEW STATIONS GRANTED

The Federal Communications Commission this week granted a construction permit for the erection of a new broadcast station at Superior, Wis., to use 1200 kilocycles, 100 watts power and unlimited time on the air.

A construction permit for a new broadcast station at Visalia, Calif., was also granted to use 1190 kilocycles, 250 watts power and daytime operation.

A third construction permit for a new broadcast station was also granted for Bridgeton, N. J., to use 1210 kilocycles, 100 watts power and daytime operation.

ANNUAL COMMUNICATIONS COMMISSION REPORT

The second annual report of the Federal Communications Commission for the fiscal year ending June 30, 1936, was made to Congress on Tuesday of this week.

The Commission made no recommendations for legislation. If any legislative recommendations are to be made this year they will be forwarded to Congress by another method.

The report is divided up into different sections including the office of the secretary; the examining department; law department; engineering department; and accounting, statistical and tariff department. The purpose of the report is to put into historical form the activities of the Commission during the past fiscal year.

LICENSE RENEWAL FOR WHBC RECOMMENDED

Nolan S. Walker applied to the Federal Communications Commission for a construction permit for the erection of a new station at Canton, Ohio, to use 1200 kilocycles, 100 watts and 250 watts LS and unlimited time on the air. Also station WHBC, at Canton, operating on the same frequency and with the same power asked for a license renewal; an application for consent to voluntary assignment of the station license and of the construction permit from Edward P. Graham to the Ohio Broadcasting Company; an application for modification of the construction permit, including an extension of time for completion; and an application of Nolan S. Walker to acquire the facilities heretofore granted to Edward P. Graham, licensee of WHBC.

SALES MANAGERS MEET CHICAGO

January 18 and 19

The Sales Managers Division, under the leadership of Buryl Lotteridge (KFAB-KOIL, Omaha) will meet in Chicago at the Sherman Hotel January 18 and 19. Chairman Lotteridge has given a lot of time and effort to this meeting and the schedule promises an excellent opportunity to exchange viewpoints on some extremely important sales problems.

Examiner Melvin H. Dalberg in Report No. I-332 recommended that the application of Nolan S. Walker for a construction permit for a new station be denied; that the application of license renewal for station WHBC be granted; that the application of Edward P. Graham for consent to voluntary assignment of license and construction permit to the Ohio Broadcasting Company be granted; and that the modification of construction permit for additional time for the erection of the station be granted.

ACTORS BILL REINTRODUCED

Representative Dickstein of New York has reintroduced his bill (H. R. 30) "to protect the artistic and earning opportunities in the United States for American actors, vocal musicians, operatic singers, solo dancers, solo instrumentalists and orchestral conductors and for other purposes." The bill which has been referred to the House Committee on Immigration and Naturalization is identical with the bill which passed the House at the last session of Congress but was not taken up by the Senate. The bill will be found on page 1857. of this issue.

NEW TEXAS STATION RECOMMENDED

The Sweetwater Broadcasting Company applied to the Federal Communications Commission to grant it a construction permit for the erection of a new station at Sweetwater, Texas, to use 1310 kilocycles, 100 watts power, daytime operation.

Examiner R. H. Hyde, in Report No. I-331 recommended that the application be granted. He found that "there is no local broadcast station or primary service from any station available in the applicant's area, and it is therefore concluded that there is a need for the proposed new station." The Examiner found also in this case that "the establishment of the proposed station would provide a needed broadcast service not otherwise available, and the granting of a permit, therefore would serve public interest, convenience and necessity."

INTERNAL REVENUE CITES SOME DEPRECIATION AVERAGES FOR RADIO

In a letter dated January 5 Deputy Commissioner Russell of the Bureau of Internal Revenue gives the ranges of serviceable lines within which the cases of many broadcasting companies have been approved. The letter reads as follows:

"In response to your request over the telephone, the following is submitted in regard to depreciation on the physical assets owned by the average broadcasting company.

"Depreciation, including obsolescence, for income tax purposes is determined with consideration being given to the facts available in each particular case. It has been found that due to different operating conditions and locations, various financial policies and accounting practices, the allowance for depreciation cannot be predicated upon a general average.

"The cases of many broadcasting companies before the Internal Revenue Bureau have been approved within the following ranges of serviceable lives; the depreciation deduction including both depreciation and normal obsolescence, the latter being recognized as a substantial factor in this particular industry:

"Studio control, speech input and transmitter equipment, 8 to 10 years.

"Antenna equipment, 10 to 12 years.

"Towers, 10 to 15 years.

"Buildings, 25 to 50 years.

"Furniture and Fixtures—Office, 10 years.

"Furniture and Fixtures—Studio, 5 years.

"Pianos and other musical instruments, 10 years."

Members will observe that allowance for depreciation cannot be predicated upon a general average. Each broadcaster should produce all the facts pertinent to his own case and press for a decision thereon without reliance upon general practices.

COPELAND REINTRODUCES FOOD BILL

Senator Copeland of New York has reintroduced his pure food bill (S. 5) which will be found, together with a statement on page 1860 of this issue.

CULKIN LIQUOR BILL

A bill has been introduced in the House (H. R. 13) which would prohibit the advertising of liquor by radio. The bill which has been referred to the House Committee on Interstate and Foreign Commerce will be found on page 1857 of this issue.

DRYS PROTEST BROADCASTING

Organized "drys" of the United States are using a "bootleg" radio station, barred from this country in the interest of public health and welfare, as a propaganda medium, is the charge made in a complaint filed with the Federal Communications Commission by C. D. Cecil, secretary of the National Institute of Manufacturers and Distributors, Inc.

The complaint specifically asks investigation of an announcement by Miss Ethel Hubler, editor and publisher of "The National Voice," of Los Angeles, Calif., of "dry" broadcasts from Del Rio, Texas, by means of Station XERA, which is located in Villa Acuna, Mexico, "and over approximately 60 other stations in 30 different states." The XERA Station is operated by Dr. John R. Brinkley, whose station, KFBB at Milford, Kans., was closed by the Federal Radio Commission about six years ago after a public hearing on charges that its broadcasts were "inimical to public health and welfare" and the nature of its programs conflicted with the law prohibiting the broadcasting of "profane, obscene, or indecent" utterances.

The complaint made by the National Institute of Manufacturers and Distributors, Inc., which is an organization of industrialists opposed to Prohibition, contends that the broadcast as announced by the "dry" publication, indicates violation of United States Law. It quotes Miss Hubler's statement that her broadcast will emanate from Del Rio, Texas, and be transmitted by Station XERA, and declares:

"This announcement would indicate violation of the Federal 'Communications Act of 1934' (Public Law No. 416). The radio broadcasting station named XERA, is located on foreign soil, at Villa Acuna, Mexico, and the Communications Act of 1934 specifically prohibits transmission of programs from the United States to foreign stations which can be heard in the United States.

"Further, this announcement by The National Voice suggests that this foreign station, XERA, one of the so-called "bootleg" stations along the Rio Grande, which seriously interfere with the operation of stations in the United States licensed by your Commission, has been made an integral part of a broadcasting chain in this country which includes 60 stations in 30 states."

The complaint also cites that the action of the Federal Radio Commission in closing the station operated by Brinkley in Kansas, was upheld by the United States District Court of Appeals for the District of Columbia in a decision which quoted the Biblical injunction: "By their fruits ye shall know them."

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3021. Charging unfair competition in the sale of soap, a complaint has been issued against **Allen B. Wrisley Company** and **Allen B. Wrisley Distributing Company,** also trading as **Regal Soap Company,** both of 6801 West 65th Street, **Chicago,** and **Karl Mayer, George A. Wrisley,** and **Wrisley B. Oleson,** copartners, trading as **Karl Mayer & Co.,** all of Merchandise Mart Building, **Chicago.**

The respondents are alleged to have advertised certain soaps as olive oil soaps, when in fact the oil or fat ingredient of these products was not entirely olive oil, according to the complaint.

In genuine olive oil soap, the complaint points out, the oil ingredient is olive oil to the exclusion of all other oils and fats. Such product is in demand as a high quality soap, free from substances harmful to the skin or to delicate fabrics.

No. 3022. Unfair trade representation in the sale of radio receiving sets, radio tubes, and supplies, are alleged in a complaint issued against **Sun Radio Service & Supply Corporation,** 938 F. Street, N. W., **Washington, D. C.**

Advertising its products as "Newest R. C. A. Licensed Automatic Featuring the New Metal Tube," the respondent company, through its representations, is alleged to have deceived buyers into believing that its products were those of the Radio Corporation of America and its subsidiaries, and that its glass tubes were metal tubes in which the technical elements were sealed in a vacuum of steel, when these were not the facts.

Thirteen wholesalers and distributors of sponges in interstate commerce, said to constitute a large and important part of such wholesale trade in the United States, are named respondents in a complaint alleging practices which have the effect of monopoly and unreasonable restraint of trade.

Nos. 3024 and 3025. Principal respondents are **The Sponge Institute, of Washington, D. C.,** its officers and members, including the thirteen companies, and the **Florida Sponge Packers Association,** of **Tarpon Springs, Fla.,** its officers and members, including six packing firms located at **Tarpon Springs, Fla.**

The Commission has also issued a complaint against the **Tarpon Springs Sponge Exchange, Inc.,** of **Tarpon Springs, Fla.,** charging conspiracy and restraint of trade by member sponge packers and producers. They are alleged to have combined to prevent all purchases of wool sponges, in or outside the exchange, between February 15, 1935, and May 1, 1935. One effect, it is alleged, was an increase in the price of wool sponges to wholesalers, retailers and the public.

All respondents named in the complaint against The Sponge Institute are charged with entering into an agreement, combination and conspiracy to create monopoly in themselves in the sale of sponges to wholesalers and retailers throughout the United States. The packers, comprising the Florida Sponge Packers Association, are alleged to have agreed with the institute and its members, to whom they furnished sponges for wholesale and retail distribution, that such packers would not circularize any trade outside of the "bona fide sponge houses" regularly established by the institute, and would either confine their sales to such bona fide houses or would make a price difference of 20 per cent to other houses not designated as bona fide. The packers are alleged to have agreed to sell to such other houses, even at the 20 per cent increase, only if they received the order unsolicited or placed by personal call.

The packers are alleged to have adhered to this plan, and, by concert of action, to have failed and refused to sell sponges to dealers not listed by the institute as bona fide.

Pursuant to the agreement, the institute is alleged to have furnished its members with a list of the packers who were cooperating in the plan to restrict sales, causing them to confine their purchases to such cooperating packers, and according to the complaint, whenever the institute discovered that a packer had made a sale contrary to the agreement, its name was taken off the list and such packer was blacklisted and thereafter denied the business of institute members.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 1863. Lancaster Cigars, Inc., Red Lion, Pa., agrees to stop using on labels attached to containers the word "Havana" to describe cigars not composed of or manufactured from Havana tobacco grown in Cuba, and to cease employing the word "Havana" in any way to imply that such cigars are made entirely from Havana tobacco. The expression "Havana Blend" will not be printed on labels, implying that the cigars so marked are composed in substantial part of Havana tobacco, when such is not a fact.

No. 1864. The Harker Pottery Company, Chester, W. Va., stipulates that it will stop employing the words "china" and "chinaware" to describe articles which are not non-porous, vitreous or translucent. The stipulation sets out that to well-informed members of the trade and purchasing public, the word "china" or "chinaware" means an earthen vessel which is non-porous, vitreous and translucent, but that the respondent's products, as represented, does not possess these properties.

No. 1868. R. S. Bacon Veneer Co., 4702 Augusta Blvd., Chicago, agrees not to use in its printed matter the term "African Walnut" to describe its products, implying that they are made of wood derived from trees of the walnut or "Juglandaceae" family. The respondent company also agrees not to use the word "walnut," either alone or in connection with the word "African" or "Tigerwood," or in any other way which may have the effect of causing buyers to believe that the articles so described are made of wood derived from trees of the walnut family, when such is not a fact.

No. 1869. Union Pharmacal Co., Inc., 67 Irving Place, New York City, selling so-called "Economy First-Aid Kits," will discontinue printing on the cartons in which the kits are packed certain exaggerated or misleading assertions concerning the value of the kits or the price at which they are sold, or are intended to be sold, in the usual course of trade. The stipulation points out that these kits were marked for sale at a certain price, when in fact this was much in excess of the price at which they were actually sold, or intended to be sold.

No. 2565. The National Electrical Manufacturers Association, of **New York City,** and sixteen member manufacturers of power cable and wire, have been served with an order to cease and desist from certain unfair trade practices held to have been performed under an illegal agreement, combination or conspiracy. The practices prohibited included, principally, the maintenance of uniform selling prices.

All material facts alleged in the amended complaint were admitted by the respondents to be true and the findings in the case are a paraphrase of the admitted allegations.

Member companies named as respondents are American Electrical Works, Philadelphia, now known as Kennecott Wire and Cable Company; American Steel and Wire Company, Worcester, Mass.; Anaconda Wire and Cable Co., New York; Bishop Wire and Cable Corporation, New York; Boston Insulated Wire and Cable Co., Boston; Crescent Insulated Wire and Cable Co., Trenton, N. J.; General Cable Corporation, New York; General Electric Co., Schenectady, N. Y.; Habirshaw Cable and Wire Corporation, New York; National Electrical Products Corporation, Pittsburgh; The Okonite Co., Passaic, N. J.; Phelps-Dodge Copper Products Corporation, New York; John A. Roebling's Sons Co., Trenton, N. J.; Simplex Wire and Cable Co., Boston; Triangle Conduit and Cable Co., Brooklyn; and United States Rubber Products, Inc., New York.

Nos. 2939 and **2515.** Cease and desist orders have been issued against two **New York** cosmetics and toilet goods companies, requiring them to cease and desist from unfair competition in violation of section 5 of the Federal Trade Commission Act. The respondent companies are **Helena Rubinstein, Inc.,** 8 E. Fifty-Seventh St., and **B. H. Krueger, Inc.,** 151 W. Nineteenth St.

The order against Helena Rubinstein, Inc., directs that it cease advertising that its cosmetics, facial creams and toilet preparations will serve as a food for, or nourish, the skin, muscles, or tissues; will prevent crow's feet and wrinkles, strengthen eye nerves, rebuild worn-out cells and dissolve fatty tissues or act as effective weight reducers.

B. H. Krueger, Inc., is ordered to stop representing that its cosmetics and toilet preparations, including perfumes, soaps, toilet water and similar articles, are of English manufacture or origin, or imported from England. The respondent company is also ordered to cease asserting that its articles are made for, or distributed by, an English company or a company with offices in England or Canada, when such is not a fact.

No. 2964. Pratt Food Co., 126 Walnut St., **Philadelphia,** has been ordered to discontinue certain unfair trade representations in the sale of poultry medicine.

In selling "Pratt's 'Split-Action' N-K Capsules" or any product of substantially the same composition and effect, the respondent company is directed to cease and desist representing that its preparation will destroy all worms and all parts of worms, including tapeworm heads, with which poultry may be infested.

FTC CLOSES CASES

No. 2379. The Federal Trade Commission has entered an order closing its case against **Samson Paper Products Corporation,** 118 Greene St., **New York City,** and **Louis, Harry** and **Moe Hyman,** who had been charged with use of unfair methods of competition in connection with the sale of roll paper, in violation of Section 5 of the Federal Trade Commission Act.

The Commission reserved the right to reopen the case should the facts so warrant.

No. 2906. The Commission has also issued an order closing its case against **R. H. Macy & Co., New York City,** following that company's signing of a stipulation to discontinue certain unfair trade practices in the sale of razor blades as alleged in a complaint directed against it by the Commission in August, 1936.

In its stipulation, the respondent company agrees not to resume the use of representations contained in an advertisement, or similar representations implying that razor blades sold by it have been made under its own supervision, when such is not a fact.

FEDERAL COMMUNICATIONS COMMISSION ACTION

HEARING CALENDAR

The following broadcast hearings are scheduled for hearing at the Commission for the week beginning Monday, January 11.

Monday, January 11

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Peninsula Newspapers, Inc., Palo Alto, Calif.—C. P., **1160 kc.,** 250 watts, daytime.

NEW—W. H. Marolf, Escanaba, Mich.—C. P., **1500 kc.,** 100 watts, unlimited time.

NEW—Escanaba Daily Press Co., Escanaba, Mich.—C. P., **1500 kc.,** 100 watts, daytime.

Tuesday, January 12

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—H. W. Wilson & Ben Farmer, Wilson, N. C.—C. P., **1310 kc.,** 100 watts, daytime.

NEW—Vincennes Newspapers, Inc., Vincennes, Ind.—C. P., **1200 kc.,** 100 watts, 250 watts LS, unlimited time.

KWBG—The Nation's Center Broadcasting Co. Inc., Hutchinson, Kans.—C. P., **550 kc.,** 250 watts, unlimited time. Present assignment: **1420 kc.,** 100 watts, unlimited time.

Wednesday, January 13

HEARING BEFORE AN EXAMINER

(Broadcast)

WILM—Delaware Broadcasting Co., Wilmington, Del.—C. P., **1420 kc.,** 100 watts, share WAZL.

WMBD—Peoria Broadcasting Co., Peoria, Ill.—C. P., **1440 kc.,** 1 KW, 5 KW LS, unlimited time. Present assignment: **1440 kc.,** 500 watts, 1 KW LS, unlimited time.

WHOM—New Jersey Broadcasting Corp., Jersey City, N. J.—C. P., **1450 kc.,** 250 watts, 1 KW LS, unlimited time. Present assignment: **1450 kc.,** 250 watts, unlimited time.

Thursday, January 14

HEARING BEFORE THE COMMISSION EN BANC

WBBC—Brooklyn Broadcasting Corp., Brooklyn, N. Y.—Modification of license, **1400 kc.,** 500 watts, unlimited time. (Requests facilities of WARD, WVFW & WLTH.) Present assignment: **1400 kc.,** 500 watts, share WLTH, WARD & WVFW.

WBBC—Brooklyn Broadcasting Corp., Brooklyn, N. Y.—Renewal of license, **1400 kc.,** 500 watts, share WLTH, WARD & WVFW.

WBBC—Brooklyn Broadcasting Corp., Brooklyn, N. Y.—Renewal of license, **1400 kc.,** 500 watts (auxiliary transmitter), share WARD, WLTH & WVFW.

WVFW—Paramount Broadcasting Corp., Brooklyn, N. Y.—Modification of license, **1400 kc.,** 500 watts, unlimited time (Request facilities of WARD, WLTH & WBBC). Present assignment: **1400 kc.,** 500 watts, share WARD, WLTH & WBBC.

WVFW—Paramount Broadcasting Corp., Brooklyn, N. Y.—Renewal of license, **1400 kc.**, 500 watts, share WARD, WLTH & WBBC.

WVFW—Paramount Broadcasting Corp., Brooklyn, N. Y.—C. P., to make changes in equipment; **1400 kc.**, 500 watts, share WARD, WLTH & WBBC.

WVFW—Paramount Broadcasting Corp., Brooklyn, N. Y.—Transfer of control of corporation; **1400 kc.**, 500 watts, share WARD, WLTH & WBBC.

NEW—Brooklyn Daily Eagle Broadcasting Co., Inc., Brooklyn, N. Y.—C. P., **1400 kc.**, 500 watts, unlimited time. (Requests facilities of WBBC, WLTH, WARD & WVFW.)

WEVD—Debs Memorial Radio Fund, Inc., New York, N. Y.—Modification of license; **1400 kc.**, 1 KW, unlimited time. (Requests facilities of WBBC, WLTH, WARD & WVFW.)

WARD—United States Broadcasting Corp., Brooklyn, N. Y.—C. P. to move transmitter; **1400 kc.**, 500 watts, share WVFW, WLTH & WBBC.

WARD—United States Broadcasting Corp., Brooklyn, N. Y.—Renewal of license; **1400 kc.**, 500 watts, share WVFW, WLTH & WBBC.

WARD—United States Broadcasting Corp., Brooklyn, N. Y.—Voluntary assignment of license to Kings Broadcasting Corp.; **1400 kc.**, 500 watts, share WVFW, WLTH & WBBC.

WLTH—Voice of Brooklyn, Inc., Brooklyn, N. Y.—Renewal of license; **1400 kc.**, 500 watts, share WARD, WVFW & WBBC.

WLTH—Voice of Brooklyn, Inc., Brooklyn, N. Y.—Voluntary assignment of license to Kings Broadcasting Corp.;**1400 kc.**, 500 watts, share WARD, WVFW & WBBC.

Friday, January 15

HEARING BEFORE AN EXAMINER

(Broadcast)

KLPM—John B. Cooley, Minot, N. Dak.—C. P., **1360 kc.**, 1 KW, unlimited time.

WCOA—Pensacola Broadcasting Co., Pensacola, Fla.—C. P., **1340 kc.**, 1 KW, unlimited time. Present assignment: **1340 kc.**, 500 watts, unlimited time.

NEW—Bay County Publishers, Inc., Panama City, Fla.—C. P., **1420 kc.**, 100 watts, unlimited time.

FURTHER HEARING BEFORE AN EXAMINER

(Broadcasting)

NEW—Richard M. Casto, Johnson City, Tenn.—C. P., **1200 kc.**, 100 watts, 250 watts LS, unlimited time.

APPLICATIONS GRANTED

KXRO—KXRO, Inc., Aberdeen, Wash.—Granted C. P. approving transmitter and studio sites, installation of new equipment and vertical radiator, and increase in day power from 100 watts to 250 watts.

KGEZ—Donald C. Treloar, Kalispell, Mont.—Granted C. P. to install new antenna and move transmitter locally south of city limits 2¼ miles.

WNBZ—Earl J. Smith & Wm. Mace, d/b as Smith and Mace, Saranac Lake, N. Y.—Granted C. P. to make changes in equipment.

WHAS—The Louisville Times Co., Louisville, Ky.—Granted C. P. to move transmitter site and install new equipment and vertical radiator.

WJTN—James Broadcasting Co., Inc., Jamestown, N. Y.—Granted C. P. to move transmitter and studio locally; install new equipment and vertical radiator, and increase power from 50 to 100 watts night, 250 watts day.

NEW—McNary & Chambers, College Park, Md.—Granted C. P. for new experimental station, frequency of **1060 kc.**, 100 watts, 12 midnight to 6 a. m., EST, for the purpose of experimenting with synchronizing a booster broadcast station without the use of wire lines.

WLW—The Crosley Radio Corp., Cincinnati, Ohio.—Granted C. P., for changes in equipment.

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Granted license to cover C. P. as modified, for installation of new equipment, extension of commencement and completion dates; **1500 kc.**, 100 watts night, 250 watts day, unlimited time.

WNEL—Juan Piza, San Juan, P. R.—Granted license to cover C. P. for changes in equipment, increase in night power from 500 watts to 1 KW, and day power from 500 watts to 2½ KW; **1290 kc.**, unlimited.

KEHE—The Evening Herald Pub. Co., Los Angeles, Cal.—Granted license to cover C. P. for move of transmitter and studio sites; installation of new equipment and vertical radiator; increase in power from 500 watts night, 1 KW day, sharing KELW to 1 KW night, 5 KW day, unlimited; **780 kc.** Also granted authority to determine operating power by direct measurement of antenna input.

KFWB—Warner Bros. Broadcasting Corp., Hollywood, Cal.—Granted license to cover C. P. authorizing new transmitter site, installation of vertical radiator and new equipment; increase in day power from 2½ KW to 5 KW; unlimited. Also granted authority to determine operating power by direct measurement of antenna input.

KPLT—North Texas Broadcasting Co., Paris, Tex.—Granted license to cover C. P. for new station; **1500 kc.**, 100 watts, daytime only.

KID—KID Broadcasting Co., Idaho Falls, Idaho.—Granted license to cover C. P. authorizing local move of transmitter site, installation of vertical radiator; increase in power from 250 watts night, 500 watts day, to 500 watts night, 1 KW day, unlimited, **1320 kc.**

KFXD—Frank E. Hurt, Nampa, Idaho—Granted license to cover C. P. authorizing installation of new equipment.

WABY—The Adirondack Broadcasting Co., Inc., Albany, N. Y.—Granted license to cover C. P. authorizing changes in transmitter and studio sites, installation of new equipment, and vertical radiator.

WABI—Community Broadcasting Service, Bangor, Me.—Granted license to cover C. P. authorizing move of transmitter site, installation of new equipment and vertical radiator, increase in day power to 250 watts, **1200 kc.**, 100 watts night.

WLBZ—Maine Broadcasting Co., Inc., Bangor, Me.—Granted license to cover C. P. authorizing installation of new equipment.

KVOA—Arizona Broadcasting Co., Inc., Tucson, Ariz.—Granted license to cover C. P. as modified, authorizing installation of new equipment, and vertical radiator; increase in power from 500 watts to 1 KW, **1260 kc.**, unlimited.

KSCJ—Perkins Bros. Co. (The Sioux City Journal), Sioux City, Ia.—Granted license to cover C. P. authorizing changes in equipment and increase in daytime power to 5 KW; **1330 kc.**, 1 KW night.

WDBO—Orlando Broadcasting Co., Inc., Orlando, Fla.—Granted license to cover C. P. authorizing local move of station, installation of new equipment and increase in power to 1 KW; **580 kc.**, unlimited.

KLS—S. W. Warner & E. N. Warner, d/b as Warner Bros., Oakland, Cal.—Granted license to cover C. P. authorizing installation of new equipment.

WBLK—The Exponent Co., Clarksburg, W. Va.—Granted modification of C. P. for change in equipment.

WMFR—Hart and Nelson (J. A. Hart & Wayne M. Nelson), High Point, N. C.—Granted voluntary assignment of license to radio station WMFR, Inc.; **1200 kc.**, 100 watts, daytime only.

WATL—J. W. Woodruff and S. A. Cisler, Jr., d/b as Atlanta B/c Co., Atlanta, Ga.—Granted voluntary assignment of C. P. to J. W. Woodruff, d/b as Atlanta B/c Co.; **1370 kc.**, 100 watts night, 250 watts day, unlimited.

WSPD—Toledo Broadcasting Co., Toledo, Ohio.—Granted voluntary assignment of license to the Fort Industry Co.; **1340 kc.**, 1 KW night, 5 KW day, unlimited.

WFTC—Jonas Wieland, Kinston, N. C.—Granted modification of C. P. to install different equipment than authorized in C. P.

WTAR—WTAR Radio Corp., Norfolk, Va.—Granted modification of C. P. to move auxiliary transmitter to same location as that authorized by C. P. for the main transmitter and use same directional antenna with that station operating with power of 1 KW for emergency operation only.

WNOX—Continental Radio Co., Knoxville, Tenn.—Granted modification of C. P. to install new equipment and extend commencement date to 60 days after grant, and completion date to 180 days thereafter.

KFRO—Voice of Longview, Longview, Tex.—Granted modification of C. P. to make changes in equipment and extend commencement date to 30 days after grant.

WMIN—Edward Hoffman, St. Paul, Minn.—Granted modification of license to change name from Edw. Hoffman to Edward Hoffman, d/b as WMIN Broadcasting Co.

KFXJ—R. G. Howell and Chas. Howell, d/b as Western Slope Broadcasting Co., Grand Junction, Colo.—Granted authority to install automatic frequency control equipment.

WORC—Alfred F. Kleindienst, Worcester, Mass.—Granted authority to install automatic frequency control equipment.

WJTN—James Broadcasting Co., Inc., Jamestown, N. Y.—Granted license to cover C. P. authorizing changes in equipment.

WEAN—Shepard Broadcasting Service, Inc., Providence, R. I.—Granted license to cover C. P.; **780 kc.**, 1 KW, unlimited time employing directional antenna system.

KRBC—Reporter Broadcasting Co., Abilene, Tex.—Granted license to cover C. P. authorizing installation of new equipment and increase in day power from 100 watts to 250 watts; **1420 kc.**, 100 watts night, unlimited.

NEW—The Crosley Radio Corp., Cincinnati, Ohio, Mobile.—Granted C. P. for new low relay b/c station; frequencies of **1622, 2058, 2150** and **2790 kc.**, 50 watts.

NEW—The WGAR Broadcasting Co., Mobile, Cleveland, Ohio.—Granted C. P. for new low relay b/c station; frequencies of **1622, 2058, 2150** and **2790 kc.**, 100 watts.

NEW—The WGAR Broadcasting Co., Mobile, Cleveland, Ohio.—Granted license covering above.

NEW—National Broadcasting Co., Inc., Fixed, New York City.—Granted C. P. and license for new general experimental station for relay broadcasting; frequencies of **31100, 34600, 37600** and **40600 kc.**, 100 watts.

NEW—National Broadcasting Co., Inc., Fixed, New York City.—Granted C. P. and license for new general experimental station for relay broadcasting; frequencies of **31100, 34600, 37600** and **40600 kc.**, 25 watts.

W4XBW—WDOD Broadcasting Corp., Chattanooga, Tenn.—Granted C. P. to move transmitter locally and install antenna system on roof of Hotel Patten.

W8XIK—The Crosley Radio Corp., Mobile (Cincinnati, Ohio).—Granted C. P. to increase power from 30 to 50 watts.

W8XIL—The Crosley Radio Corp., Mobile (Cincinnati, Ohio).—Granted C. P. to increase power from 30 to 50 watts.

NEW—Cleveland Radio Broadcasting Corp., Mobile—Granted C. P. for new high relay experimental b/c station; frequencies of **31100, 34600, 37600** and **40600 kc.**, 10 watts.

Also granted license covering same.

NEW—Cleveland Radio Broadcast Corp., Mobile—Granted C. P. for new high relay experimental b/c station; frequencies of **38900, 39100, 39300** and **39500 kc.**, 100 watts.

Also granted license covering same.

NEW—Cleveland Radio Broadcast Corp., Mobile—Granted C. P. and license for new experimental high relay b/c station; frequencies of **39700, 39900, 40800, 41400 kc.**, 10 watts.

NEW—Rockford Broadcasters, Inc., Mobile (Rockford, Ill.).—Granted C. P. for new low relay station; frequencies of **1646, 2090, 2190** and **2830 kc.**, 50 watts.

NEW—Rockford Broadcasters, Inc., Mobile (Rockford, Ill.).—Granted C. P. for new experimental high relay station; frequencies of **31100, 34600, 37600** and **40600 kc.**, 2 watts.

W9XAK—Kansas State College of Agriculture and Applied Science, Manhattan, Kans.—Granted modification of license authorizing addition of A3 emission for oral broadcasting associated with visual broadcasting.

W6XKG—Ben S. McGlasahan, Los Angeles, Cal.—Granted modification of license to change frequencies from all four in Group C to **25950 kc.** under Group A of Rule 1053(a).

W1XAL—World Wide Broadcasting Corp., Boston, Mass.—Granted modification of license to increase power from 10 KW to 20 KW.

W4XH—Virgil V. Evans, d/b as The Voice of South Carolina, Spartanburg, S. C.—Granted modification of license to change frequencies from all four listed in Group C to **25950 kc.**, listed in Group A of Rule 1053(a).

W9XPT—Woodmen of the World Life Ins. Assn.—Mobile, Omaha, Neb.—Granted license to cover C. P. for new relay broadcast station; frequencies of **31100, 34600, 37600** and **40600 kc.**, 2 watts.

W9XPX—Woodmen of the World Life Ins. Assn., Mobile, Omaha, Neb.—Granted license to cover C. P. for new relay broadcast station; frequencies of **31100, 34600, 37600** and **40600 kc.**, 2 watts.

W1XLV—The WATR Co., Inc., Mobile (Waterbury, Conn.).—Granted license to cover C. P. for new relay broadcast station; frequencies of **31100, 34600, 37600** and **40600 kc.**, 10 watts.

WAAK—WSOC, Inc., Mobile (Charlotte, N. C.).—Granted license to cover C. P. for new relay broadcast station; frequencies of **1622, 2058, 2150** and **2790 kc.**, 40 watts.

W4XCH—Wilton E. Hall, Mobile (Anderson, S. C.).—Granted license to cover C. P. for new experimental relay broadcast station; frequencies of **31100, 34600, 37600** and **40600 kc.**, 0.5 watts power.

W4XCI—The Atlanta Journal Co., Mobile (Atlanta, Ga.).—Granted license to cover C. P. for new relay broadcast station; frequencies **31100, 34600, 37600** and **40600 kc.**, 10 watts.

KAAD—Fort Worth Broadcasters, Inc., Mobile (Fort Worth, Tex.).—Granted license to cover C. P. for new relay station; frequencies **1622, 2058, 2150,** and **2790 kc.**, 40 watts.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

NEW—Eastern Broadcasting Co., Portland, Maine.—C. P., **1210 kc.**, 100 watts, unlimited.

WIOD—Isle of Dreams Broadcasting Corp., Miami, Fla.—C. P., **970 kc.**, 5 KW, unlimited.

NEW—St. Petersburg Chamber of Commerce, St. Petersburg, Fla.—C. P., **1050 kc.**, 5 KW, limited.

NEW—Carolina Adv. Corp., Florence, S. C.—C. P., **1200 kc.**, 100 watts, unlimited.

WKZO—WKZO, Inc., Kalamazoo, Mich.—Special experimental authority, **590 kc.**, 250 watts, 1 KW LS, unlimited.

APPLICATION DENIED

WQDM—E. J. Regan and F. Arthur Bostwick, d/b as Regan and Bostwick, St. Albans, Vt.—Denied special temporary authority to operate on frequency **1390 kc.**, with 100 watts power, at location authorized by C. P., employing Class AB or a prime modulation using 845 Tubes, in order to facilitate installation of 1-KW equipment authorized by C. P.

SET FOR HEARING

NEW—Malcolm H. Clack (Clack Radio Service), Amarillo, Tex.—Application for C. P. for new broadcast station at Amarillo, Tex., to operate on **1500 kc.**, 100 watts, unlimited time. Transmitter and studio sites are to be determined with Commission approval.

NEW—David J. Mercier and Geo. F. Warren, d/b as Northern Broadcasting Co., Traverse City, Mich.—Application for C. P. for new broadcast station at Traverse City, Mich., as amended 11-2-36, to operate on **830 kc.**, 500 watts, daytime only.

NEW—Beaumont Broadcasting Assn., Beaumont, Tex.—Application as amended 12-8-36 for C. P. for new broadcast station at Beaumont, Tex., to operate on **1420 kc.**, 100 watts, unlimited time.

KMA—May Seed & Nursery Co., Shenandoah, Iowa.—Hearing before Broadcast Division on application for modification of license to increase night power from 1 KW to 5 KW.

WMBO—WMBO, Inc., Auburn, N. Y.—Application for Commission's consent to transfer control of WMBO, Inc., licensee of Station WMBO, from Roy L. Albertson to Auburn Publishing Co.

WSAU—Northern Broadcasting Co., Inc., Wausau, Wis.—Application for modification of C. P. requesting increase in time of operation from daytime to unlimited.

SPECIAL AUTHORIZATIONS

WTHT—The Hartford Times, Inc., Hartford, Conn.—Granted special temporary authority to operate from local sunset (4:45 p. m.) to 12 midnight, EST, January 6, 1937, in order to broadcast inaugural ceremonies, also opening of State Legislature.

WABL—American Airlines, Inc., Washington, D. C.—Granted extension of special temporary authority to operate a mobile relay broadcast transmitter aboard an American Airlines plane some time between January 4th and 14th, 1937, weather permitting, for transmission to NBC of program material from plane while flying over Exline, Ill.

KFRO—Voice of Longview, Longview, Tex.—Granted special temporary authority to operate from local sunset (5:15 p. m., CST) to 9 p. m. on Sundays, January 3, 10, 17, 24, and 31, 1937, in order to broadcast services of the Kelly Memorial Methodist Church, Longview, Tex.

WRBL—WRBL Radio Station, Inc., Columbus, Ga.—Granted special temporary authority to operate a 100-watt portable transmitter on **1200 kc.** between the hours of 12 midnight and 6 a. m., CST, for period beginning January 4, 1937, and ending in no event later than February 2, 1937, in order to determine most efficient antenna location, provided such tests are not permitted during those hours prescribed for Commission monitoring schedule.

WILL—University of Illinois, Urbana, Ill.—Granted special temporary authority to operate simultaneously with KFNF from 3 p. m. to 4 p. m., CST, January 12, 13, 14, 1937, and simultaneously with KUSD from 4 p. m. to 5 p. m., CST, January 12, 13, 14, 1937 (provided WBAA remains silent), in order to broadcast special Farm and Home Week programs.

WOSU—Ohio State University, Columbus, Ohio.—Granted special temporary authority to operate from 12:30 p. m. to 1 p. m. Wednesday, January 20, 1937 (provided WKBN remains silent), in order to broadcast the Farm and Home Hour program.

WOI—Iowa State College of Agriculture & Mechanic Arts, Ames, Iowa.—Granted extension of special temporary authority to rebroadcast over WOI, Ames, Iowa, the emergency programs of station KGHO, licensed for emergency police service in Des Moines, Iowa, for period beginning 3 a. m., CST, February 1, 1937, and ending in no event later than 3 a. m., CST, August 1, 1937.

WNYC—City of New York, Department of Plant and Structures, New York, N. Y.—Granted extension of special temporary authority to use auxiliary transmitter, located at 29 Ft. Greene Place, Brooklyn, N. Y., as main transmitter while moving, in accordance with C. P., for period beginning 3 a. m., EST, February 1, 1937, and ending in no event later than May 27, 1937.

KFDY—South Dakota State College, Brookings, S. Dak.—Denied special temporary authority to operate from 7 p. m. to 9:30 p. m., CST, December 16, 1936, January 8, 11, 1937, in order to broadcast District Parent Teachers Association programs.

WTRC—The Truth Publishing Co., Inc., Elkhart, Ind.—Granted special temporary authority to operate simultaneously with WLBC from 7:30 p. m. to 10 p. m., CST, January 8, 9, 15, 16, 22, 23 and 29, 1937, for purpose of broadcasting Elkhart High School basketball games.

WSVS—Elmer S. Pierce Principal, Seneca Vocational High School, Buffalo, N. Y.—Granted special temporary authority to remain silent from January 1 to 3, 1937, inclusive, in order to observe balance of Christmas vacation; February 12, 1937, Lincoln's birthday; February 22, 1937, Washington's birthday; March 25 to April 4, inclusive, Easter vacation; May 31, 1937, Memorial Day; June 26 to June 30, 1937, in order to observe summer vacation.

KEX—The Oregonian Publishing Co., Portland, Ore.—Granted special temporary authority to operate simultaneously with KOB from 7:30 p. m. to 8 p. m., PST, Tuesday, January 5, 1937, in order to broadcast speeches on the Pacific Coast Maritime strike situation by Mayor Rossi of San Francisco, Mayor Carson of Portland, and other civic leaders.

WELI—City Broadcasting Corp., New Haven, Conn.—Denied special temporary authority to operate from 8 p. m. to 12 midnight, EST, January 20, 1937, in order to broadcast Annual Meeting of shareholders of the First Federal Savings and Loan Association at the Hotel Taft.

WPHR—WLBG, Inc., Petersburg, Va.—Denied special temporary authority to operate from 8:15 p. m. to 10:30 p. m., EST., in order to broadcast boxing matches January 16, VMI v. Virginia, at Lexington; January 23, Virginia v. VPI, at Charlottesville; January 30, Maryland v. VMI, at Lexington; February 6, Virginia v. Maryland, at Charlottesville; and February 13, Maryland v. Rutgers, at College Park.

KGDY—Voice of South Dakota, Huron, S. Dak.—Denied special temporary authority to operate from 7:45 p. m. to 11 p. m., CST, January 8, 15, 16, 21, 22, 26, 29 and February 4, 1937, in order to broadcast basketball games.

WSAJ—Grove City College, Grove City, Pa.—Denied special temporary authority to operate from 7:30 p. m. to 10:30 p. m., EST, January 8, 19 and February 5, 1937, in order to broadcast home basketball games.

ACTION ON EXAMINERS' REPORTS

NEW—Ex. Rep. 1-243: Nathan N. Baure, Miami, Fla.—Application for C. P. for new broadcast station to operate on **1420 kc.**, 100 watts, unlimited time (site to be determined), was remanded to Dockets.

WTJS—Ex. Rep. 1-244: The Sun Publishing Co., Inc., Jackson, Tenn.—Denied C. P. to move transmitter from Hall St., Jackson, Tenn., to northwest of Jackson, Tenn.; install new equipment (directional antenna); change frequency from **1310 kc.** to **920 kc.**; increase power from 100 watts night, 250 watts day, to 250 watts night, 500 watts day, unlimited time. Examiner R. L. Walker sustained. Order effective February 16, 1937.

KTFI—Ex. Rep. 1-249: Radio Broadcasting Corp., Twin Falls, Idaho.—Granted renewal of license, **1240 kc.**, 500 watts night, 1 KW day, unlimited time. Denied modification of license to change frequency from **1240 kc.** to **630 kc.**, 500 watts night, 1 KW day, unlimited time. Examiner Geo. H. Hill sustained in part. Order effective February 23, 1937.

NEW—Ex. Rep. 1-150: Clark Standiford, Visalia, Calif.—Denied C. P. for new broadcast station to operate on **1310 kc.**, 100 watts, unlimited time (transmitter site to be determined). Examiner David G. Arnold reversed. Order effective February 2, 1937.

NEW—Ex. Rep. 1-266: Fred A. Baxter, Superior, Wis.—Granted C. P. for new broadcast station to operate on **1200 kc.**, 100 watts, unlimited time (site to be determined subject to Commission's approval). Examiner M. H. Dalberg sustained. Order effective January 19, 1937.

WJBO—Ex. Rep. 1-267: Baton Rouge Broadcasting Co., Inc., Baton Rouge, La.—Granted C. P. to install new equipment; change frequency from **1420 kc.** to **1120 kc.**; increase power from 100 to 500 watts; change hours of operation from unlimited to specified (unlimited except from 8 to 9 p. m. Mondays and Fridays). Examiner M. H. Dalberg sustained. Order effective January 26, 1937.

NEW—Ex. Rep. 1-268: Tulare-Kings Counties Radio Associates, Chas. A. Whitmore, Pres., Visalia, Calif.—Granted C. P. for new broadcast station to operate on **1190 kc.**, 250 watts, daytime. Examiner R. H. Hyde sustained. Order effective February 2, 1937.

NEW—Ex. Rep. 1-279: Eastern States Broadcasting Corp., Bridgeton, N. J.—Granted C. P. for new broadcast station to operate on **1210 kc.**, 100 watts, daytime (site to be determined subject to Commission's approval). Order effective February 9, 1937.

NEW—Ex. Rep. 1-314: Walker Jamar, Duluth, Minn.—Denied C. P. for new broadcast station to operate on **1200 kc.**, 100 watts, unlimited time (site to be determined). Examiner R. L. Irwin sustained. Order effective January 5, 1937.

ORAL ARGUMENTS GRANTED

KVOS—Ex. Rep. 1-309: KVOS, Inc., Bellingham, Wash.—Granted oral argument to be held February 4, 1937.

NEW—Ex. Rep. 1-310: Telegraph Herald, Dubuque, Iowa.—Granted oral argument to be held February 11, 1937.

NEW—Ex. Rep. 1-313: Glenn Van Auken, Indianapolis, Ind.—Granted oral argument to be held February 11, 1937.

WSBT—Ex. Rep. 1-315: The South Bend Tribune, South Bend, Ind.—Granted oral argument to be held February 11, 1937.

NEW—Ex. Rep. 1-316: Dr. F. P. Cerniglia, Monroe, La.—Granted oral argument to be held February 11, 1937.

WHAT—Ex. Rep. 1-317: Independence Broadcasting Co., Inc., Philadelphia, Pa.—Granted oral argument to be held February 18, 1937.

MISCELLANEOUS

The effective date in the case of Interstate Broadcasting Corp., Ogden, Utah (Ex. Rep. 1-221), was extended to January 19, 1937.

Hildreth & Rogers Co., Lawrence, Mass.—Denied petition asking Commission to deny motion of Bay State Broadcasting Corp. to reinstate its application. The Broadcast Division on December 1, 1936, decided to reinstate and hear the application of the Bay State Broadcasting Corp. for C. P. for new station at Providence, R. I., to operate on **720 kc.**, 1 KW, limited time. No date has been set.

KVOE—The Voice of the Orange Empire, Inc., Ltd., Santa Ana, Calif.—Granted modification of C. P. authorizing change in equipment and location of station.

NEW—Vincennes Newspapers, Inc., Vincennes, Ind.—Granted motion to postpone hearing on application for new station scheduled for January 12, 1937, as applicant plans to amend application to request different frequency.

NEW—H. W. Wilson and Ben Farmer, Wilson, N. C.—Denied petition asking for reconsideration of action in designating application for new radio station at Wilson, N. C., to operate on **1310 kc.**, 100 watts, daytime, for hearing and to grant same without a hearing. Hearing to be held as scheduled.

NEW—Radio Enterprises, Lufkin, Tex.—Denied petition asking Commission to continue hearing schedule for February 5, 1937, on application for authority to build and operate new broadcasting station at Lufkin, Tex., using frequency **1310 kc.**, 100 watts, daytime.

KSD—Pulitzer Publishing Co., St. Louis, Mo.—Granted petition asking Commission to consolidate its application for unlimited time on **550 kc.** and the application of KFUO (sharing the same frequency) to increase its power and hours of operation to half time and to hear both cases at the same time.

NEW—Faith Broadcasting Co., Wichita Falls, Tex.—Granted petition for a consolidated hearing upon three pending applications for new broadcast stations in Wichita Falls, Tex., namely, Faith Broadcasting Co., to operate on **1380 kc.**, 1 KW, unlimited time; Wichita Broadcasting Co., to operate on **620 kc.**, 250 watts night, 1 KW LS, unlimited time; and West Texas Broadcasting Co., to operate on **1380 kc.**, 1 KW, unlimited time. The Broadcast Division also approved recommendation that application involving the removal of station KFPL from Dublin, Tex., to Wichita Falls, be heard in the same proceeding with the three applications for new stations.

WMBR—Florida Broadcasting Co., Jacksonville, Fla.—Granted petition to intervene in hearing on application for The Metropolis Company for new broadcast station at Jacksonville, Fla., to operate on **1290 kc.**, 250 watts, unlimited time, hearing on which is scheduled for February 9, 1937.

KTUL—Tulsa Broadcasting Co., Inc., Tulsa, Okla., and KVOO—Southwestern Sales Corp., Tulsa, Okla.—Granted petition to intervene at hearing of application of World Publishing Co., Tulsa, Okla., for C. P. to erect and operate a radio broadcasting station on **940 kc.**, 1 KW night, 5 KW day, unlimited.

WJAS—Pittsburgh Radio Supply House, Pittsburgh, Pa.—Denied petition asking Commission to continue hearing of application of WATR, Waterbury, Conn., to operate on **1290 kc.**, 250 watts, unlimited time, scheduled for January 18, 1937, until Commission sets a definite date to hear WJAS's application to operate with 5 KW night, on frequency **1290 kc.**

NEW—Richard M. Casto, Johnson City, Tenn.—Denied motion to receive deposition in connection with his application for new station to operate on **1200 kc.**, 100 watts night, 250 watts day, unlimited time, and sustained opposition of W. Hanes Lancaster and J. W. Birdwell, d/b as Johnson City Broadcasting Co., respondents, to receipt of the depositions.

RATIFICATIONS

WTMV—Miss. Valley Broadcasting Co., Inc., E. St. Louis, Ill.—Granted modification of C. P. to install new equipment and extend commencement date from December 13 to 30 days after grant and completion date to 6 months thereafter.

WSAN—WSAN, Inc., Allentown, Pa.—Granted modification of C. P. approving vertical radiator and transmitter site near junction of Route 309 and W. Catasauqua Road., Allentown.

WCBA—B. Bryan Musselman, Allentown, Pa.—Granted modification of C. P. approving new equipment and vertical radiator and transmitter site near junction of Route 309 and W. Catasauqua Road, Allentown.

KOCA—Oil Capital Broadcasting Assn., Kilgore, Tex.—Granted modification of C. P. approving transmitter and studio sites, installation of new equipment and vertical radiator.

KPLC—Calcasieu Broadcasting Co., Lake Charles, La.—Granted modification of C. P. approving transmitter site in Lake Charles.

KGFI—Eagle Broadcasting Co., Corpus Christi, Tex.—Granted renewal of license for period January 1 to July 1, 1937.

WMEX—The Northern Corp., Boston, Mass.—Granted renewal of license for period January 1 to July 1, 1937.

KUJ—KUJ, Inc., Walla Walla, Wash.—Granted renewal of license for period January 1 to July 1, 1937.

KDB—Santa Barbara Broadcasters, Ltd., Santa Barbara, Calif.—Granted renewal of license for period January 1 to July 1, 1937.

WTMJ—The Journal Co., Milwaukee, Wis.—Granted authority to transfer control of The Journal Co. (Station WTMJ) from estate of Lucius W. Nieman to The Journal Co. and Faye McBeath.

WOEG-W2XIL-W2XIM-W2XJH—General Electric Co., New York City.—Granted authority to operate as licensed on February 6 and 7, relay broadcast program National A. A. U. Bob Sled Championships.

WIEF—Miami Broadcasting Co., Inc., Miami, Fla.—Granted authority to operate as licensed for period of 30 days December 16 to January 14, inclusive, relay broadcast description of Miami from Blimp Puritan.

WALR—WALR Broadcasting Corp., Zanesville, Ohio.—Granted extension of program test period 30 days from December 11, 1936.

WSGN—The Birmingham News Co., Birmingham, Ala.—Granted extension of program test period 30 days from December 23.

W9XPV-W9XPN—WDZ Broadcasting Co., Tuscola, Ill.—Granted authority to operate as licensed for period of 30 days beginning December 24 and ending January 22, inclusive, for relay broadcast from train between Villagegrove and Tuscola, Ill.

WMFS—National Broadcasting Corp., Inc., New York City.—Granted authority to operate as licensed from January 4 to 7, 1937, inclusive, for relay broadcast of program from plane flying over Exline, Ill.

WNEL—Juna Piza, San Juan, P. R.—Granted extension of program test period for 30 days from January 2, 1937.

W9XES—Midland Broadcasting, Kansas City, Mo.—Granted authority to operate as licensed for a period of 30 days beginning December 30 to January 28, inclusive, for relay broadcasting series of children educational programs.

WJTN—James Broadcasting Co., Inc., Jamestown, N. Y.—Granted authority to extend program test period for 30 days from December 28.

WGPC—Americus Broadcasting Corp., Albany, Ga.—Granted authority to extend program test period for 30 days from December 30.

WIOD—Isle of Dreams Broadcasting Corp., Miami, Fla.—Granted authority to extend program test period for 30 days from December 30.

KFOX—Nichols & Warinner, Inc., Long Beach, Calif.—Granted extension of special temporary authority to operate a 50-watt portable test transmitter between hours of 12 midnight and 6 a. m. for period December 20 to January 18, 1937.

KFNF—KFNF, Inc., Shenandoah, Iowa.—Granted extension of special temporary authority to operate simultaneously with station WILL from 8 to 11 a. m., CST, daily except Sundays, during month of January, 1937.

WCAX—Burlington Daily News, Inc., Burlington, Vt.—Granted special temporary authority to operate from 7:30 to 10:30 p. m., EST, January 5 and 12, and from 10 to 10:30 p. m., EST, January 8, 15, 22, 29, 1937.

WMBQ—Jos. Husid, Receiver, Radio Station WMBQ, Brooklyn, N. Y.—Granted special temporary authority to remain silent for a period not to exceed 30 days, pending liquidation and sales.

KDON—Monterey Peninsula Broadcasting Co., Del Monte, Calif.—Granted special temporary authority to move main studio from Del Monte to Monterey, for period December 29 to January 27, pending receipt and action on modification of license and consolidation of business office and studio.

WINS—Hearst Radio, Inc., New York City.—Granted special temporary authority to operate from 7:15 to 7:30 p. m., EST, during month of January, 1937.

KUMA—Albert H. Schermann, Yuma, Ariz.—Granted special temporary authority to operate from 10 to 11:30 p. m., MST, January 5, 12, 19 and 26, in order to broadcast wrestling bouts.

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Granted extension of special temporary authority to operate with power of 50 watts from local sunset (5:15 p. m.) to 11 p. m., EST, on Tuesdays, Thursdays, Saturdays and Sundays during month of January, pending compliance with Rule 131.

WSYB—Philip Weiss, d/b as Philip Weiss Music Co., Rutland, Vt.—Granted special temporary authority to operate from 9 to 10 a. m., EST, January 1 to February 1, inclusive.

WRR—City of Dallas, Tex.—Granted extension of special temporary authority to suspend tests on KVPA's transmitter, used by station WRR as an auxiliary transmitter, as required by Sec. D of Rule 148, for period December 31 to

January 29, pending necessary changes to comply with Rule 132.

KGKB—E. Texas Broadcasting Co., Tyler, Tex.—Granted special temporary authority to operate from 8 to 10 p. m., CST, January 1 to February 1, 1937, or until construction is completed under C. P.

WLBC—Donald A. Burton, Muncie, Ind.—Granted special temporary authority to operate simultaneously with WTRC from 6 to 7:30 p. m., CST, January 5, 8, 12, 13, 15, 16, 18, 20, 22, 23, 28, 29, 30, 1937, in order to broadcast basketball games.

WMFF—Plattsburg Broadcasting Corp., Plattsburg, N. Y.—Granted special temporary authority to operate from 4:45 to 10:30 p. m., EST, the following Saturdays: January 9, 16, 23 and 30, and each Sunday from 4:45 to 5:30 p. m., EST, namely, January 10, 17, 24 and 31.

WHBF—Rock Island Broadcasting Co., Rock Island, Ill.—Granted extension of special temporary authority to maintain main studio of WHBF at 1630 5th Ave., Moline, instead of 102 18th St., Rock Island, for a period January 2 to 31, 1937.

KALE—KALE, Inc., Portland, Ore.—Granted extension of special temporary authority to operate unlimited time for period December 31 to January 29, pending construction of vertical radiator in compliance with Rule 131.

KGFG—Oklahoma Broadcasting Co., Inc., Oklahoma City, Okla.—Granted modification of C. P. approving transmitter site at 1800 W. Main St. and studio site at 200 Parrine Bldg., Oklahoma City, and approval of vertical radiator.

The Broadcast Division granted the petition of the Pottsville News and Radio Corporation to intervene in the hearing on the application of The Schuylkill Broadcasting Company, Pottsville, Pa., for construction permit, Docket No. 4176.

The Broadcast Division granted the petition of WOAX, Inc. (WTNJ), to intervene in the hearing on the applications of Trenton Times, Trenton, N. J., for construction permits, Docket Nos. 4198, 4199 and 4200, respectively.

The Broadcast Division granted the petition by the City of Dallas (WRR) to intervene in the hearing on the application of the Oak Cliff-Dallas County Broadcasting Company, for construction permit, Docket No. 4304.

The Broadcast Division waived Rule 104.6 (b) and permitted the Sunbury Broadcasting Corporation to file answer to notice of appearance submitted by John H. Stenger, Jr. (WBAX), applicant for modication of license, Docket No. 4150.

The Broadcast Division denied the motions of (a) James Broadcasting Co. (WJTN), Jamestown, N. Y., and (b) Sunbury Broadcasting Corp. (WKOK), Sunbury, Pa., to strike appearance, default and deny application of John J. Stenger, Jr. (WBAX), Wilkes-Barre, Pa., for modification of license, Docket No. 4150.

The Broadcast Division denied the motion by New England Radio Corporation for leave to amend its application for construction permit for new station at Bridgeport, Conn., Docket No. 3480, so as to use the frequency **1190 kc.**, instead of **1420 kc.**

The Broadcast Division granted the request filed on behalf of the Pulitzer Publishing Company (KSD), St. Louis, Mo., and directed that the present license of KSD be modified so as to permit it to radiate 70 per cent of its entire effective field with a power of 1 KW for nighttime operation in the direction of WKRC.

The Broadcast Division granted the request of May Radio Broadcasting Corporation (WHBI), Newark, N. J., for waiver of Rule 131, and directed that a modified license be issued to WHBI including therein the description and authority to use the present antenna.

The Broadcast Division denied petition of Oklahoma Broadcasting Co., Inc. (KGFG), requesting special temporary authority to operate unlimited time on frequency of **1370 kc.**, with power of 100 watts for a period not to exceed 30 days.

The Broadcast Division granted the petition of Durham Radio Corporation (WDNC), Durham, N. C., and reinstated its application for construction permit, Docket No. 2689, which was denied on September 22, 1936, as in case of default for failure to file appearance.

KTEM—Bell Broadcasting Co., Temple, Tex.—Granted special temporary authority to conduct DX programs from 3 to 5 a. m., CST, on Jan. 8, and 22, 1937.

In the matter of the application of Iowa Broadcasting Company (KRNT), Des Moines, Iowa, for construction permit, Docket No. 3854, on which an order was heretofore entered on November 10, 1936, the Broadcast Division adopted and published a statement of facts and grounds for decision.

In the matter of the application of Nichols and Warinner, Inc. (KFOX), Long Beach, California, for modification of license, Docket No. 3297, on which an order was heretofore entered on November 17, 1936, the Broadcast Division adopted and published a statement of facts and grounds for decision.

In the matter of the applications of Harold H. Hanseth, Fresno, California, for construction permit, Docket No. 2911, and Fresno Broadcasting Company, Fresno, California, for construction permit, Docket No. 3370, on which an order was heretofore entered on November 17, 1936, the Broadcast Division adopted and published a statement of facts and grounds for decision.

The Broadcast Division granted the petition of the City of Dallas, Texas, to intervene in the hearing on the application of A. L. Chilton for construction permit, Docket No. 3277, and for postponement of the hearing, and directed that said hearing be postponed to January 21, 1937.

The Broadcast Division granted the petitions of the Centennial Broadcasting Corporation; KRLD Radio Corporation; Richard S. Gozzaldi, doing business as Oak Cliff-Dallas County Broadcasting Company, and Dallas Broadcasting Company to intervene in the hearing on the application of A. L. Chilton for construction permit, Docket No. 3277.

WHIO—Miami Valley Broadcasting Corp., Dayton, Ohio.—Granted renewal of license for period ending April 1, 1937. Correct description of antenna to agree with affidavit submitted under date of Dec. 8, 1935.

WFBM—Indianapolis Power & Light Co., Indianapolis, Ind.—Granted renewal of license for period ending April 1, 1937.

WBBZ—Estate of Chas. Lewis Carrell Adelaide Lillian Carrell, Repr., Ponca City, Okla.—Granted renewal of license on a temporary basis for period ending June 1, 1937, conditionally.

WTAL—Fla. Capitol Broadcasters, Inc., Tallahassee, Fla.—Granted temporary extension of existing license for period of 1 month from Jan. 1, 1937, subject to such action as may be taken upon application for renewal pending before Commission.

KWTN—Greater Kampeska Radio Corp., Watertown, S. Dak.—Application for renewal of license and C. P. to move station, change frequency from **1210** to **1340 kc.**, increase power from 100 watts to 500 watts daytime only (facilities of KDGY), designated for hearing, to be heard with application for renewal of KDGY and C. P.; KWTN granted temporary license pending hearing and hearing scheduled for Jan. 6, 1937, continued.

APPLICATIONS RECEIVED

First Zone

WCOP—Massachusetts Broadcasting Corp., Boston, Mass.—
1120 Authority to transfer control of corporation from Joseph M. Kirby (deceased) by Mary A. Kirby, Administratrix, to Arde Bulova, 3000 shares common stock.

NEW—Howitt-Wood Radio Co., Inc., Binghamton, N. Y.—Con-
1240 struction permit for a new station to be operated on **1240 kc.**, 1 KW, unlimited time. To use directional antenna night.

WCBM—Baltimore Broadcasting Corp., Baltimore, Md.—License
1370 to cover construction permit (B1-P-1247) for new transmitter and antenna and for move of transmitter.

WSAR—Doughty & Welch Electric Co., Inc., Fall River, Mass.—
1450 License to cover construction permit (B1-P-225) as modified, for change in equipment and increase in power.

Second Zone

WPAY—Vee Bee Corporation, Portsmouth, Ohio.—Authority to
1370 install automatic frequency control.

WSMK, Incorporated, Dayton, Ohio.—Construction permit to
1380 install a new transmitter, increase power from 200 watts to 250 watts, 500 watts daytime, change hours of operation from simultaneous daytime, specified hours night to unlimited time, move transmitter from Fractional Section No. 8, Twp. 1, Range 7, between Little & Great Miami Rivers (near) Dayton, Ohio, to Town 2, Range 7, Mrs. of Madriver Twp., Montgomery County, Ohio, and install directional antenna for night use.

Third Zone

KWKH—International Broadcasting Corp., Shreveport, La.—
850 License to cover special experimental authorization to operate on **1100 kc.**, unlimited time, using 10 KW power with directional antenna at night, at Mooringsport Road, near Shreveport, La.

WKY—WKY Radiophone Co., Oklahoma City, Okla.—License to
900 cover construction permit (B3-P-903) for new equipment and increase in power.

NEW—World Publishing Co., Tulsa, Okla.—Construction permit
940 for a new station to be operated on **940 kc.**, 1 KW night, 5 KW daytime, unlimited time. Amended to change transmitter site from Tulsa, Okla., to 4½ miles southeast of the center of Tulsa, Olka.

WRBL—WRBL Radio Station, Inc., Columbus, Ga.—Modifica-
1200 tion of construction permit (B3-P-1396) for new transmitter and antenna, increase in power, and move of studio and transmitter, requesting approval of transmitter site at Talbotton Road, Columbus, Ga., and studio at 12th and Broadway, Columbus, Ga., and approval of vertical antenna.

WIOD-WMBF—Isle of Dreams Broadcasting Corp., Miami, Fla.—
1300 Modification of license to change frequency from **1300 kc.** to **610 kc.**

KFPL—C. C. Baxter, Dublin, Tex.—License to cover construction
1310 permit (B3-P-345) as modified for new equipment, move of transmitter, and increase in power.

WALA—Pape Broadcasting Corp., Inc., Mobile, Ala.—Authority to
1380 determine operating power by direct measurement of antenna.

KBST—The Big Spring Herald Broadcasting Co., Big Spring, Tex.
1500 —License to cover construction permit (B3-P-440) as modified for a new station.

Fourth Zone

WCBS—WCBS, Inc., Springfield, Ill.—License to cover construc-
1420 tion permit (B4-P-1304) for changes in equipment and move of transmitter.

KGNF—Great Plains Broadcasting Co. (a corp.), North Platte,
1430 Nebr.—Modification of license to change hours of operation from daytime to specified hours (6 a. m. to 7 p. m., CST), using 1 KW power.

NEW—Howard A. Miller, Galesburg, Ill.—Construction permit for
1500 a new station to be operated on **1500 kc.**, 100 watts, specified hours. Amended to change hours of operation from specified hours to daytime only.

Fifth Zone

NEW—Twin City Broadcasting Corp., Longview, Wash.—Con-
780 struction permit for a new station to be operated on **1500 kc.**, 100 watts night, 250 watts daytime, unlimited time. Amended to change frequency from **1500 kc.** to **780 kc.**, hours of operation from unlimited time to daytime, using 250 watts power.

KFPY—Symons Broadcasting Co., Spokane, Wash.—Modification
890 of license to change power from 1 KW, 5 KW daytime, to 5 KW day and night.

KOMO—Fisher's Blend Station, Inc., Seattle, Wash.—License to
920 cover construction permit (B5-P-1346) for changes in equipment and move of auxiliary transmitter.

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—License to cover
970 construction permit (B5-P-1428) for changes in equipment and move of auxiliary transmitter.

KSUN—Copper Electric Co., Inc., Lowell, Ariz.—Authority to
1200 transfer control of corporation from James S. Maffeo and L. R. Jackson to Carleton W. Morris, 473¼ shares of common stock.

KGGC—The Golden Gate Broadcasting Co. (Robert J. Craig),
1420 San Francisco, Calif.—License to cover construction permit (B5-P-1283) for a new transmitter.

Puerto Rican Zone

WPRP—Julio M. Conesa, Ponce, P. R.—Modification of license
1420 to operate additional hours on Sunday from 3 p. m. to 6 p. m.

H. R. 30

IN THE HOUSE OF REPRESENTATIVES

January 5, 1937

Mr. Dickstein introduced the following bill; which was referred to the Committee on Immigration and Naturalization and ordered to be printed

A BILL

To protect the artistic and earning opportunities in the United States for American actors, vocal musicians, operatic singers, solo dancers, solo instrumentalists, and orchestral conductors, and for other purposes.

"*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,* That, notwithstanding any other provision of the immigration law to the contrary, no alien actor, vocal musician, operatic singer, solo dancer, solo instrumentalist, or orchestral conductor shall hereafter be admitted to the United States, whether seeking entry for temporary stay or for permanent residence, unless prior to issuance of visa the Secretary of Labor has received an application for permission to enter for professional engagements and such permission has been granted to the alien, prior to his embarkation from foreign territory, by the Secretary of Labor pursuant to provisions hereinafter stated in this Act.

Sec. 2. The number of otherwise admissible alien actors, vocal musicians, operatic singers, solo dancers, solo instrumentalists, and orchestral conductors admissible to the United States under this Act from any foreign country during any calendar year shall hereafter be limited to the number of American actors, vocal musicians, operatic singers, solo dancers, solo instrumentalists, and orchestral conductors, of similar qualifications which the government of such foreign country has, upon application, granted permission to enter such foreign country for professional engagements during the same calendar year.

Sec. 3. Notwithstanding the limitations as prescribed by section 2 herein, the Secretary of Labor may authorize the admission for temporary stay for professional engagements during specified periods of time of any alien actor, vocal musician, operatic singer, solo dancer, solo instrumentalists, or orchestral conductor, subject to the provisions of this Act, if otherwise found admissible as a nonimmigrant under the immigration laws, upon application made to and approved by the Secretary of Labor prior to the alien's departure from any foreign country upon a finding by the Secretary of Labor, after a full hearing and investigation, that an artist, having qualifications similar to those of the alien seeking admission under this section, cannot be found in the United States among unemployed citizens or lawful permanent resident aliens.

Sec. 4. Notwithstanding the limitations as prescribed by section 2 herein, the Secretary of Labor may authorize the admission for permanent residence for professional engagements or career of any alien actor, vocal musician, operatic singer, solo dancer, solo instrumentalists, or orchestral conductor, subject to provisions of this Act, if otherwise found admissible as an immigrant under the immigration laws, upon application to and approved by the Secretary of Labor after a full hearing and investigation prior to the alien's departure from any foreign country upon a finding by the Secretary of Labor that the permanent admission of such alien artist would not immediately displace, or prevent employment of, a citizen or lawful permanent resident alien having similar professional qualifications to those possessed by the alien seeking admission under this section.

Sec. 5. The question of availability in the United States of citizens or lawful permanent resident aliens who are actors, vocal musicians, operatic singers, solo dancers, solo instrumentalists, or orchestral conductors, and who are unemployed or subject to displacement by admission of alien artists under this Act, shall be determined by the Secretary of Labor who is directed to seek the cooperation and counsel of reputable American organizations and associations of actors, vocal musicians, operatic singers, solo dancers, solo instrumentalists, or orchestral conductors before making such determination.

Sec. 6. The Commissioner of Immigration and Naturalization, with the approval of the Secretary of Labor, shall prescribe rules and regulations for the enforcement of the provisions of this Act; but all rules and regulations insofar as they relate to the administration of this Act by consular officers abroad shall be prescribed by the Secretary of State, on the recommendation of the Secretary of Labor. This Act and rules and regulations issued pursuant thereto are in addition to and not in substitution for the existing immigration laws and shall be enforced as part of such laws, rules, and regulations."

H. R. 13

IN THE HOUSE OF REPRESENTATIVES

January 5, 1937

Mr. Culkin introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce and ordered to be printed

A BILL

To prohibit the transportation in interstate commerce of advertisements of intoxicating liquors, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That it shall be unlawful for any distiller, brewer, vintner, manufacturer, wholesaler, or retailer or for the agent, broker, or factor of any of them, engaged in the sale of intoxicating liquors to cause to be transported in the mails or otherwise from any State or Territory or the District of Columbia to any other State or Territory or the District of Columbia any newspaper, periodical, news reel, photographic film, or record for mechanical reproduction advertising intoxicating liquor or containing the solicitation of an order for intoxicating liquor.

SEC. 2. It shall be unlawful for any publisher or for the agent of any publisher to cause to be transported in the mails or otherwise from any State or Territory or the District of Columbia to any other State or Territory or the District of Columbia any newspaper, periodical, news reel, photographic film, or record for mechanical reproduction advertising intoxicating liquor or containing the solicitation of an order for intoxicating liquor.

SEC. 3. It shall be unlawful for any common carrier or for any private carrier for hire to transport from any State or Territory or the District of Columbia to any other State or Territory or the District of Columbia any newspaper, periodical, news reel, photographic film, or record for mechanical reproduction advertising intoxicating liquor or containing the solicitation of an order for intoxicating liquor.

SEC. 4. It shall be unlawful to broadcast by means of any radio station for which a license is required by any law of the United States, or for any person operating any such station, to permit the broadcasting of any advertisement of intoxicating liquor or the solicitation of an order for intoxicating liquor.

SEC. 5. No letter, postal card, circular, or pamphlet of any kind containing any advertisement of intoxicating liquor or a solicitation of an order for intoxicating liquor shall be deposited in or carried by the mails of the United States, or be delivered by any postmaster or letter carrier, when addressed or directed to any place in any State or Territory of the United States, or the District of Columbia, at which it is by the law in force in the State or Territory or the District of Columbia at the time unlawful to advertise or solicit orders for such liquor.

SEC. 6. When applied to any advertisement or solicitation of an order, the term "intoxicating liquor", as used in this Act, shall be construed to include all intoxicating liquor as defined by the law of the State or Territory or District of Columbia into which such advertisement or solicitation of an order may be transported. The Postmaster General is authorized and directed to make public from time to time suitable bulletins or notices giving the names of the States in which it is unlawful to advertise or solicit orders for intoxicating liquor.

SEC. 7. Any person knowingly violating any of the provisions of this Act shall be fined not more than $1,000 or imprisoned not more than six months, or both; and for any subsequent offense shall be imprisoned not more than one year.

STATEMENT ON FOOD AND DRUG BILL

By SENATOR ROYAL S. COPELAND

This bill has been prepared with three basic principles in mind: First, it must not weaken the existing laws; second, it must strengthen and extend that law's protection of the consumer; and, third, it must impose on honest industrial enterprise no hardship which is unnecessary or unjustified in the public interest.

This bill meets these three principles. It has been prepared after many and extensive conferences with the enforcement agencies of the Government and with representatives of various consumer groups or associations, professional groups, and the industries to be regulated.

Separate called meetings were held with representatives of the food, drug, and cosmetic industries. Letters inviting suggestions were sent to many people known to have an interest in the subject. Several volumes of suggestions have been received from persons in the groups just mentioned. These suggestions have been carefully studied; many of them rejected; some accepted; some accepted in part or in effect. The hearings which have been held by committees of the Senate and House of Representatives on previous bills in former sessions of the Congress have been reviewed and studied to take advantage of the knowledge and discussions contained in them.

The legislative effort to secure a better law on this subject began in June 1933, with the introduction of S. 1944. Since that time there have been many bills and many revisions of bills. There have been numerous hearings by committees of the Congress. The subject has been debated on the floors of Congress, in the press, throughout the industries, and by the public. This has gone on over a period of 3½ years. In the preparation of this bill there has been an earnest, painstaking effort to take advantage of what light has been shed from these various courses.

This bill is presented with the confident assurance that, insofar as it is possible, these previous considerations have been utilized, and that this bill is capable of accomplishing the purposes declared for it. And it is a fair bill which will enable honest business to be carried on without interference, except such as is necessary to safeguard the public health.

It must be realized that the preparation of a bill which affects so many and such varied industrial interests in intricate and technical particulars, and which concerns and appeals to so many, including consumers and others not immediately in the businesses affected, necessarily presents a task of almost indescribable difficulty. It is only natural that many emphasize their immediate concerns without proportionate regard to the rights of others in the bill and which do not directly interest them. Many advance their particular interests without consideration for the technical and legal requirements that are presented in the preparation of a bill.

Conflict also develops in the clash of extreme positions. There are some who would give no regard whatever to the fairness of the bill's application to business. Unfortunately, there are some who give no regard, or very little, to the effectiveness of the bill for protection of the consumer. It should be said with emphasis that all business does not fall in that latter class. Business has not been unsympathetic to the effort for a better law. Strong support for a better law exists in the industries affected.

Considering the variety and diversity of interest, the unavoidable controversies that honestly arise among these interests, a so-called "perfect" bill hardly can be formulated. This bill is not a thing of perfection. It simply represents an earnest effort to serve its declared purposes. It is introduced in the hope that all who desire to see its purposes accomplished and all who are friends of the movement for a better law, will give it unbiased, impartial, and careful consideration, and, after so doing, will see their way clear to support and advocate its enactment.

It will be noted that the sequence has been changed from that of previous bills. That has been done with a view to making it simpler to read, both while it is a bill and later as a law, when it will be constantly examined by enforcement officials, courts, and lawyers. It was thought that it would be an advantage to have the prohibited acts and the enforcement machinery put in the forepart of the bill so that one may quickly learn those requirements, and then move deeper into the bill for details on the particular problem in which he is interested.

The bill has been made shorter and less verbose than previous bills. That has been done without deleting any effective provisions. It has been done by avoiding unnecessary repetitions which existed in previous bills, and by consolidating at a single place in a few lines what appeared heretofore at several different places.

That was also accomplished by eliminating some provisions which, while lending nothing to the strength of the bill, presented the possibility of confusion in enforcement and perhaps raised the issue of its constitutionality. For instance, the requirement that claims for drug products should be supported by medical opinion was deleted. Great difficulty always has been found in defining "medical opinion". In one State, certain practitioners are licensed and their opinions would be considered medical opinion, whereas in another State such practitioners would not be licensed. Furthermore, as shown, in the previous discussions, it would often be impossible to determine what the state of medical opinion is on controverted subjects.

When those considerations were added to the possibility that the guilty might escape through the uncertainties of such a provision, and the strong likelihood that courts would invalidate a statute making medical opinion the criterion of truth and the gage of a criminal offense, the provision was deleted. The bill is stronger for the deletion. Medical testimony can and will be adduced in enforcing the law. It will be received as evidence. But, the bill will avoid the danger of making it a legal standard, usually undeterminable, the violation of which incurs criminal penalties.

The bill also includes a provision that a drug shall be deemed to be misbranded if it is dangerous to health when used in the dosage, or with the frequency or duration, prescribed or recommended in the labeling or advertising thereof. That provision has been in previous bills.

The controversial subject of control of advertising has been met by providing for the prohibition of false advertising by injunction. The bill also states differently the offense of false advertisement. Previous bills have defined false advertisements as those which are "false or misleading in any particular". That definition has occasioned no end of controversy—some of it quite meritorious—on the ground that when applied to the unlimited field of advertising it was too elastic and encompassed things far beyond the purposes of the bill. Also, it would lend itself to unnecessary and unjustified governmental interference in the affairs of business, and impose upon the Government a job far beyond the Government's financial and personnel capacities to enforce. The statement of the offense in the bill defines those subjects pertaining to food, drugs, and cosmetics which should be under Government control.

There has been controversy as to whether the Food and Drug Administration or the Federal Trade Commission should enforce the bill's provisions on advertising. On the premise that advertisements of foods, drugs, and cosmetics are nothing more than extensions of the labeling, this bill proposes that the control be vested in the Food and Drug Administration which enforces the provisions on adulteration and labeling. But, it does not have the effect of depriving the Federal Trade Commission of its jurisdiction to proceed against false advertising in such form as to make it an unfair method of competition. The bill specifically provides that it shall not be construed as impairing or diminishing the powers of the Federal Trade Commission.

The bill simply provides that the district courts of the United States shall have the power to grant temporary and permanent injunctions against the dissemination of any advertisement which contains—

any statement, design, or device regarding a food, drug, device, or cosmetic, or the ingredients thereof, or the subsistences therein, or the nutritional, dietary, curative, therapeutic, or beneficial effects thereof, or the dosage, frequency or duration of use pertaining thereto, which is false or misleading in any particular.

It is submitted that that is a perfectly proper power to vest in the district courts of the United States, and that it not only is proper, but necessary, that the Food and Drug Administration which has foods, drugs, and cosmetics under observation, shall be authorized to seek such injunctions at the hands of the courts. No one can dispute that such advertisements should be enjoined. The fact that the Federal Trade Commission may proceed against advertisers using unfair methods of competition should not prevent the grant to the Food and Drug Administration of this additional, necessary, and very desirable power to protect the public against advertisements which bear directly on public health.

The provisions of the previous bills with respect to seizure also have been subject to much controversy. Again, it has been attempted to take advantage of what has been learned in previous studies. This bill permits multiple seizures of any food, drug, device, or cosmetic that is adulterated. It permits multiple seizures for misbranding when the misbranding has been the basis of a prior judgment in favor of the Government, or when the Secretary of Agriculture has probable cause to believe, from facts found by him, that the misbranding renders the article dangerous to health or is in a material respect false, grossly misleading, or fraudulent.

The only limitation is that misbranding which does not render an article dangerous to health, or is not in a material respect false, grossly misleading, or fraudulent, shall not be handled by multiple seizures made at the will of enforcement officers. That has been the declared policy of the Food and Drug Administration in enforcing the existing law. The bill therefore does no more than write into the law what is declared to be the policy of the Administration. But it is important that that policy be written into the bill because it is the proper policy, and because succeeding administrations should be held to that policy.

There is no comparison between this bill and the existing law as to the extent of their respective applications and the extent of the enforcement officers' powers under them. Where the existing law is entirely negative in its labeling requirements, this bill is affirmative. Where the existing law limits its attacks against misbranding on therapeutic matters to statements which are false and fraudulent, this bill expands them to those which are false or misleading.

Technical, innocent violations of this bill will frequently arise. Overzealous enforcement officers could cause honest business untold damage and annoyance. The bill, therefore, limits the enforcement officers in the drastic power of unlimited seizure to cases of adulteration and those cases of misbranding where, in the public interest, the power should be exercised. In addition, this bill increases the criminal penalties for adulteration and misbranding over those in the existing law, and adds injunction, temporary and permanent, as a means of prohibiting adulteration and misbranding. The existing law does not have such a provision.

The only other change of consequence in the seizure provision is that when seizures have been made the trial may be held in a district of reasonable proximity to the claimant's place of business, and where there are multiple seizures they may be consolidated in one action. Nothing is claimed for this provision except that it is fair. Goods must be seized wherever found. But, there is no reason why a claimant for the goods, who perhaps may reside across the continent, should be compelled to cross the country to try the case. There is no reason, if many seizures have been made, why the trials should not be consolidated, so that one trial may determine the question at issue.

A summary of the principal respects in which this bill increases the scope of the old law and affords the public greater protection follows:

ADVERTISING

1. Prohibits false advertising of food, drugs, therapeutic devices, and cosmetics.

FOODS

2. Provides for the promulgation of standards of identity and a reasonable standard of quality for food. (A standard of quality is authorized by the present law for canned food only.)
3. Requires the labeling of unstandardized food to disclose the ingredients by name.
4. Prohibits traffic in food which is dangerous to health. (The present law permits regulation of dangerous food only in the event that the poison is added.)
5. Prohibits addition of poison. If it cannot be avoided in production or manufacture, when it reaches the consumer the product must be safe for human use.
6. Eliminates the "distinctive name" proviso of the existing law under which the sale of products, the labels of which are misleading, are now permitted sale.
7. Requires fully informative labeling of infant and invalid food.
8. Requires label declaration of artificial colors and artificial flavors in food.
9. Forbids traffic in confectionery containing metallic trinkets and other inedible substances which have been found to be a menace to the welfare of children.
10. Authorizes emergency license control of food that might be dangerous by reason of contamination with micro-organisms. Such licensing is limited to operations in which the public health cannot be protected otherwise.

COSMETICS

11. For the first time places cosmetics under Federal supervision. Requiring cosmetics to be truthfully sold and outlaws those injurious to health.

DRUGS

12. Prohibits traffic in drugs and devices which are dangerous to health under the conditions of use prescribed in the labeling or advertising.
13. Requires habit-forming drugs to bear warning labels.
14. Requires adequate directions for use of drugs and devices and appropriate warnings against their probable misuse through overdosage, or by children, or in disease conditions where they may be dangerous.
15. Sets up special protection to consumers against drugs liable to deterioration.
16. Requires that claims of effect of drugs and devices must not be false or misleading in any particular. (The present law makes fraud, that is, wilful intent to deceive, an element of the offense; unwarranted therapeutic claims resulting from sheer ignorance of the manufacturer are not actionable.)
17. Defines "nonofficial" drugs as illegal if the standard of strength varies from the standard claimed. (The present law prescribes only those which fall below the standard claimed. Drugs which are too strong may be quite dangerous.)
18. Requires that antiseptics possess germicidal power.
19. Requires declaration on the label of the names of active ingredients of nonofficial drugs.

GENERAL

20. Prohibits the use of poisonous containers for food, drugs, and cosmetics.
21. Requires that food, drugs, and cosmetics be prepared and handled under conditions of reasonable cleanliness.
22. Forbids the use of uncertified and impure coal-tar colors in food, drugs, and cosmetics.
23. Prohibits slack-filling and the use of deceptive containers for foods and drugs.
24. Provides for factory inspection and the procurement of records needed to prove Federal jurisdiction.
25. Provides increased penalties for violations.
26. Authorizes the Federal courts to enjoin violations.

The text of the Bill (S. 5) follows:

S. 5

IN THE SENATE OF THE UNITED STATES

JANUARY —, 1937

MR. COPELAND introduced the following bill; which was read twice and referred to the Committee on Commerce

A BILL

To prevent the adulteration, misbranding, and false advertisement of food, drugs, devices, and cosmetics in interstate, foreign, and other commerce subject to the jurisdiction of the United States, for the purposes of safeguarding the public health, preventing deceit upon the purchasing public, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

FEDERAL FOOD, DRUG, AND COSMETIC ACT

CHAPTER I—TITLE

Sec. 1.

CHAPTER II—DEFINITION OF TERMS

Sec. 2.

CHAPTER III—PROHIBITED ACTS AND PENALTIES

Sec. 3. Prohibited acts.
Sec. 4. Injunction.
Sec. 5. Criminal.
Sec. 6. Seizure.
Sec. 7. Notice and hearing.
Sec. 8. Settlement of minor violations.
Sec. 9. Duties of United States attorney.

CHAPTER IV—FOOD

Sec. 10. Definitions and standards of identity and quality for foods.
Sec. 11. Adulterated food.
Sec. 12. Misbranded food.
Sec. 13. Emergency permit control.
Sec. 14. Exemptions.
Sec. 15. Tolerances for poisonous ingredients and certification of coal-tar colors.

CHAPTER V—DRUGS AND DEVICES

Sec. 16. Adulterated drugs.
Sec. 17. Misbranded drugs and devices.
Sec. 18. Exemptions.
Sec. 19. Certification of coal-tar colors.

CHAPTER VI—COSMETICS

Sec. 20. Adulterated cosmetics.
Sec. 21. Misbranded cosmetics.
Sec. 22. Exemptions.
Sec. 23. Certification of coal-tar colors.

CHAPTER VII—ADMINISTRATIVE PROVISIONS

Sec. 24. Authority to promulgate regulations.
Sec. 25. Examinations and investigations.
Sec. 26. Records of interstate shipment.
Sec. 27. Factory inspection.
Sec. 28. Publicity.

CHAPTER VIII—IMPORTS AND EXPORTS

Sec. 29.

CHAPTER IX—COURT REVIEW OF REGULATIONS AND ADMINISTRATIVE ACTIONS

Sec. 30.

CHAPTER X—SEPARABILITY—EFFECTIVE DATE—REPEALS

Sec. 31. Separability.
Sec. 32. Effective date and repeals.

CHAPTER I

SECTION 1. This Act may be cited as the Federal Food, Drug, and Cosmetic Act.

CHAPTER II

DEFINITION OF TERMS

SEC. 2. As used in this Act, unless the context otherwise indicates—

(a) The term "Territory" includes the District of Columbia and the possessions of the United States, and excludes the Canal Zone.

(b) The term "interstate commerce" means (1) commerce between any State or Territory and any place outside thereof, and (2) commerce or manufacture within any Territory.

(c) The term "Department" means the Department of Agriculture of the United States.

(d) The term "Secretary" means the Secretary of Agriculture.

(e) The term "Administration" means the Food and Drug Administration of the Department.

(f) The term "person" includes individual, partnership, corporation, and association unless otherwise hereinafter provided, the act, omission, or failure of any director, officer, employee, or agent acting for or employed by any person, within the scope of his employment agency or office, shall in every case be deemed to be the act, omission, or failure of such person, as well as that of the director, officer, or agent who personally ordered or did any of the acts constituting, in whole or in part, such violation.

(g) The term "food" includes all substances and preparations used for, or entering into the composition of, food, drink, confectionery, chewing gum, or condiment for man or other animals.

(h) The term "drug", for the purposes of this Act, includes (1) all substances and preparations recognized in the official United States Pharmacopœia, official Homœopathic Pharmacopœia of the United States, or official National Formulary, or any supplement to any of them; and (2) all substances and preparations intended for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals; and (3) all substances and preparations, other than food, intended to affect the structure or any function of the body.

(i) The term "device", for the purposes of this Act, includes all devices intended (1) for use in the diagnosis, cure, mitigation, treatment, or prevention of disease in man or other animals; and (2) to affect the structure or any function of the body.

(j) The term "cosmetic" includes all substances and preparations intended for cleansing, or altering the appearance of, or promoting the attractiveness of, the person, except that such term shall not include soaps represented for cleansing purposes only.

(k) The term "antiseptic" when used in labeling and advertisements shall be deemed to have the same meaning as the word "germicide", except, however, in the case of a drug purporting to be, or represented as, an antiseptic for inhibitory use as a wet dressing, ointment, dusting powder, or such other use as involves prolonged contact with the body.

(l) The term "official compendium" means the United States Pharmacopœia, Homœpathic Pharmacopœia of the United States, National Formulary, or any supplement to any of them, official at the time any drug to which the provisions thereof relate is introduced into interstate commerce.

(m) The term "label" means the principal display or displays of written, printed, or graphic matter (1) upon any food, drug, device, or cosmetic, or the immediate container thereof, and (2) upon the outside container or wrapper, if any there be, of the retail package of any food, drug, device, or cosmetic.

(n) The term "labeling" includes all labels and all written, printed, and graphic matter, in any form whatsoever, accompanying any food, drug, device, or cosmetic.

(o) The term "advertisement" means all representations of fact or opinion disseminated in any manner or by any means, other than by the labeling, for the purpose or inducing, directly or indirectly, the purchase of food, drugs, devices, or cosmetics.

CHAPTER III

PROHIBITED ACTS AND PENALTIES

SEC. 3. The following acts and the causing thereof are hereby prohibited:

(1) The introduction or delivery for introduction into interstate commerce of any food, drug, device, or cosmetic that is adulterated or misbranded.

(2) The adulteration or misbranding of any food, drug, device, or cosmetic in interstate commerce.

(3) The receipt in interstate commerce of any food, drug, device, or cosmetic that is adulterated or misbranded, and the delivery or proffered delivery thereof in the original unbroken package for pay or otherwise.

(4) The dissemination, by United States mails, or in interstate

commerce by radio broadcast or otherwise, or by any other means, of any advertisement which represents any drug, or device to have any therapeutic effect in the treatment of Bright's disease, cancer, tuberculosis, poliomyelitis (infantile paralysis), venereal diseases, or heart or vascular diseases, unless such advertisement, not in violation of subdivision 5 of this section, is disseminated only to members of the medical profession and/or appears only in the scientific periodicals of that profession.

(5) (a) The dissemination, by United States mails, or in interstate commerce by radio broadcast or otherwise, of any advertisement which contains any statement, design, or device regarding any food, drug, device, or cosmetic, or the ingredients thereof, or the substances therein, or the nutritional, dietary, curative, therapeutic, preventive, or beneficial effects thereof, or the dosage, frequency, or duration of use pertaining thereto, which is false or misleading in any particular.

(b) The dissemination by any means for the purpose of inducing, directly or indirectly, the purchase of any food, drug, device, or cosmetic, in interstate commerce, of an advertisement which contains any statement, design, or device regarding such food, drug, device, or cosmetic, or the ingredients thereof, or the substances therein, or the nutritional, dietary, curative, therapeutic, preventive, or beneficial effects thereof, or the dosage, frequency, or duration of use pertaining thereto, which is false or misleading in any particular.

(6) The introduction into interstate commerce of any food in violation of section 13.

(7) The refusal to permit access to or copying of any record as required by section 26.

(8) The refusal to permit entry or inspection as authorized by section 27.

(9) Forging, counterfeiting, simulating, or falsely representing, or without proper authority using, any mark, stamp, tag, label, or other identification device authorized or required by regulations promulgated under the provisions of section 13.

(10) The using by any person to his own advantage, or revealing, other than to the Secretary or officers or employees of the Department, or to the courts when relevant in any judicial proceeding under this Act, any information acquired under authority of section 13 or 27 concerning any method or process which as a trade secret is entitled to protection.

INJUNCTION

SEC. 4. (a) The district courts of the United States are hereby given jurisdiction to prevent or restrain by injunction, temporary or permanent, any violation of any of the provisions of subdivisions 1 to 10, inclusive, of section 3. In such injunction proceedings, discontinuance of the violation shall not be grounds for denial of injunction.

(b) Any injunction granted pursuant to this section may be served on the person, or persons, against whom such injunction is granted anywhere in the United States, or in the Territories thereof, where he, or they, may be found, and shall be operative, and may be enforced by proceedings to punish for contempt, or otherwise, by the court by which such injunction was granted, or by any other district court, or judge thereof, in the United States, or in the Territories thereof. The said courts, or judges thereof, shall have jurisdiction to enforce said injunction, as herein provided, as fully as if the injunction had been granted by the district court in which it is sought to be enforced. The clerk of the court or judge granting the injunction shall, when required to do so by the court before which application to enforce said injunction is made, transfer without delay to said court a certified copy of all the papers on which the said injunction was granted that are on file in his office. Such proceedings to punish for contempt, or otherwise, may be instituted by order of the court or by the filing of an information by the United States attorney; and process of the court for the arrest of the violator of any injunction, or order, granted hereunder, may be served at any place in the United States, or in the Territories thereof."

(c) No person shall be deemed to have violated an injunction, issued pursuant to this section, by reason of the dissemination, subsequent to such injunction, of an advertisement which was the basis of the injunction, if such dissemination was beyond the control of such person.

CRIMINAL

SEC. 5. (a) Any person who violates any of the provisions of subdivisions (1), (2), (3), (4), (6), (7), or (8) of section 3 shall be guilty of a misdemeanor and shall on conviction thereof be subject to imprisonment for not more than one year or a fine of not more than $1,000, or both such imprisonment and fine; and for a second or subsequent offense imprisonment for not more than two years, or a fine of not more than $5,000, or both such imprisonment and fine.

(b) Notwithstanding the provision of paragraph (a) of this section, in case of a willful violation of any of the provisions of subdivisions (1), (2), (3), (4), (6), (7), or (8) of section 3 the penalty shall be imprisonment for not more than three years or a fine of not more than $10,000, or both such imprisonment and fine.

(c) Any person who violates any of the provisions of subdivisions (9) or (10) of section 3 shall be guilty of a misdemeanor and shall on conviction thereof be subject to imprisonment for not more than one year or a fine of not more than $5,000, or both such imprisonment and fine.

(d) No dealer shall be subject to the penalties of paragraph (a) of this section for having received in interstate commerce any article of food, drug, device, or cosmetic and delivered it or proffered delivery of it as received, if such delivery or proffer was made in good faith, unless he refuses to furnish on request of an officer or employee duly designated by the Secretary the name and address of the person from whom he purchased or received such article and copies of all documents, if any there be, pertaining to the delivery of the article to him, or if he establishes a guaranty or undertaking signed by the person residing in the United States from whom he received in good faith the article of food, drug, device, or cosmetic, as the case may be, to the effect that such article is not adulterated or misbranded, within the meaning of this Act, designating this Act. To afford protection, such guaranty or undertaking shall contain the name and address of the person furnishing such guaranty or undertaking, and such person shall be amenable to the prosecution and penalties which would attach in due course to the dealer under the provisions of this Act.

SEIZURE

SEC. 6. (a) Any article of food, drug, device, or cosmetic that is adulterated or misbranded when introduced into or while in interstate commerce, or which may not, under the provisions of section 13, be introduced into interstate commerce, shall be liable to be proceeded against while in interstate commerce, or at any time thereafter, on libel of information and condemned in any district court of the United States within the jurisdiction of which the article is found: *Provided, however,* That no libel for condemnation shall be instituted under this Act, for any alleged misbranding if there is pending in any court a libel for condemnation proceeding under this Act based upon the same alleged misbranding, and not more than one such proceeding shall be instituted if no such proceeding is so pending, except that such limitations shall not apply (1) when such misbranding has been the basis of a prior judgment in favor of the United States, in a criminal injunction or libel for condemnation proceeding under this Act, or (2) when the Secretary has probable cause to believe from facts found by him that such misbranding of the article renders it dangerous to health or is, in a material respect, false, grossly misleading, or fraudulent; and in any case where the number of libel for condemnation proceedings is limited as above provided the proceeding pending or instituted shall, on application of the claimant, seasonably made, be removed for trial to any district of reasonable proximity to the district of the claimant's principal place of business which may be agreed upon by stipulation between the parties to the proceeding.

(b) The article shall be liable to seizure by process pursuant to the libel, and the procedure in cases under this section shall conform, as nearly as may be, to the procedure in admiralty; except that either party may demand trial by jury of any issue of fact joined in any such case. In cases of articles of food, drugs, devices, or cosmetics seized under the provisions of this section when the same issues of adulteration or misbranding under the provisions of this Act, raised by the same claimant, are pending in various jurisdictions, the United States district court for any district where one of such seizures is pending, or for any district of reasonable proximity to the district of the claimant's principal place of business, which may be agreed upon by stipulation between the parties to the proceeding, is hereby vested with jurisdiction to consolidate and try such cases; and on application of the claimant, seasonably made, such cases may be tried in any such jurisdiction.

(c) The court at any time after seizure up to a reasonable time before trial shall by order allow any party to a condemnation proceeding, his attorney or agent, to obtain a representative sample of the article seized.

(d) Any food, drug, device, or cosmetic condemned under this section shall, after entry of the decree, be disposed of by destruction or sale as the court may, in accordance with the provisions of this section, direct; and the proceeds thereof, if sold, less the legal costs and charges, shall be paid into the Treasury of the United States; but such article shall not be sold under such decree contrary to the provisions of this Act or the laws of the jurisdiction in which sold: *Provided,* That after entry of the decree and upon the payment of the costs of such proceedings and the execution of a good and sufficient bond conditioned that such article shall not be sold or disposed of contrary to the provisions of this Act or the laws of any State or Territory in which sold, the court may by order direct that such article be delivered to the owner thereof to be destroyed or brought into compliance with the provisions of this Act under the supervision of an officer or employee duly designated by the Secretary, and the expenses of such supervision shall be paid by the party obtaining release of the article under bond. Any article condemned by reason of its being an article which may not, under section 13, be introduced into interstate commerce, shall be disposed of by destruction.

(e) When a decree of condemnation is entered against the article, court costs and fees, and storage and other proper expenses, shall be awarded against the person, if any, intervening as claimant of the article.

NOTICE AND HEARING

SEC. 7. Before reporting any violation of this Act to any United States attorney for institution of criminal proceedings, the Secretary shall, in accordance with regulations prescribed by him, afford appropriate notice and opportunity for hearing to the person against whom the proceedings are contemplated. If after such hearing the Secretary decides to make such report, then the report shall be accompanied by findings of the appropriate officers and employees, duly authenticated under their oaths.

SETTLEMENT OF MINOR VIOLATIONS

SEC. 8. Nothing in this Act shall be construed as requiring the Secretary to report for prosecution, or for the institution of libel or injunction proceedings, minor violations of this Act whenever he believes that the purposes of the Act can be accomplished by a suitable written notice or warning.

DUTIES OF UNITED STATES ATTORNEY

SEC. 9. It shall be the duty of each United States attorney to whom the Secretary, consistently with the provisions of sections 6 and 7, reports any violation for institution of criminal, libel of information for condemnation, or other proceedings under this Act, or to whom any health, food, or drug officer of any State or Territory, or political subdivision thereof, presents evidence satisfactory to the United States attorney of any such violation and that appropriate notice and opportunity for hearing has been afforded to the person against whom the proceedings are contemplated, to cause appropriate proceedings to be instituted in the proper courts of the United States without delay. All suits instituted under this Act, except those arising under section 30 and under subdivision (10) of section 3, shall be by and in the name of the United States. Notwithstanding the provisions of section 876 of the Revised Statutes, subpenas for witnesses who are required to attend a court of the United States, in any district, may run into any other district in any proceeding under this Act.

CHAPTER IV

FOOD

DEFINITIONS AND STANDARDS FOR FOOD

SEC. 10. For the effectuation of the purposes of this Act the Secretary is hereby authorized to promulgate regulations fixing and establishing for any food a definition and standard of identity, and a reasonable standard of quality and fill of container: *Provided,* That no standard of quality shall be established for fresh fruits or fresh vegetables and no standard of identity for fresh fruits (except fresh citrus fruits) or fresh vegetables.

ADULTERATED FOOD

SEC. 11. A food shall be deemed to be adulterated—

(a) (1) If it bears or contains any poisonous or deleterious substance which may render it dangerous to health; or (2) if it bears or contains any added poisonous or added deleterious substance which may render it injurious to health, or which is unsafe within the meaning of section 15, or in excess of the limits of tolerance prescribed by regulations as provided by section 15; or (3) if it consists in whole or in part of any filthy, putrid, or decomposed substance, or if it is otherwise unfit for food; or (4) if it has been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health; or (5) if it is, in whole or in part, the product of a diseased animal or of an animal which has died otherwise than by slaughter; or (6) if its container is composed, in whole or in part, of any poisonous or deleterious substance which may render the contents injurious to health.

(b) (1) If any valuable constituent has been in whole or in part abstracted therefrom; or (2) if any substance has been substituted wholly or in part therefor; or (3) if damage or inferiority has been concealed in any manner; or (4) if any substance has been added thereto or mixed or packed therewith so as to increase its bulk or weight, or reduce its quality or strength, to make it appear better or of greater value than it is.

(c) If it contains a coal-tar color other than one from a batch that has been certified in accordance with regulations as provided by section 15.

(d) If it is confectionery it shall also be deemed to be adulterated if it bears or contains any alcohol, resinous glaze, or nonnutritive substance except harmless coloring, harmless flavoring, natural gum, and pectin: *Provided,* That this paragraph shall not apply to any confectionery by reason of its containing less than one-half of 1 per centum by volume of alcohol derived solely from the use of flavoring extracts, or to any chewing gum by reason of its containing harmless nonnutritive masticatory substances.

MISBRANDED FOOD

SEC. 12. A food shall be deemed to be misbranded—

(a) If its labeling is false or misleading in any particular.

(b) If it is offered for sale under the name of another food.

(c) If it is an imitation of another food, and its label fails to bear, in type of uniform size and prominence, the word "imitation" and, immediately thereafter, the name of the food imitated.

(d) If its container is so made, formed, or filled as to mislead the purchaser.

(e) If in package form unless it bears a label containing (1) the name and place of business of the manufacturer, packer, seller, or distributor; and (2) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count: *Provided,* That under subdivision (2) of this paragraph reasonable variations shall be permitted, and exemptions as to small packages shall be established, by regulations prescribed by the Secretary.

(f) If any word, statement, or other information required on the label under any provision of this Act is not prominently placed thereon in such a manner as to be easily seen and in such terms as to be readily understood by purchasers and users of such articles under customary conditions of purchase and use, due consideration being given to the size of the package.

(g) If it purports to be or is represented as a food for which a definition and standard of identity has been prescribed by regulations as provided by section 10, and (1) it fails to conform to such definition and standard, or (2) its label fails to bear the name of the food prescribed in the definition and standard, or if so required by such regulations when such definition and standard permits optional ingredients other than spices, flavors, and coloring, the common names of such optional ingredients as are present in such food.

(h) If it purports to be or is represented as a food for which a standard of quality or fill of container has been prescribed by regulations as provided by section 10, and its quality or fill falls below such standard of quality or fill of container and its label fails to bear a statement, in such manner as the regulations specify, showing that it falls below such standard of quality or fill of container.

(i) If it is not subject to the provisions of paragraph (g) of this section and its label fails to bear (1) the common or usual name of the food, if any there be, or (2) in case it is fabricated from two or more ingredients, the common or usual name of each such ingredient; except that spices, flavors, and colorings, other than those sold as such, may be designated as spices, flavors, and colorings without naming each: *And provided,* That, to the extent that compliance with the requirements of subdivision (2) of this paragraph is impracticable, exemptions shall be established by regulations promulgated by the Secretary.

(j) If it purports to be or is represented for special dietary uses, such as by infants or invalids or for other special nutritional requirements, and its label fails to bear, if so required by such regulations as may be prescribed by the Secretary, statements concerning its vitamin, mineral, and other dietary properties which fully inform the purchaser as to its nutritional value.

(k) If it bears or contains any artificial flavor, artificial color, or chemical preservative, which is not prohibited by section 11 and it fails to bear a label stating that fact: *Provided,* That to the extent that compliance with the requirements of this paragraph is impracticable, exemptions shall be established by regulations promulgated by the Secretary.

EMERGENCY PERMIT CONTROL

Sec. 13. (a) Whenever the Secretary finds after investigation that the distribution in interstate commerce of any class of food may, by reason of contamination with micro-organisms during the manufacture, processing, or packing thereof in any locality, be injurious to health, and that such injurious nature cannot be adequately determined after such articles have entered interstate commerce, he is then, and in such case only, authorized to promulgate regulations providing for the issuance, to manufacturers, processors, or packers of such class of food in such locality, of permits to which shall be attached such conditions governing the manufacture, processing, or packing of such class of food, for such temporary period of time, as may be necessary to protect the public health, and after the effective date of such regulations, and during such temporary period, no person shall introduce into interstate commerce any such food manufactured, processed, or packed by any such manufacturer, processor, or packer unless such manufacturer, processor, or packer holds a permit issued by the Secretary as provided by such regulations.

(b) The Secretary is authorized to suspend immediately upon notice any permit issued under authority of this section if it is found that any of the conditions of the permit have been violated. The holder of a permit so suspended shall be privileged at any time to apply for the reinstatement of such permit, and the Secretary shall immediately after prompt hearing and in inspection of the establishment, reinstate such permit if it is found that adequate measures have been taken to comply with and maintain the conditions of the permit, as originally issued or as amended.

(c) Any officer or employee duly designated by the Secretary shall have access to any factory or establishment, the operator of which holds a permit from the Secretary, for the purpose of ascertaining whether or not the conditions of the permit are being complied with, and denial of access for such inspection shall be ground for suspension of the permit until such access is freely given by the operator.

EXEMPTIONS

Sec. 14. The Secretary is hereby directed to promulgate regulations exempting from any labeling requirement of this Act (1) small open containers of fresh fruits and fresh vegetables and (2) food which is, in accordance with the practice of the trade, to be processed, labeled, or repacked in substantial quantities at establishments other than those where originally processed or packed, on condition that such food is not adulterated or misbranded under the provisions of this Act upon removal from such processing, labeling, or repacking establishment.

TOLERANCES FOR POISONOUS INGREDIENTS IN FOOD AND CERTIFICATION OF COAL-TAR COLORS FOR FOOD

Sec. 15. (a) Any poisonous, contaminating, or deleterious substance added to any food, except where such substance is required in the production thereof or cannot be avoided by good manufacturing practice shall be deemed to be unsafe for purposes of the application of section 11 (a); but when such substance is so required or cannot be so avoided, the Secretary is authorized to promulgate regulations limiting the quantity therein or thereon to such extent as he finds necessary for the protection of public health. In determining the quality of such added substance to be tolerated in or on different articles of food the Secretary shall take into account the extent to which the use of such substance is required or cannot be avoided in the production of each such article, and the other ways in which the consumer may be affected by the same or other poisonous or deleterious substances.

(b) The Secretary is hereby authorized to promulgate regulations for the certification of coal-tar colors which are harmless and suitable for use in food.

CHAPTER V

Drugs and Devices

ADULTERATED DRUGS

Sec. 16. A drug shall be deemed to be adulterated—

(a) (1) If it consists in whole or in part of any filthy, putrid, or decomposed substance; or (2) if it has been prepared, packed, or held under insanitary conditions whereby it may have been contaminated with filth, or whereby it may have been rendered injurious to health; or (3) if its container is composed, in whole or in part, of any poisonous or deleterious substance which may render it injurious to health; or (4) if it contains, for purposes of coloring only, a coal-tar color other than one from a batch that has been certified in accordance with regulations as provided by section 19.

(b) If its name is recognized in an official compendium, or if it purports to be a drug the name of which is so recognized, and it differs from the standard of strength, quality, or purity as determined by the tests or methods of assay set forth therein; except that whenever tests or methods of assay have not been prescribed therein, or such tests or methods of assay as are prescribed are insufficient, for determining whether or not such drug complies with such standard, the Secretary is hereby authorized to bring such fact to the attention of the appropriate body charged with the revision of such compendium and if such body fails within a reasonable time to prescribe tests or methods of assay which are sufficient, then the Secretary may by regulations prescribe for the purposes of this Act such tests or methods of assay. No drug defined in an official compendium shall be deemed to be adulterated under this paragraph because it differs from the standard of strength, quality, or purity therefor set forth in an official compendium, if its standard of strength, quality, or purity be plainly stated on its label. Whenever a drug is recognized in both the United States Pharmacopœia and the Homœopathic Pharmacopœia of the United States it shall be subject to the requirements of the United States Pharmacopœia unless it is labeled and offered for sale as a homœopathic drug, in which case it shall be subject to the provisions of the Homœopathic Pharmacopœia of the United States and not to those of the United States Pharmacopœia.

(c) If it is not subject to the provisions of paragraph (b) of this section and its identity or strength differs from, or its purity or quality falls below, that which it purports or is represented to possess.

MISBRANDED DRUGS AND DEVICES

Sec. 17. A drug or device shall be deemed to be misbranded—

(a) If its labeling is false or misleading in any particular.

(b) If it is dangerous to health when used in the dosage, or with the frequency or duration, prescribed or recommended in the labeling or advertisement thereof.

(c) If in package form unless it bears a label containing (1) the name and place of business of the manufacturer, packer, seller, or distributor; and (2) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count: *Provided,* That under subdivision (2) of this paragraph reasonable variations shall be permitted, and exemptions as to small packages shall be established, by regulations prescribed by the Secretary.

(d) If any word, statement, or other information required on the label under any provision of this Act is not prominently placed thereon in such a manner as to be easily seen and in such terms as to be readily understood by purchasers and users of such articles under customary conditions of purchase and use, due consideration being given to the size of the package.

(e) If it is for use by man and contains any quantity of Alpha eucaine, barbituric acid, beta eucaine, bromal, cannabis, carbromal, chloral, cocoa, cocaine, codeine, heroin, marihuana, morphine, opium, paraldehyde, peyote, sulphonmethane, or any substance chemically derived therefrom or any other narcotic or hypnotic substance, which derivative or other narcotic or hypnotic substance has been designated as habit forming by regulations prescribed by the Secretary, and, except when dispensed on the written order of a member of the medical profession, its label fails to bear the name and quantity or proportion of such substance or derivative and in juxtaposition therewith the statement "Warning—May be habit forming."

(f) If it is a drug and is not designated by a name recognized in an official compendium and its label fails to bear (1) a common or usual name of the drug, if such there be; or (2), in case it is fabricated from two or more ingredients, the name of each active ingredient, including the quantity, kind, and proportion of any alcohol; and also including, whether active or not, the name and quantity or proportion of any ether, chloroform, acetanilid, acetphenetidin, amidopyrine, antipyrine, atropine, hyoscine, hyoscyamine, arsenic, digitalis, glucosides, mercury, ouabain, strophanthin, strychnine, thyroid, or any derivative or preparation of any such substances, contained therein: *Provided,* That to the extent that compliance with the requirements of subdivision (2) of this paragraph is impracticable, exemptions shall be established by regulations promulgated by the Secretary.

(g) If its labeling fails to bear plainly and conspicuously (1) adequate directions for use, or (2) adequate warnings against use in those pathological conditions or by children where its use may be dangerous to health, or against unsafe dosage or methods or duration of administration or application: *Provided,* That where any requirement of subdivision (1) of this paragraph, as applied to any drug or device, is not necessary for the protection of the public health, the Secretary shall promulgate regulations exempting such drug or device from such requirement.

(h) If its name is recognized in an official compendium, or if it purports to be a drug the name of which is so recognized, and it is not packaged and labeled as prescribed therein. Whenever a drug is recognized in both the United States Pharmacopœia and the Homœpathic Pharmacopœia of the United States, it shall be subject to the requirements of the United States Pharmacopœia with respect to packaging and labeling unless it is labeled and offered for sale as a homopathic drug, in which case it shall be subject to the provisions of the Homœpathic Pharmacopœia of the United States, and not to those of the United States Pharmacopœia.

(i) If it has been designated by regulations prescribed by the Secretray as a drug liable to deterioration, and is not packaged in such form and manner, or its label fails to bear a statement of such precautions, as such regulations require for the protection of public health. No such regulation shall be established for any drug recognized in an official compendium until the Secretary shall have informed the appropriate body charged with the revision of such compendium of the need for such packaging or labeling requirements and such body shall have failed within a reasonable time to prescribe such requirements.

(j) (1) If its container is so made, formed, or filled as to mislead the purchaser; or (2) if it is an imitation of another drug; or (3) if it is offered for sale under the name of another drug.

EXEMPTIONS

SEC. 18. The Secretary is hereby directed to promulgate regulations exempting from any labeling or packaging requirement of this Act drugs and devices which are, in accordance with the practice of the trade, to be processed, labeled, or repacked in substantial quantities at establishments other than those where originally processed or packed, on condition that such drugs and devices are not adulterated or misbranded under the provisions of this Act upon removal from such processing, labeling, or repacking establishment.

CERTIFICATION OF COAL-TAR COLORS FOR DRUGS

SEC. 19. The Secretary is hereby authorized to promulgate regulations for the certification of coal-tar colors which are harmless and suitable for use in drugs for purposes of coloring only.

CHAPTER VI

COSMETICS

ADULTERATED COSMETICS

SEC. 20. A cosmetic shall be deemed to be adulterated—

(a) If it bears or contains any poisonous or deleterious substance which may render it injurious to users under the condidtions of use prescribed in the labeling thereof, or under such conditions of use as are customary or usual, provided that this provision shall not apply to coal-tar hair dyes, the label of which bears the following legend conspicuously displayed thereon: "Caution—This product contains ingredients which may cause skin irritation on certain individuals and a preliminary test according to accompanying directions should first be made. This product must not be used for dyeing the eyelashes or eyebrows."

(b) If it consists in whole or in part of any filthy, putrid, or decomposed substance.

(c) If it has been prepared, packed, or held under insanitary conditions whereby it may have become contaminated with filth, or whereby it may have been rendered injurious to health.

(d) If its container is composed, in whole or in part, of any poisonous or deleterious substance which renders or will render it injurious to health.

(e) If it contains a coal-tar color other than one from a batch that has been certified in accordance with regulations as provided by section 23.

MISBRANDED COSMETICS

SEC. 21. A cosmetic shall be deemed to be misbranded—

(a) If its labeling is false or misleading in any particular.

(b) If in package form unless it bears a label containing (1) the name and place of business of the manufacturer, packer, seller, or distributor; and (2) an accurate statement of the quantity of the contents in terms of weight, measure, or numerical count: *Provided,* That under subdivision (2) of this paragraph reasonable variations shall be permitted, and exemptions as to small packages shall be established, by regulations prescribed by the Secretary.

(c) If any word, statement, or other information required on the label under any provision of this Act is not prominently placed thereon in such a manner as to be easily seen and in such terms as to be readily understood by the purchasers and users of such articles under customary conditions of purchase and use, due consideration being given to the size of the package.

EXEMPTIONS

SEC. 22. The Secretary is hereby directed to promulgate regulations exempting from any labeling requirement of this Act cosmetics which are, in accordance with the practice of the trade, to be processed, labeled, or repacked in substantial quantities at establishments other than those where originally processed or packed, on condition that such cosmetics are not adulterated or misbranded under the provisions of this Act upon removal from such processing, labeling, or repacking establishment.

CERTIFICATION OF COAL-TAR COLORS FOR COSMETICS

SEC. 23. The Secretary is hereby authorized to promulgate regulations for the certification of coal-tar colors which are harmless and suitable for use in cosmetics, and for coal-tar colors used in hair dyes as provided in section 20, paragraph (a).

CHAPTER VII

ADMINISTRATIVE PROVISIONS

AUTHORITY TO PROMULGATE REGULATIONS

SEC. 24. (a) The authority to promulgate regulations for the efficient enforcement of this Act, except as otherwise provided in this section, is hereby vested in the Secretary.

(b) The Secretary of the Treasury and the Secretary of Agriculture shall jointly prescribe regulations for the efficient enforcement of the provisions of section 29, except as otherwise provided therein. Such regulations shall be promulgated in such manner and take effect at such time, after due notice, as the Secretary of Agriculture shall determine.

(c) Hearings authorized or required by this Act, shall be conducted by the Secretary or such officer or employee as he may designate for the purpose.

(d) The definitions and standards of identity promulgated by or in accordance with the provisions of this Act shall be effective for the purposes of the enforcement of this Act, notwithstanding such definitions and standards as may be contained in other laws of the United States and regulations promulgated thereunder.

(e) Whenever the Secretary deems that there should be established any regulation contemplated by section 11, paragraph (a) or (c); section 12, paragraph (g), (h), or (j); section 10; section 15, paragraph (a) or (b); section 13, paragraph (a); section 16, paragraph (a) or (b); section 17, paragraph (e) or (i); section 19; section 20, paragraph (e); or section 23, he shall give appropriate notice of the proposal and of the time and place for a public hearing to be held thereon not less than thirty days after the date of such notice. After such hearing the Secretary is authorized to formulate and promulgate such regulation as he shall find to be necessary to effectuate the purposes of such provision. The regulation so promulgated shall become effective on a date fixed by the Secretary, which date shall not be prior to ninety days after its promulgation, and may be amended or repealed in the same manner as is provided for its adoption; except that public hearing on regulations under section 13 (a) may be held within a reasonable time after notice thereof, and the Secretary may fix the effective date of such regulations at any reasonable time after promulgation thereof.

EXAMINATIONS AND INVESTIGATIONS

SEC. 25. (a) The Secretary is authorized to conduct examinations and investigations for the purposes of this Act through officers and employees of the Department or through any health, food, or drug officer or employee of any State, Territory, or political subdivision thereof, duly commissioned by the Secretary as an officer of the Department. In the case of food packed in a Territory, the Secretary shall attempt to make inspection of such food at the first point of entry within the territorial limits of the United States when, in his opinion and with due regard to the enforcement of all the provisions of this Act, the facilities at his disposal will permit of such inspection.

(b) Where a sample of a food, drug, or cosmetic is collected for analysis under this Act, the Secretary shall, upon request, provide a part of such official sample for examination or analysis by any person named on the label of the article; except that the Secretary is authorized, by regulations, to make such reasonable exceptions from, and impose such terms and conditions relating to, the operation of this sentence as he deems necessary for the effectuation of the purposes of this Act.

(c) For purposes of enforcement of this Act, records kept by the Treasury Department in accordance with laws, and regulations thereunder, relating to alcoholic beverages and medicinal liquors, shall be open to inspection by any official of the Department of Agriculture duly authorized by the Secretary of Agriculture to make such inspection.

(d) For the purpose of enforcement of this Act records kept by the Post Office Department in accordance with laws and regulations thereunder, relating to shipment by parcel post of foods, drugs, devices, and cosmetics, shall be open to inspection by the official of the Department of Agriculture duly authorized by the Secretary of Agriculture to make such inspection.

RECORDS OF INTERSTATE SHIPMENT

SEC. 26. For the purpose of enforcing the provisions of this Act, carriers engaged in interstate commerce, and persons receiving food, drugs, devices, or cosmetics in interstate commerce, shall, upon the request of an officer or employee duly designated by the Secretary, permit such officer or employee, at reasonable times, to have access to and to copy all records showing the movement in interstate commerce of any food, drug, device, or cosmetic, and the quantity, shipper, and consignee thereof; and it shall be unlawful for any such carrier or person to fail to permit such access to and copying of any such record so requested when such request is accompanied by a statement in writing specifying the nature or kind of food, drug, device, or cosmetic to which such request relates: *Provided*, That evidence obtained under this section shall not be used in a criminal prosecution of the person from whom obtained: *Provided further*, That carriers shall not be subject to the other provisions of this Act by reason of their receipt, carriage, or delivery of food, drugs, devices, cosmetics, or advertising matter in the usual course of business as carriers.

FACTORY INSPECTION

SEC. 27. For purposes of enforcement of this Act, officers or employees duly designated by the Secretary, after first making request and obtaining permission of the owner, operator, or custodian thereof, are authorized (1) to enter, at reasonable times, any factory, warehouse, or establishment in which food, drugs, devices, or cosmetics are manufactured, processed, packed, or held for shipment in interstate commerce or are held after such shipment, or to enter any vehicle being used to transport such food, drugs, devices, or cosmetics in interstate commerce; and (2) to inspect, at reasonable times, such factory, warehouse, establishment, or vehicle and all pertinent equipment, finished and unfinished materials, containers, labeling, or advertising matter therein.

PUBLICITY

SEC. 28. (a) The Secretary shall cause to be published from time to time reports summarizing all judgments, decrees, and court orders which have been rendered under this Act, including the nature of the charge and the disposition thereof.

(b) The Secretary may also cause to be disseminated information regarding food, drugs, devices, or cosmetics in situations involving, in the opinion of the Secretary, imminent danger to health or gross deception of the consumer. Nothing in this section shall be construed to prohibit the Secretary from collecting, reporting, and illustrating the results of the investigations of the Department.

CHAPTER VIII

IMPORTS AND EXPORTS

SEC. 29. (a) The Secretary of the Treasury shall deliver to the Secretary of Agriculture, upon his request, samples of food, drugs, devices, and cosmetics which are being imported or offered for import into the United States, giving notice thereof to the owner or consignee, who may appear before the Secretary of Agriculture and have the right to introduce testimony. If it appears from the examination of such samples or otherwise that (1) any false advertisement of such article has been disseminated in the United States by the importer or exporter thereof, or any person in privity with him, within three months prior to the date such article is offered for import, or (2) such article has been manufactured, processed, or packed under insanitary conditions, or (3) such article is forbidden or restricted in sale in the country in which it was produced or from which it was exported, or (4) such article is adulterated or misbranded, then such article shall be refused admission.

(b) The Secretary of the Treasury shall refuse delivery to the consignee and shall cause the destruction of any such article refused admission, unless such article is exported by the consignee within three months from the date of notice of such refusal, under such regulations as the Secretary of the Treasury may prescribe: *Provided*, That the Secretary of the Treasury may deliver to the consignee any such article pending examination and decision in the matter on execution of a bond as liquidated damages for the amount of the full invoice value thereof together with the duty thereon, and on refusing for any cause to return such article or any part thereof to the custody of the Secretary of the Treasury when demanded for the purpose of excluding it from the country or for any other purpose, such consignee shall forfeit the full amount of the bond as liquidated damages.

(c) All charges for storage, cartage, and labor on any article which is refused admission or delivery shall be paid by the owner or consignee and in default of such payment shall constitute a lien against any future importations made by such owner or consignee.

(d) A food, drug, device, or cosmetic intended for export shall not be deemed to be adulterated or misbranded under this Act if it (1) accords to the specifications of the foreign purchaser, (2) complies with the laws of the country to which it is intended for export, and (3) is labeled on the outside of the shipping package to show it is intended for export. But if such article is sold or offered for sale in domestic commerce, this paragraph shall not exempt it from any of the provisions of this Act.

CHAPTER IX

COURT REVIEW OF REGULATIONS AND ADMINISTRATIVE ACTIONS

SEC. 30. The district courts of the United States are hereby vested with jurisdiction, on petition by any interested person, (1) to restrain by injunction, temporary or permanent, the enforcement by any officer, representative, or employee of the Department of any regulation promulgated in accordance with section 24 if it is found as a fact or conclusion of law by the judge of such court that the regulation is unreasonable, arbitrary, or capricious, or not in accordance with law, and that the petitioner may suffer substantial damage by reason of its enforcement; and (2) to grant appropriate injunctive relief from any act or omission of any officer, representative, or employee of the Department in the administration of this Act, if it has been shown that such act or omission is unreasonable, arbitrary, or capricious, or not in accordance with law, and that the petitioner may suffer substantial damage thereby: *Provided*, That nothing in this section shall be deemed to abridge the right of any person against whom a criminal prosecution or suit for injunction shall have been brought under this Act, or who shall intervene as claimant in any proceeding of libel for condemnation, to plead that the regulation, the violation of which is alleged as the ground for such prosecution, suit, or libel is invalid on any of the grounds set forth above.

CHAPTER X

SEPARABILITY CLAUSE

SEC. 31. If any provision of this Act is declared unconstitutional, or the applicabiltiy thereof to any person or circumstances is held invalid, the constitutionality of the remainder of the Act and the applicability thereof to other persons and circumstances shall not be affected thereby.

EFFECTIVE DATE AND REPEALS

SEC. 32. (a) This Act shall take effect twelve months after the date of its enactment. The Federal Food and Drugs Act of June 30, 1906, as amended (U. S. C., 1934 ed., title 21, secs. 1-15), shall remain in force until such effective date, and, except as otherwise provided in this paragraph, is hereby repealed effective upon such date: *Provided,* That the provisions of section 24 shall become effective on the enactment of this Act, and thereafter, the Secretary is authorized hereby to (1) conduct hearings and to promulgate regulations which shall become effective on or after the effective date of this Act as the Secretary shall direct, and (2) designate prior to the effective date of this Act food having common or usual names and exempt such food from the requirements of subdivision (2) of paragraph (i) of section 12 for a reasonable time to permit the formulation, promulgation, and effective application of definitions and standards of identity therefor as provided by section 10: *Provided further,* That the Act of March 4, 1923 (U. S. C., 1934 ed., title 21, sec. 6; 42 Stat. 1500, ch. 268), defining butter and providing a standard therefor, and the provisions of the Act of July 24, 1919 (U. S. C., 1934 ed., title 21, sec. 10; 41 Stat. 271, ch. 26), defining wrapped meats as in package form, shall remain in force and effect and be applicable to the provisions of this Act: *And provided further,* That amendment to the Food and Drugs Act, section 10A, approved August 27, 1935 (U. S. C., 1934 ed., Supp. I, title 21, sec. 14a), shall remain in force and effect and be applicable to the provisions of this Act.

(b) The provisions of this Act shall not be held to modify or repeal any of the existing laws of the United States except as provided by paragraph (a) of this section.

(c) Meats and meat food products shall be exempt from the provisions of this Act to the extent of the application or the extension thereto of the Meat Inspection Act, approved March 4, 1907, as amended (U. S. C., 1934 ed., title 21, secs. 71-91; 34 Stat. 1260 et seq.).

(d) Nothing in this Act shall impair, or be construed to impair or diminish, the powers of the Federal Trade Commission under existing law.

The National Association of Broadcasters
NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS

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COMMISSION GETS BROADCAST ENGINEERING REPORT

T. A. M. Craven, chief engineer of the Federal Communications Commission, on Tuesday of this week submitted an engineering report to the Broadcast Division of the Commission on the allocation hearing held during last October.

The full text of the report will be found on page 1877.

CONGRESSIONAL COMMITTEES NAMED

Senate Committee on Interstate Commerce

Radio matters in the Senate are handled by the Committee on Interstate Commerce. The new set-up of the Committee in this session of Congress includes Senators Burton K. Wheeler, of Montana (chairman); Ellison D. Smith of South Carolina; Robert F. Wagner of New York; Alben W. Barkley, of Kentucky; Matthew N. Neely, of West Virginia; William H. Dieterich of Illinois; Augustine Lonergan, of Connecticut; Fred H. Brown, of New Hampshire; Homer T. Bone, of Washington; Vic Donahey, of Ohio; Sherman Minton, of Indiana; A. Harry Moore, of New Jersey; Harry S. Truman, of Missouri; Charles O. Andrews, of Florida; Edwin C. Johnson, of Colorado; H. H. Schwartz, of Wyoming; Wallace H. White, Jr., of Maine; James J. Davis, of Pennsylvania; Warren R. Austin, of Vermont; and Henrik Shipstead, of Minnesota.

Senate Committee on Patents

Senator William Gibbs McAdoo, of California, has been named chairman of the Senate Committee on Patents which will handle the copyright bill in that body.

Other members of the Committee include Senators Ellison D. Smith, of South Carolina; Homer T. Bone, of Washington; George L. Radcliffe, of Maryland; F. Ryan Duffy, of Wisconsin; George W. Norris, of Nebraska; and William H. White, Jr., of Maine.

House Committee on Interstate Commerce

The majority members of the House Committee on Interstate and Foreign Commerce include the following: Representatives Clarence F. Lea, of California (chairman); Robert Crosser, Ohio; Alfred L. Bulwinkle, North Carolina; Virgil Chapman, Kentucky; Paul H. Maloney, Louisiana; William P. Cole, Jr., Maryland; Samuel B. Pettengill, Indiana; Edward A. Kelly, Illinois; Edward A. Kenney, New Jersey; George G. Sadowski, Michigan; John H. Martin, Colorado; Edward C. Eicher, Iowa; Theodore A. Peyser, New York; Thomas J. O'Brien, Illinois; Henry Ellenbogen, Pennsylvania; Herron Pearson, Tennessee; Jerry J. O'Connell, Montana; George B. Kelly, New York; Lyle H. Boren, Oklahoma; and Gardner H. Witherow, Wisconsin.

House Patents Committee

The majority members of the House Committee on Patents includes Representatives William I. Sirovich, of New York (chairman); Fritz G. Lanham, Texas; Braswell D. Deen, Georgia; Thomas O'Malley, Wisconsin; Matthew A. Dunn, Pennsylvania; Charles Kramer, California; Graham A. Barden, North Carolina; John L. McClellan, Arkansas; Frank W. Boykin, Alabama; William B. Barry, New York; William P. Connery, Jr., Massachusetts; John McSweeney, Ohio; Edwin V. Champion, Illinois; Thomas R. Amlie, Wisconsin; and Dewey W. Johnson, Minnesota.

The minority members of the above House Committees are expected to be announced shortly.

EXAMINER RECOMMENDS GRANTING APPLICATION OF FORMER SENATOR DILL

Former Senator Clarence C. Dill applied to the Federal Communications Commission for a construction permit for a new broadcasting station at Washington, D. C., to use 1390 kilocycles, 1,000 watts power, and unlimited time on the air.

Examiner John P. Bramhall, in Report No. I-334, recommended that the application be granted. The Examiner states that "there is need for an additional service in the area proposed to be served." He states that the proposed site is satisfactory to the Commission; that a directional antenna will be used at the station; that the radio towers will be marked in accordance with engineering specifications and that "the granting of this application will serve public interest, convenience and necessity."

WHEELER ASKS BROADCAST INFORMATION

Senator Wheeler of Montana, chairman of the Senate Committee on Interstate Commerce, has sent two letters to Chairman Prall of the Federal Communications Commission asking for specified information in regard to the ownership or control of broadcasting stations by the NBC, CBS, Hearst Syndicate, and other chains. He also asks questions relative to the ownership of stations by newspapers of the country.

Senator Wheeler says:

"As chairman of the Committee on Interstate Commerce, I would like to be furnished with the following information:

"1. How many cleared channels are today owned and controlled or operated by, or in connection with, any of the so-called chain broadcasting companies?

"2. How many stations have been sold or transferred within the past three years, giving the date of such transfer, the name of the station, its location, and the price paid, and whether purchased by a newspaper or by one of the chain broadcasting companies?

"3. Kindly furnish me with the number of stations owned or controlled by the National Broadcasting network.

"4. Kindly furnish me with the number of stations owned or controlled by the Columbia Broadcasting System.

"5. Kindly furnish me with the number of stations controlled by the Hearst Syndicate.

"6. Kindly furnish me with the number of stations controlled, or in the network of any other chain system."

In his second letter Senator Wheeler says:

"Will you kindly furnish me with the following information:

"1. How many newspapers in the country at the present time own radio stations?

"2. How many have been acquired within the past year?

"3. How many applications pending at the present time by newspapers for radio stations?

"4. I would like to have an opinion from the Chief Counsel of the Commission on the question as to whether or not the Commission has the authority, at the present time, to deny an application of a newspaper for radio facilities, on the ground that it is against public policy.

"5. Whether, if the Commission has not such authority at the present time, legislation could be passed, denying the right for newspapers to acquire them in the future, and requiring all newspapers within a reasonable time to divest themselves of the ownership and control of such radio stations?"

FCC APPROPRIATIONS

In the annual budget sent to Congress last week recommendation was made that the appropriation for the fiscal year 1938 for the Federal Communications Commission be $1,629,000 compared with the present appropriation of $1,874,000.

In connection with the budget message the following statement is made relative to the Commission: "The Federal Communications Commission has an actual reduction of $246,000, with a decrease of $400,000 due to the expiration of the telegraph and telephone investigations offsetting increases of $100,000 in connection with radio telegraphy provisions of the Convention on Safety at Sea, and non-recurring items of $54,000 for new monitor equipment."

NEW STATION RECOMMENDED FOR MIAMI BEACH

A. Frank Katzentine applied to the Federal Communications Commission for a construction permit for the erection of a new broadcasting station at Miami Beach, Florida, to use 1500 kilocycles, 100 watts power, and unlimited time on the air.

Examiner John P. Bramhall, in Report No. I-333, recommended that the application be granted. The Examiner states that "a need for additional service in the area proposed to be served has been definitely shown." He stated further that "the granting of this application should be conditioned upon the applicant's selection of a transmitter site, which would comply with the engineering standards of the Commission."

RADIO UNDER COMMERCE DEPARTMENT

President Roosevelt on Tuesday sent a special message to Congress on the reorganization of government departments as outlined in the Brownlow report, made at the specific request of the President.

Under the Brownlow plan, which has the endorsement of the President, the Federal Communications Commission would be placed under the Department of Commerce. The entire plan for reorganization is subject to Congressional approval.

PAYNE SPEAKS OF RADIO AT HARVARD

George Henry Payne, Federal Communications Commissioner, delivered two lectures on Monday in Harvard University before the School of Business Administration on the work of the Communications Commission and its problems.

He said that one of the outstanding accomplishments of the Commission during the past year was the reduction of $22,000,000 in telephone tolls as a result of the Commission's investigation of the telephone industry. One of the most important problems that the Commission has yet to solve, he said, was the voluntary transfer of licenses in which transactions large sums of money are being paid for licenses, resulting in a trafficking in frequencies which, he declared, was counter to not only the spirit but the letter of the Communications Act of 1934.

The main portion of his second lecture was taken up with the discussion of the necessity of evolving an American policy for the control of our international communications. In elucidating this, he referred to the establishment of a radio telephonic channel with France as the beginning of our freedom from control by foreign nations in communication.

Commissioner Payne very sharply criticized the radio lobby in Washington which has been working for years to get control of the short wave broadcasting facilities which belong to the United States Government and the absorption of which, Commissioner Payne said, would be a public scandal redolent of the Teapot Dome.

In this connection, Commissioner Payne said:

"When a little over a year ago I discussed at Syracuse University the proposed Government short wave broadcasting stations which had been planned for several years, and which had been enthusiastically supported, not only by high officials of the Government, including the Secretary of State, the Secretary of the Navy, and the President himself, but also the communication leaders of the House and Senate, I mentioned at the same time that certain unscrupulous and misguided captains of industry were attempting to block the entire project, even though they recognized its great importance from a national standpoint, merely because at some later date it might be looked upon as the entering wedge for the Government operation of all broadcasting. I tried to point out the absurdity of such a position, showing that a station of this sort, far from leading in that direction, would rather tend to allay the fears of those who have felt that broadcasting is in the hands of a selfish minority whose only object is to exploit the public with commercial nostrums for their own financial enrichment. The plans for this Pan American station provided as a definite step in the cementing of the bonds of friendship and the cultural understanding between the nations on the Western Hemisphere, the setting up of governmental shortwave broadcasting stations in each of the participating countries. These stations were to be used in 'promoting better understanding among the republics of the American continent through the broadcasting' of whatever would tend to give these American countries a better understanding of one another. In accordance with the plan that the United States was to take the lead in the development of this project, an Executive Order of the President was issued, allocating radio frequencies for a proposed station in Washington, D. C. The Berne Bureau was notified that these frequencies had been set aside; an engineering survey was made. And that was as far as the matter had gone when, a year ago, I called attention to the fact that one of the reasons for the long delay was supposed to be the clever opposition of commercial interests who had apparently succeeded in opposing the building of this station on the ground that it might be the entering wedge of government control and operation of broadcasting.

"I stated then and I state now that unless constructive steps are taken by the industry itself to clean up some of the flagrant violations of public confidence and support, Congress itself will be obliged to take an active hand in the matter.

"One of the first steps in the development of a national policy, particularly a policy dealing with our foreign friends, is the construction of a national broadcasting station owned and controlled solely by the United States. Every other nation in the world has such a station.

"Every other nation in the world is prepared to defend itself over the air from the attack of foreign or unfriendly agencies.

"Every other nation in the world is prepared to see that the world understands its point of view—and yet this nation, where the greatest development of radio has taken place, is absolutely without control over the commercial interests within its own borders and outside of its borders is at the mercy of every propagandizing nation.

"We ought to have a station through which the President of the United States could speak to the world, particularly at this time of world unrest and stress!

"I am sorry to say this morning that my fears were fully justified, and that not only have these same interests continued to block the development of this essentially American project, but actually within the last few months a vicious attempt has been made to take over from the Government these precious five frequencies which were allocated for this service by Executive Order of the President, to take them over for commercial operation on the specious plea that since little progress had been made in the development of this project by the Government itself, it is now necessary for private interests to operate stations on the frequencies, in order to protect the use of these frequencies for the United States as a whole.

"It is hardly necessary for me to point out to you that the very people who are urging this are the ones who have been opposing the project all along, and who, until the present, have effectively succeeded in sabotaging it.

"I have complete documentary evidence to support all this, including the names of the persons and the organizations involved. I hope that it will not be necessary to wash all this dirty linen in public, and I am refraining from saying any more at this time, because I know that steps are being taken in the very highest administration circles to clear away all this barrage of interference and start immediately operation of the project. I mentioned it, however, to point out the dangers to our American system of Government of the sort of insidious back-door lobbying of the type which led to such scandals as Teapot Dome."

BROADCAST ADVERTISING IN NOVEMBER

Highlights of the Month

Broadcast advertising in November amounted to $11,419,143, less than a one per cent decline from the record-breaking level registered in October. Continuing the seasonal trend of last year, network advertising declined while non-network business increased in volume. National non-network business rose 19.6%. All portions of the medium increased as compared to November of last year with the exception of regional network advertising which declined 4.6%. Total broadcast advertising increased 39.1% over the corresponding month of last year.

Broadcast advertising during the first eleven months of 1936 amounted to $96,503,945, an increase of 22.4% over

the corresponding period of the preceding year. Gains with regard to various portions of the medium were as follows: national networks 18.7%, regional networks 28.9%, national non-network advertising 41.2%, and local broadcast advertising 15.1%.

Total non-network advertising during November was 11.0% greater than during October and 45.0% greater than during the corresponding month of last year. Clear channel station and regional station advertising increased 18.7% and 9.1%, respectively, over October, while local station advertising declined 3.5%. All sections of the country experienced gains over October, non-network advertising in the New England-Middle Atlantic Area and in the Pacific and Mountain Area rising 23.5% and 23.9%, respectively. All sizes of stations and sections of the country registered marked gains over November 1935.

Total transcription volume increased 19.9% over October. Live talent and announcement volume rose 7.6% and 10.8%, respectively, while total record volume declined 5.9%. Transcription volume in the national non-network field and announcements in the local field showed the greatest gains. All types of rendition in both the national non-network and local field showed marked increases over the corresponding month of last year.

Principal increases over October occurred in the following sponsoring groups: national network confectionery, household equipment and financial advertising; regional network toilet goods advertising; national non-network automotive, accessory, beverage, radio set, and tobacco advertising; and local automotive and soap and kitchen supply advertising. Total retail broadcast advertising. increased 8.7% over last month and 24.0% over November 1935.

Total Broadcast Advertising

Total broadcast advertising for the month of November is found in Table I.

TABLE I
TOTAL BROADCAST ADVERTISING

	1936 GrossTime Sales		
Class of Business	*October*	*November*	*Cumulative Jan.-Nov.*
National networks	$6,722,926	$6,149,818	$53,558,419
Regional networks	154,979	122,725	1,268,396
National non-network	2,401,800	2,873,200	21,680,160
Local	2,234,800	2,273,400	19,996,970
Total	$11,514,505	$11,419,143	$96,503,945

Despite the record-breaking October level, total broadcast advertising declined less than one per cent from the previous month's gross time sales. This is a usual seasonal decline which has likewise been experienced in past years. National network volume declined 8.5% and regional network advertising dropped 20.8%. National non-network advertising experienced a marked increase, rising 19.6%, while local business rose 1.7%.

With the exception of regional network advertising, which declined only 4.6%; all portions of the medium showed increases when compared to the corresponding month of last year. National network volume rose 35.6%, national non-network advertising 73.8%, and local business 19.8%. Total broadcast advertising increased 39.1% over November 1935.

Comparison with Other Media

Advertising volume by major media during the month of November is found in Table II.

TABLE II
ADVERTISING BY MAJOR MEDIA

	1936 Gross Time and Space Sales		
Advertising Medium	*October*	*November*	*Cumulative Jan.-Nov.*
Radio broadcasting	$11,514,505	$11,419,143	$96,503,945
National magazines[1]	14,324,291	14,781,528	132,393,128
National farm papers[1]	624,835	607,976	6,382,128
Newspapers[2]	55,242,000	53,362,000	515,726,000
Total	$81,705,631	$80,170,647	$751,005,201

[1] Publishers Information Bureau.
[2] Estimated.

National magazine volume increased 3.2% over the October level and 21.9% over the corresponding month of last year. Farm paper advertising declined 2.7% from last month but was 26.3% ahead of the level of last November. Newspaper advertising experienced the usual November seasonal decline, dropping 3.4% as compared with the previous month. However, newspaper advertising for November was 9.4% greater than for the same month of 1935.

Non-network Advertising

Total non-network advertising increased 11.0% as against October and registered an increase of 45.0% over the level of November 1935. Clear channel and high-powered regional stations continued to show the greatest gain, rising 18.7% over the previous month. Regional station volume rose 9.1%, while local station business declined 3.5%.

All classes of stations experienced increases as compared to the corresponding month of last year. Clear channel and high-powered regional station business rose 40.3%, regional station advertising 59.2%, and local business 22.1%.

Non-network advertising by power of station is shown in Table III.

TABLE III
NON-NETWORK ADVERTISING BY POWER OF STATION

	1936 Gross Time Sales		
Power of Station	*October*	*November*	*Cumulative Jan.-Nov.*
Over 1,000 watts	$1,845,600	$2,191,200	$17,633,540
250-1,000 watts	2,076,900	2,266,400	17,591,450
100 watts	714,100	689,000	6,452,140
Total	$4,636,600	$5,146,600	$41,677,130

While all sections of the country showed gains over October, the New England-Middle Atlantic Area and the Pacific and Mountain Area registered the greatest increases, rising 23.5% and 23.9%, respectively. Non-network advertising in the South Atlantic-South Central Area increased 3.9% and in the North Central Area 1.8%.

Compared to the corresponding month of the preceding year, gains were as follows: New England-Middle Atlantic Area 80.7%, South Atlantic-South Central Area 33.3%, North Central Area 43.9%, and the Pacific and Mountain Area 21.7%.

Non-network advertising by major geographical districts is found in Table IV.

TABLE IV
NON-NETWORK BROADCAST ADVERTISING BY GEOGRAPHICAL DISTRICTS

	1936 Gross Time Sales		
Geographical District	*October*	*November*	*Cumulative Jan.-Nov.*
New England-Middle Atlantic Area	$1,121,400	$1,385,400	$9,528,950
South Atlantic-South Central Area	936,900	973,900	8,298,570
North Central Area	1,845,600	1,879,000	16,218,330
Pacific and Mountain Area	732,700	908,300	7,631,280
Total	$4,636,600	$5,146,600	$41,677,130

Non-network Advertising by Type of Rendition

Transcription volume continued to show the greatest gain over the previous month, rising 19.9%. Total live talent business rose 7.6% and announcement volume 10.8%. Record business declined 5.9% from the level of the previous month. All types of rendition registered gains when compared to the corresponding month of last year. Transcription volume rose 79.2%, live talent business 29.3%, record volume 21.5%, and announcements 52.3%.

In the national non-network field transcription volume rose 25.6% over October, live talent business 17.6%, and announcements 14.5%. Record volume dropped 9.3%. Compared to last November, transcriptions rose 95.1%, live talent 49.1%, records 13.5%, and announcements more than doubled.

In the local broadcast advertising field, transcriptions remained at approximately the same level as last month, while live talent and record business declined 1.2% and 5.4%, respectively. Announcement volume increased 8.1%. Compared to the previous November, transcription volume rose 31.7%, live talent business 13.6%, record volume 22.7%, and announcements 26.8%.

Non-network advertising by type of rendition is found in Table V.

TABLE V

NON-NETWORK BROADCAST ADVERTISING BY TYPE OF RENDITION

	1936 Gross Time Sales						
	National Non-network		*Local*		*Total*		*Cumulative*
Type of Rendition	*October*	*November*	*October*	*November*	*October*	*November*	*Jan.-Nov.*
Electrical transcriptions	$830,800	$1,043,890	$235,920	$235,260	$1,066,720	$1,279,150	$10,304,000
Live talent programs	1,051,000	1,236,490	1,196,470	1,181,730	2,247,470	2,418,220	19,965,570
Records	12,500	11,340	82,480	78,060	94,980	89,400	831,100
Announcements	507,500	581,480	719,930	778,350	1,227,430	1,359,830	10,576,460
Total	$2,401,800	$2,873,200	$2,234,800	$2,273,400	$4,636,600	$5,146,600	$41,677,130

Sponsor Trends in November

With few exceptions, national network advertising by various sponsoring industries remained at approximately the same level as last month. Network confectionery and household equipment advertising increased materially and financial advertising volume rose 31.9%. The miscellaneous group declined 60.9% due mainly to the decline in sponsored political broadcasts. The principal gain in the regional network field was in the toilet goods group, which rose 42.0%. Foodstuffs and the miscellaneous group declined 39.7% and 65.5%, respectively.

Gains were general in the non-network field, principal increases being registered in the automotive, accessory, beverage, radio set and tobacco groups. In the local field, automotive advertising increased 51.6% and soap and kitchen supply volume 66.2%.

Compared to November 1935, principal increases in the national network field occurred in the automotive, household furnishings, financial and miscellaneous groups. The automobile accessories, toilet goods, beverage and financial groups gained in the regional network field, while the drug, foodstuffs, and tobacco groups showed declines. National non-network automobile accessory, soaps and kitchen supply, radio set, department store and tobacco groups showed marked gains. In the local field, the automotive and financial groups showed the principal gains.

Broadcast advertising by type of sponsoring business is found in Table VI.

TABLE VI

RADIO BROADCAST ADVERTISING BY TYPE OF SPONSORING BUSINESS

(November, 1936)

	Gross Time Sales				
Type of Sponsoring Business	*National Networks*	*Regional Networks*	*National Non-network*	*Local*	*Total*
1a. Amusements	—	—	$14,120	$31,760	$45,880
1–2. Automobiles and accessories:					
(1) Automobiles	$578,574	$4,600	312,040	157,380	1,052,594
(2) Accessories, gas and oil	452,463	37,739	282,190	78,270	850,662
3. Clothing and apparel	55,849	420	49,260	350,100	455,629
4–5. Drugs and toilet goods:					
(4) Drugs and pharmaceuticals	465,817	5,499	518,790	64,280	1,054,386
(5) Toilet goods	1,162,943	7,860	153,630	16,670	1,341,103
6–8. Food products:					
(6) Foodstuffs	1,197,782	20,521	559,700	316,890	2,094,893
(7) Beverages	403,034	6,867	89,720	104,470	604,091
(8) Confections	122,770	2,184	49,940	6,720	181,614
9–10. Household goods:					
(9) Household equipment and furnishings	41,308	3,446	85,300	211,780	341,834
(10) Soap and kitchen supplies	481,656	4,088	157,410	7,200	650,354
11. Insurance and financial	70,345	2,113	11,240	88,300	171,998
12. Radios	123,212	—	49,310	33,030	205,552
13. Retail establishments	52,088	4,237	21,070	198,720	276,115
14. Tobacco products	390,867	9,800	123,770	5,770	530,207
15. Miscellaneous	551,110	13,351	395,710	602,060	1,562,231
Total	$6,149,818	$122,725	$2,873,200	$2,273,400	$11,419,143

Detailed information regarding various sponsor groups during the month of November is as follows:

1a. ***Amusements.*** National non-network business 28.8% over October, while local declined 15.8%. National non-network business increased materially over November 1935, while local rose 4.1%.

1. ***Automotive.*** National network advertising 16.6% below October. National non-network and local business increased 38.6% and 51.6%, respectively, while regional network business gained materially. National network business 84.1% above last November, national non-network up 35.4%, and local business up 64.4%.

2. ***Gasoline and accessories.*** Compared to last month, national network and regional network business down 3.6% and 8.2%, respectively, while national non-network and local business gained 58.1% and 11.6%, respectively. National network business 16.6% above November of last year. Regional network business increased 95.2% and national non-network business 171.5%. Local business dropped 15.6%.

3. ***Clothing.*** Compared to October, national network business rose 9.5%, national non-network volume 5.8%, and local advertising 14.3%. Regional network advertising amounted to $420. As against the corresponding month of last year, national network business rose 46.6%, national non-network business 15.6%, and local advertising 11.0%. Regional network business declined materially.

4. ***Drugs and pharmaceuticals.*** National network business 1.4% below October. Regional network business rose 14.9%, national non-network volume 20.3%, and local advertising 8.6%. National network business 9.6% below November 1935. Regional networks down 55.5% and local down 29.6%. National non-network increased 55.2% over November 1935.

5. ***Toilet goods.*** National network volume 15.9% above last month, regional 42.0%, and national non-network 29.1%. Local

down 27.4%. Compared to the corresponding month of 1935, national network volume rose 34.0%, national non-network 51.1%, and regional network business materially. Local advertising dropped 49.4%.

6. ***Foodstuffs.*** National network business increased 5.9% over October, national non-network 20.4%, and local 21.3%. Regional network advertising declined 39.7%. Compared to November 1935, national networks gained 35.4%, national non-network 64.7%, and local 32.3%. Regional advertising dropped 22.3%.

7. ***Beverages.*** National network and national non-network gained 2.2% and 32.6% over October, respectively, while regional network and local advertising declined 8.1% and 5.6%. Gains as compared to corresponding month of last year as follows: national networks 37.2%, regional networks 68.2%, national non-network 51.8%, and local 7.5%.

8. ***Confectionery.*** National network volume more than tripled October's level and national non-network gained 3.3%. Regional network business dropped 18.5% and local advertising 7.9%. Compared to November 1935, national network gained 2.9% and national non-network 63.1%, while regional network declined materially and local advertising 40.2%.

9. ***Household equipment.*** National network advertising five times as great as October. Regional networks increased 3.2% and national non-network business 9.2%, while local advertising dropped 3.3%. Compared to last November, national networks increased 27.3%, national non-network 53.2%, and local 14.9%. Regional network advertising declined 36.8%.

10. ***Soaps and kitchen supplies.*** National network advertising 5.3% greater than October. National non-network rose 2.9% and local 66.2%, while regional network remained the same as last month. Compared to the corresponding month of last year, national networks rose 97.9% and national non-network more than tripled. Regional networks declined 23.8% and local 21.4%.

11. ***Insurance and financial.*** National network up 31.9% over October, regional network 6.5%, and local advertising 28.1%. National non-network volume declined 36.7%. National network up 93.0% over November 1935, regional network more than doubled, and local advertising up 37.0%. National non-network dropped 19.6%.

12. ***Radios.*** National network up 1.4% compared to October, national non-network up 68.5%, and local advertising down 4.5%. Compared to November of the preceding year, national network business rose 3.9%, national non-network volume more than doubled, and local advertising rose 7.6%.

13. ***Department and general stores.*** National network volume declined 19.8% and local advertising 1.1% compared to October. Regional network business amounted to $4,237 and national non-network business rose 13.9%. Compared to November 1935, national non-network advertising tripled and local business increased 22.1%.

14. ***Tobacco products.*** National network volume 8.8% above October, regional networks up 4.8%, and national non-network up 37.6%. Local advertising declined 18.9%. National network volume 9.3% greater than November 1935, and national non-network more than tripled. Regional network and local business dropped 37.5% and 18.7%, respectively.

15. ***Miscellaneous.*** Declines as compared to October as follows: national networks 60.9%, regional networks 65.5%, national non-network 6.4%, and local 16.4%. Compared to the corresponding month of last year, national networks up 69.9%, national non-network 74.6%, and local 39.5%. Regional network business declined 24.2%.

Retail Broadcast Advertising

Total retail broadcast advertising increased 8.7% over October. Principal gains were registered by the following groups: automobile agencies 35.0%, gasoline stations 21.1%, clothing shops 15.7%, drug stores 13.8%, beverage retailers three and one-half times as great, and hardware stores 22.6%. Grocery store advertising dropped 23.2% and confectionery store volume declined materially.

Compared to November 1935, total retail advertising increased 24.0%. Automotive advertising increased 50.8%, clothing 15.9%, beauty parlors 16.1%, household equipment dealers 63.0%, furniture stores 44.7%, hardware stores 92.6%, radio retailers 24.9%, and department stores 29.5%. Grocery store advertising declined 31.6% and drug store advertising 27.9%.

Broadcast advertising by retail establishments during November is found in Table VII.

TABLE VII

RETAIL BROADCAST ADVERTISING OVER INDIVIDUAL STATIONS

Type of Sponsoring Business	*1936 Gross Time Sales* October	*1936 Gross Time Sales* November
Automobiles and accessories:		
Automobile agencies and used car dealers	$109,100	$147,310
Gasoline stations, garages, etc.	33,660	40,780
Clothing and apparel shops	327,050	378,370
Drugs and toilet goods:		
Drug stores	16,180	18,420
Beauty parlors	9,550	9,100
Food products:		
Grocery stores, meat markets, etc.	55,230	42,420
Restaurants, eating places	21,750	24,720
Beverage retailers	990	3,480
Confectionery stores	6,390	1,230
Household goods:		
Household equipment dealers	76,120	77,510
Furniture stores	129,260	129,360
Hardware stores	18,330	22,480
Radio retailers	31,460	30,910
Department and general stores	219,360	219,790
Tobacco shops	—	—
Miscellaneous	138,300	151,140
Total	$1,192,730	$1,297,020

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3019. Ten card clothing manufacturers, and their trade association, are charged, in a complaint, with suppressing competition among the members of their industry and with maintaining uniform prices and terms of sale for their product. The respondents' practices are alleged to be in violation of Section 5 of the Federal Trade Commission Act.

Named in the complaint is the Card Clothing Manufacturers' Association, 41 East 42nd St., New York City. The other respondents are engaged in manufacturing a tough, close-woven fabric studded with steel teeth, used principally by textile manufacturers in combing out wool and cotton preparatory to spinning. They comprise substantially all, if not all, of the producers of that commodity in the United States. They are:

Ashworth Brothers, Inc., Fall River, Mass., also trading as American Card Clothing Co., Philadelphia; Benjamin Booth Co., Philadelphia; Charlotte Manufacturing Co., Charlotte, N. C.; Davis & Furber Machine Co., North Andover, Mass.; Howard Brothers Manufacturing Co., Worcester, Mass.; J. Sherlock, trading as Methuen Napper Clothing Co., Methuen, Mass.; Merrimac Card Clothing Co., Andover, Mass.; Standard Card Clothing Co., Stafford Springs, Conn.; Wickwire-Spencer Steel Co., New York City; and Frederick C. Redman, Lowell, Mass., trading as Redman Card Clothing Co.

Redman is not a member of the association, but allegedly has cooperated with it and its members.

No. 3026. False and misleading representations concerning the results to be obtained through use of "Koatsal," sold as a motor lubricant, are alleged in a complaint issued against **Kidder Oil Company,** 818 South Third St., **LaCrosse, Wis.**

The respondent corporation allegedly advertises that "Koatsal" perfects lubrication and is more efficient than any other method because it is scientifically correct; that it reduces vibration in airplane motors to a remarkable degree; penetrates and adheres to all metal surfaces it reaches, reduces friction as much as 50 per cent, and provides perfect protection against burned-out bearings, and that an automobile conditioned with the product and having no oil in the crank-case can run an amazing distance without damage to any part of the car.

No. 3027. Flori Mothproofing Method, Inc., 252 South Broad St., **Philadelphia,** is charged in a complaint with unfair methods of competition in connection with the sale of "Flori," a liquid preparation for use on garments, rugs, furniture and other articles as a protection against moths, carpet beetles, and insects.

In advertising matter, the respondent corporation allegedly represents, among other things, that "Flori" makes a fabric inedible to moth larvæ and carpet beetles, and that the "Flori" mothproofing method gives permanent protection and is "a guaranteed service and is backed with a five-year policy of a reputable insurance company guaranteeing against moth damage."

According to the complaint, such representations are false in that the product does not kill moths and other insects, and does not render articles impregnated with "Flori" permanently immune to damage or injury.

No. 3028. A complaint has been issued charging **Julius Goodman & Son., Inc.,** 43 South Main St., **Memphis, Tenn.,** with use of unfair methods of competition in the sale of silver tableware.

The respondent corporation allegedly purchases old, second-hand silver tableware, renovates it, and represents in advertising matter that it is new and unused. According to the complaint, the products so advertised have the appearance of being new, bear no marking or symbol to indicate they are other than new, and are sold without the respondent corporation disclosing the fact that they had been used previously and then renovated.

No. 3029. Unfair disparagement of the goods of competitors is alleged in a complaint issued against **Johnson & Johnson, New Brunswick, N. J.,** engaged in manufacturing and selling absorbent cotton, gauze, bandages, and other first-aid and surgical dressing products.

Certain advertisements of the respondent corporation allegedly are misleading and deceptive in that they represent, directly or by innuendo, that users of first-aid and surgical dressing products of unknown make, or which are manufactured by other than well-known and extensively advertised organizations, run grave risk of infecting wounds or cuts upon which such dressings are used.

Such representations, the complaint charges, constitute an unwarranted disparagement of the merchandise of those competitors who, although they do not advertise extensively and may not be as well known, manufacture first-aid and surgical dressing products that are equal in antiseptic properties to, and are as safe and in as sanitary condition when opened for use, as the products of the respondent corporation.

No. 3030. Misrepresentation of the effectiveness of a medicinal preparation called "Zo-Ro-Lo" is alleged in a complaint issued against **Zo-Ro-Lo, Inc., of Ada, Ohio.**

In advertisements and radio broadcasts, the respondent company is alleged to have represented that its product is an effective cure and remedy for arthritis, asthma, brain disease, Bright's disease, and other ailments, and starts one on the road to health, building up a resistance to combat the cause of a majority of all diseases.

These representations are alleged to have been untrue.

The respondent company is given twenty days in which to file answer to the charges of violation of Section 5 of the Federal Trade Commission Act.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 1871. Henry I. Scott, 1716 Pennsylvania Ave., N. W., trading as Gordon's Radio Shop, in his stipulation, agrees to stop using as a trade name or brand for his products, the word "Majestic," either alone or in connection with "International" or other words so as to imply that these articles are made by Majestic Radio and Television Corporation of Illinois, successor to Grigsby-Grunow Co., of Chicago, original manufacturer of "Majestic" sets.

Scott also agrees not to use the word "Victor" alone or in conjunction with "International" so as to imply that the products so designated are made by RCA Victor Co., Victor Division of the RCA Manufacturing Co., when such is not a fact.

No. 1872. McKinley-Roosevelt University, 4240 Clarendon Ave., **Chicago,** agrees to stop using the word "university" as part of its corporate name and to cease employing such corporate name containing the word "university" to imply that the respondent corporation is an educational institution or university organized for teaching and study in the higher branches of learning, or that the corporation conducts an educational institution such as the term "university" is commonly understood and generally accepted by the public to mean.

This respondent corporation also agrees to ban publication in advertisements or catalogs of the letters LL.B., LL.M., or Ph.D., following the names of its faculty members, when in fact, in a number of instances, the degrees referred to by such letters are conferred by the respondent corporation itself and not by an institution of higher learning in recognition of study and attainment.

The respondent corporation sells courses in the arts and sciences, engineering, economics, chemistry and related subjects.

No. 1873. Barnett Cass, Samuel Cummings and Isador Shapiro, trading as Industrial Silk Mills, New York City, engaged in the sale of silk goods, agreed to stop using the word "Mills" as part of or in connection with the trade name under which they sell their products in interstate commerce. According to the stipulation, they will stop employing the words "Mills" and "Manufacturers," alone or in connection with other words, so as to imply that they manufacture the articles they sell, or own and operate the mill in which such products are made, when such is not a fact.

No. 1875. Metropolitan Radio Co., Inc., 940 F St., N. W., will also cease a similar use of the designations "Majestic" and "General Electric," and also of the word "Sparta," or any other colorable imitation of the word "Spartan," alone or in conjunction with "Junior Universal," or with other words, so as to imply that sets so branded are made by The Sparks-Withington Co. of Ohio, when this is not a fact.

The sets so designated by each dealer were not the products of the well-known companies named, according to the stipulation.

The Metropolitan Radio Co., Inc., will also cease use in advertising of the word "metal" to describe radio tubes so as to imply that they are those products which have become known to the trade and purchasing public as "metal" tubes in which the technical elements are sealed in a vacuum in steel and in which the metal functions instead of glass, when such is not a fact.

No. 1879. Belmont Hosiery Mills, Inc., Belmont, N. C., will stop marking, branding or labeling its products with any representation that they contain two threads of silk for each thread of rayon, or any other misleading reference to the silk content of such products comparatively with their content of other materials. This respondent company is alleged to have labeled certain hosiery as "Split Foot, Mercerized Cotton, First Quality Rayon, Two Ends, Pure Thread Silk," when in fact, according to the stipulation, it was not made of two threads of silk twisted with each thread of rayon, but of one thread of silk twisted with each thread of rayon.

No. 1884. Oxford Institute, 4750 Sheridan Road, **Chicago,** selling courses and textbooks in commercial branches, will cease asserting, through its salesmen or by means of advertising, that its prospective subscribers are selected or designated by leading persons in their communities; that the opportunity to become a subscriber is limited to one or to a small number in each community; that the Oxford Institute is a college institution; that students passing examinations given by Oxford Institute are in a position to pass a university entrance examination, and other similar representations.

The respondent corporation also agrees to stop publishing and distributing the lecture by Dr. Russell H. Conwell, entitled "Acres of Diamonds," so dressed as to make it appear that this lecture was delivered especially for the benefit of Oxford Institute pupils, and without disclosing that such lecture was not so delivered.

No. 2400. Arrow Distilleries, Inc., 401 South Washington St., **Peoria, Ill.,** has been ordered to cease and desist from representing that it is a distiller of whiskey, gin and other spirituous beverages, when such is not a fact.

Under the order, the respondent corporation is prohibited from representing, through use of the word "distilleries" in its corporate name, on labels, or otherwise, that it is a distiller of spirituous beverages, that it manufactures such products through the process of distillation, or that it owns or operates a distillery, unless it actually does own or operate such a place.

The order excepts from its provisions gin made through a process of rectification whereby alcohol, purchased but not produced by the respondent corporation, is redistilled over juniper berries and other aromatics.

No. 2756. Use of the words "Army" and "Navy" as a part of corporate or trade names, in connection with the sale of merchandise in interstate commerce, is prohibited under an order to cease and desist entered against **Sternheimer Bros., Inc.,** 4708 Lester St., **Richmond, Va.** The respondent corporation, trading as **Army & Navy Supply Co.,** and **Army Goods Store,** is said to operate a chain of retail stores.

The order also directs the respondent corporation to discontinue advertising in newspapers, catalogues or otherwise, the words "Army" and "Navy" as descriptive of or in connection with any merchandise sold, unless such merchandise actually has been procured from the Army or Navy Departments of the United States. This part of the order does not apply to contracts for advertising entered into prior to issuance and service of the order.

No. 2757. The **Retail Furniture Dealers Association of St. Louis,** its officers, and thirty-six merchant members, all of **St. Louis** and **East St. Louis, Ill.,** have been ordered to cease and desist from certain unfair trade practices in the interstate sale of furniture and allied products, including electric refrigerators and radios.

These practices are held to have tended toward the creation of a monopoly in certain respondent members and to have restrained competition and increased the cost of furniture and other allied products to the consumer.

Under the order, the respondent trade association, its officers and members, are specifically prohibited from enforcing, maintaining, or attempting to put into effect certain policies, standards, sales methods, and practices held to be in restraint of trade.

No. 2878. Giacomo LaGuardia, 537 Broadway, **New York,** trading as **Herba Medicinal Laboratory,** has been ordered to discontinue certain unfair representations in the sale of preparations said to be derived from herbs and to have medicinal value.

LaGuardia is directed to cease asserting that "Stomatic Tea and Tonic," "Rheumatic Tea," "Renal Tea," and other products, are effective in the cure or treatment of stomach acid, indigestion, headache, nervous disturbances, and other ailments, and that they have therapeutic value for treating skin diseases, vertigo, headache and other diseases.

Nos. 2902-2903-2904-2905. Four **New York** jobbers of foodstuffs and flavoring extracts have been ordered to discontinue certain unfair representations in the interstate sale of flavoring extracts.

The respondent companies are: **Eldeen Spice Co.,** 336 Delancey St.; **Italian-American Spice Co.,** 320 Henry St.; **Trieste Importing Co.,** 19 Vestry St., **New York,** and **Eagle Spice Co.,** 1412 66th St., **Brooklyn.**

The order prohibits the use in advertising of words of a foreign language or symbols or pictures indicating that flavoring extracts or compounds actually manufactured in the United States are produced in Italy or any other foreign country and imported into the United States.

Findings are that the respondent companies represented their extracts in a manner indicating that they were prepared and compounded by the National Chemical Laboratory at Milan, Italy, and imported into the United States, and were awarded prizes at certain Italian expositions, when these were not the facts.

FEDERAL COMMUNICATIONS COMMISSION ACTION

HEARING CALENDAR

The following broadcast hearings are scheduled for hearing at the Commission for the week beginning Monday, January 18.

Monday, January 18

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Central States Broadcasting Co., Council Bluffs, Iowa.—C. P., **1500 kc.,** 100 watts, unlimited time.

WATR—The WATR Company, Inc., Waterbury, Conn.—C. P., **1290 kc.,** 250 watts, unlimited time.

KRLH—Clarence Scharbauer, Midland, Texas.—Modification of license, **1210 kc.,** 100 watts, daytime.

Tuesday, January 19

HEARING BEFORE AN EXAMINER

(Special Broadcast)

NEW—The Trenton Times, Trenton, N. J.—C. P., **1570 kc.,** 250 watts, unlimited time.

NEW—The Trenton Times, Trenton, N. J.—C. P., **1570 kc.,** 250 watts, unlimited time.

NEW—The Trenton Times, Trenton, N. J.—C. P., **1570 kc.,** 250 watts, unlimited time.

NEW—The Journal Co. (The Milwaukee Journal), Milwaukee, Wis.—C. P., **1570 kc.,** 1 KW, unlimited time.

NEW—Mid-Atlantic Corp., Washington, D. C.—C. P., **1570 kc.,** 1 KW, unlimited time.

NEW—Loyal K. King, d/b as Radio & Television Research Co., Los Angeles, Calif.—C. P., **1570 kc.,** 1 KW, unlimited time.

Thursday, January 21

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Richard S. Cozzaldi, d/b as Oak Cliff-Dallas County Broadcasting Co., Dallas, Texas.—C. P., **1500 kc.,** 100 watts, daytime.

NEW—A. L. Chilton, Dallas, Texas.—C. P., **990 kc.,** 1 KW, daytime.

APPLICATIONS GRANTED

WMC—Memphis Commercial Appeal, Inc., Memphis, Tenn.—Granted C. P. to move auxiliary transmitter to location of main transmitter and use antenna system of main transmitter.

WACO—KTSA Broadcasting Co., Waco, Texas.—Granted license to cover C. P. authorizing installation of new equipment and vertical radiator.

KRNR—Southern Ore. Pub. Co., Roseburg, Ore.—Granted license to cover C. P. authorizing changes in equipment; increase in power to 250 watts day, 100 watts night, time of operation to unlimited, **1500 kc.**

WSAZ—WSAZ, Inc., Huntington, W. Va.—Granted authority to determine operating power by direct measurement of antenna input.

WCBS—WCBS, Inc., Springfield, Ill.—Granted license to cover C. P. authorizing change in transmitter location locally; change in equipment and installation of vertical radiator.

WBLY—Herbert Lee Blye, Lima, Ohio.—Granted license to cover C. P. authorizing new station; **1210 kc.,** 100 watts, daytime.

WCBM—Baltimore Broadcasting Corp., Baltimore, Md.—Granted license to cover C. P. authorizing move of transmitter locally to Cold Spring Lane; and install new equipment.

KOMO—Fisher's Blend Station, Inc., Seattle, Wash.—Granted license to cover C. P. authorizing changes in equipment; move of present licensed auxiliary transmitter to main transmitter, site of KOMO and KJR, for auxiliary purposes only, using same antenna system.

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Granted license to cover C. P. authorizing move of auxiliary transmitter of KOMO to main transmitter site of KOMO and KJR as auxiliary transmitter using same antenna.

KLAH—Harney Hubbs, A. J. Crawford, Jack Hawkins, Harold Miller, d/b as Carlsbad, b/c Co. (a partnership), Carlsbad, N. M.—Granted license to cover C. P. authorizing erection of new station; **1210 kc.,** 100 watts, unlimited.

WKY—WKY Radiophone Co., Oklahoma City, Okla.—Granted license to cover C. P. authorizing installation of new equipment and vertical radiator; increase day power to 5 KW; **900 kc., 1** KW night, unlimited time. Also granted authority to determine operating power by direct measurement of antenna input.

KBST—The Big Spring Herald B/c Co., Big Spring, Tex.—Granted license to cover C. P. authorizing erection of new station; **1500 kc.,** 100 watts, unlimited.

WSAR—Doughty & Welch Electric Co. Inc., Fall River, Mass.—Granted license to cover C. P. authorizing installation of new equipment and directional antenna system for day and nighttime operation; increase power to 1 KW; **1450 kc.,** unlimited.

KDB—Santa Barbara Broadcasters, Ltd., Santa Barbara, Cal.—Granted license to cover C. P. authorizing installation of new equipment, increase day power from 100 to 250 watts; **1500 kc.,** 100 watts night, unlimited.

KVGB—Ernest Edward Ruehlen, Great Bend, Kans.—Granted modification of C. P. approving transmitter north of city, outside of corporation limits, studio at 2103 Forest Ave.; install standard equipment other than authorized in C. P.

KSO—Iowa Broadcasting Co., Des Moines, Ia.—Granted modification of C. P. for further changes in equipment.

WPRP—Julio M. Conesa, Ponce, P. R.—Granted modification of license to operate an additional 3 hours (3 to 6 p. m.), Sundays only.

WBNX—Standard Cahill Co., Inc., New York, N. Y.—Granted modification of license to change name to WBNX Broadcasting Co., Inc.

KDON—Monterey Peninsula Broadcasting Co., Del Monte, Cal.—Granted modification of license to change studio location locally in Monterey.

WPAY—Vee Bee Corp., Portsmouth, Ohio.—Granted authority to install automatic frequency control.

WALA—Pape Broadcasting Corp. Inc., Mobile, Ala.—Granted authority to determine operating power by direct measurement of antenna power.

WDBO—Orlando Broadcasting Co. Inc., Orlando, Fla.—Granted authority to determine operating power by direct measurement of antenna input.

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—Granted authority to determine operating power by direct measurement of antenna input.

W9XAK—Kans. State College of Agr. and Applied Science, Manhattan, Kans.—Granted renewal of visual broadcast station license for the period Feb. 1, 1937, to Feb. 1, 1938.

NEW—Tulsa Broadcasting Co. Inc., Mobile (Tulsa, Okla.).—Granted C. P. for new experimental relay station; frequency of **31100, 34600, 37600, 40600 kc.,** 2 watts.

NEW—Natl. Broadcasting Co. Inc., Fixed (New York City)—Granted license to cover C. P. for new experimental relay station; frequencies of **31100, 34600, 37600** and **40600 kc.,** 100 watts.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KDKA and alternate, Pittsburgh, Pa.; KEX, Portland, Ore.; KFAB, Lincoln, Neb.; KFEQ, St. Joseph, Mo.; KGO and auxiliary, San Francisco; KJBS, San Francisco; KIEV, Glendale, Cal.; KJR, Seattle; KMOX, St. Louis, Mo.; KMPC, Beverly Hills, Cal.; KOA, Denver, Colo.; KOB, Albuquerque, N. M.; KPO and auxiliary, San Francisco; KRLD, Dallas, Tex.; KSL, Salt Lake City; KTHS, Hot Springs Nat'l Park, Ark.; KTRB, Modesto, Cal.; KVOO, Tulsa, Okla.; KXA, Seattle, Wash.; KYW, Philadelphia; WAAW, Omaha, Neb.; WABC-WBOQ, New York City; WAPI, Birmingham, Ala.; WBAL, Baltimore, Md.; WBAP, Fort Worth, Tex.; WBBM and auxiliary, Chicago; WBT, Charlotte, N. C.; WBZ, Boston; WBZA, Boston; WCAU and auxiliary, Philadelphia, Pa.; WCAZ, Carthage, Ill.; WCCO, Minneapolis, Minn.; WCFL and auxiliary, Chicago; WDGY, Minneapolis, Minn.; WEAF and auxiliary, New York City; WEEU, Reading, Pa.; WENR and auxiliary, Chicago; WFAA, Dallas, Tex.; WGN, Chicago; WHAM and auxiliary, Rochester, N. Y.; WHAS, Louisville, Ky.; WHB, Kansas City, Mo.; WHEB, Portsmouth, N. H.; WKKO, Columbus, Ohio; WHO, Des Moines, Ia.; WHDH and auxiliary, Boston; WINS, New York City; WJJD, Chicago; WJR and auxiliary, Detroit, Mich.; WKAR, E. Lansing, Mich.; WLS and auxiliary, Chicago; WLW, Cincinnati, Ohio; WLWL, New York City; WMAQ, Chicago; WMAZ and auxiliary, Macon, Ga.; WMBI, Chicago; WNYC and auxiliary, New York City; WOAI and auxiliary, San Antonio, Tex.; WOI, Amos, Ia.; WOR, Newark, N. J., and auxiliary; WOWO, Fort Wayne, Ind.; WPTF, Raleigh, N. C., and auxiliary; WRUF, Gainesville, Fla.; WRVA, Richmond, Va.; WSAZ, Huntington, W. Va.; WSB and auxiliary, Atlanta, Ga.; WTBU, Cumberland, Md.; WTIC, Hartford, Conn.; WWVA and auxiliary, Wheeling, W. Va.

The following stations were granted renewal of licenses for the period ending July 1, 1937:

KCMO, Kansas City, Mo.; WCBS, Springfield, Ill.; WKBB, E. Dubuque, Ill.; WQDM, St. Albans, Vt.; WRDW, Augusta, Ga.

SET FOR HEARING

NEW—Salinas Newspapers, Inc., Salinas, Calif.—Application for C. P. for new broadcast station at Salinas, Calif. to operate on **1390 kc.,** 250 watts, daytime only. Transmitter and studio sites are to be determined with Commission's approval.

NEW—Seaboard Investment Co., Inc., Montgomery, Ala.—Application for C. P. for new broadcast station at Montgomery, Alabama (amended 11-3-36 and 8-15-36), redesignated for hearing. Application asks for **610 kc.,** 250 watts night, 500 watts day, unlimited. Transmitter site and type of antenna to be determined with Commission's approval.

NEW—Robert Raymond McCulla, Oak Park, Ill.—Application for C. P. for new broadcast station at Oak Park, Illinois (amended 5-8-36), to operate on **1500 kc.,** 100 watts daytime, redesignated for hearing.

NEW—R. W. Page Corp., Columbus, Ga.—Application for C. P. for new broadcast station at Columbus, Georgia (amended 11-21-36), to operate on **610 kc.,** 250 watts, unlimited; redesignated for hearing. Exact location and antenna system to be determined with Commission's approval.

NEW—Central Broadcasting Corp., Centralia, Wash.—Application for C. P. for new broadcast station at Centralia, Washington (amended 12-5-36), to operate on **1440 kc.,** 500 watts, unlimited; redesignated for hearing. Transmitter site to be determined with Commission's approval.

KGLO—Mason City Globe Gazette Co., Mason City, Iowa.—Application for C. P. to install new equipment and increase day power from 100 watts to 250 watts.

KDB—Santa Barbara Broadcasters, Ltd., Santa Barbara, Calif.—Application (amended 12-3-36) for C. P. to move transmitter and studio sites locally, install new equipment and vertical radiator; change frequency from local channel **(1500 kc.),** to regional channel **(1220 kc.);** and increase power from 100 watts unlimited, C. P., 250 watts LS, to 500 watts unlimited.

WRBL—WRBL Radio Station, Inc., Columbus, Ga.—Application for modification of C. P. to install new equipment and vertical radiator, change frequency from **1200 kc.** to **950 kc.,** increase night power from 100 watts to 250 watts, and day power from 250 watts to 500 watts.

KADA—C. C. Morris, Ada, Okla.—Applications for modification of license to increase time of operation from 100 watts daytime to 100 watts, unlimited time.

WIBA—Badger Broadcasting Co. Inc., Madison, Wisc.—Hearing before Broadcast Division on application for modification of license to eliminate directional antenna for nighttime operation and increase nighttime power from 1 KW to 5 KW.

KFVD—Standard Broadcasting Co., Los Angeles, Calif.—Application for modification of license to change frequency from **1000 kc.** to **990 kc.**

WHBB—W. J. Reynolds, Jr., J. C. Hughes and J. S. Allen, d/b as Selma Broadcasting Co., Selma, Ala.—Application for Commission's consent to voluntary assignment of license of WHBB from W. J. Reynolds, Jr., J. C. Hughes and J. S. Allen, t/a Selma Broadcasting Co. to the Selma Broadcasting Co., Inc.

APPLICATIONS DENIED

KFDY—So. Dak. State College, Brookings, S. Dak.—Denied special temporary authority to operate from 7 to 9:30 p. m., CST, Friday, Jan. 15, in order to broadcast program of Dist. Parent Teachers Assn.

WBCM—James E. Davidson, Bay City, Mich.—Denied special temporary authority to operate unlimited daytime with power of 1 KW as granted 11-10-36 in modification of license pending final disposition of protest filed in opposition to above grant; for period not to exceed 30 days.

APPLICATIONS DISMISSED

The following application, heretofore set for hearing, was dismissed at request of applicant:

KGFI—Eagle Broadcasting Co., Inc., Corpus Christi, Tex.—Modification of C. P., **1330 kc.,** 500 watts, unlimited.

RATIFICATIONS

The Broadcast Division ratified the following actions authorized on the dates shown:

KSCJ—Perkins Bros. Co., Sioux City, Iowa.—Granted extension of program test auxiliary transmitter KSCJ period of 30 days from Jan. 15, 1937.

WKRC—Columbia Broadcasting System, Inc., Cincinnati, Ohio—Granted extension of equipment test period 10 days from Jan. 5. (Action taken 12-31)

WIEK-WIEL-W10XGJ-W10XZ-W10XAL—Columbia Broadcasting System, Inc., New York City—Granted authority to operate as licensed for period Jan. 4 to 20, inclusive, connection short wave tests and air show of Presidential Inauguration in Washington.

W9XPN-W9XPV—WDZ Broadcasting Co., Tuscola, Ill.—Granted authority to operate Jan. 13, 15, 17, 18, 20, 22, 24, 25, 27, 29, 31, 1937, relay broadcast material from farms WPA projects.

KFRU—KFRU, Inc., Columbia, Mo.—Granted extension of program test period 30 days from Jan. 17, 1937.

WBLY—Herbert Lee Blye, Lima, Ohio—Granted extension of program test period 30 days from Jan. 8, 1937.

W9XPN-W9XPV—WDZ Broadcasting Co., Tuscola, Ill.,—Granted authority to operate as licensed Jan. 14, 16, 21, 23, 28 and 30, relay-broadcast material from WPA farms project.

CKLW—Governor Elect Frank Murphy, Lansing, Mich.—Granted authority transmit inaugural ceremonies originating in Lansing, Mich., to Station CKLW by wire facilities.

WIEW - W10XAH - W10XY - W10XAI - W10XDX - W10XAM - W10XAP - W10XAK - W10XR—National Broadcasting Co., Inc., New York City.—Granted authority to operate as licensed period Jan. 14 to Jan. 21, relaybroadcast description inaugural parade as part of Presidential Inauguration Ceremonies.

Granted request of the Continental Radio Company, to extend the effective date of the Broadcast Division's decision on the application of American Broadcasting Company (WOL), Docket No. 3856, and directed that the effective date be extended to midnight, EST, January 6, 1937.

The effective date in the above case was further extended to midnight, January 13, 1937, by Commission action on January 6.

The Broadcast Division granted the request of The Hournal Company, Milwaukee, Wisc., for an order to take depositions in support of its application for C. P. (Docket No. 4268).

The Broadcast Division granted petition of The Santa Barbara Broadcasters, Ltd. (KDB), Santa Barbara, Cal., requesting extension of time within which to file exceptions to Ex. Rep. 1-312, and granted 20 additional days within which to file said exceptions.

The Broadcast Division upon its own motion extended the final date for filing exceptions to Ex. Rep. 1-324, from Jan. 4 to Jan. 14, 1937.

The Broadcast Division granted the petition of Michael F. Murray and extended time within which to file exceptions to Ex. Rep. 1-325, from Jan. 4 to Jan. 9, 1937.

APPLICATION RETIRED TO FILES

KFDY—So. Dak. State College, Brookings, S. Dak.—Denied special temporary authority to operate from 7 to 9:30 p. m., CST, Jan. 8 and 11, 1937, to broadcast Dist. Parent Teachers Assn. programs.

SPECIAL AUTHORIZATIONS

KFNF—KFNF, Inc., Shenandoah, Iowa.—Granted extension of special temporary authority to operate simultaneously with station WILL from 8 to 11 a. m., CST, daily except Sundays, during the month of Feb. 1937.

WHDF—The Upper Mich. Broadcasting Co., Calumet, Mich.—Granted special temporary authority to operate from 6:30 to 9:30 p. m., CST, Jan. 18, in order to broadcast the 26th Radio Review and Barndance direct from the Lauriun Town Hall, Lauriun, Mich., under sponsorship of local American Legion Post.

Col. Broadcasting System, Inc., New York City.—Granted special temporary authority to operate a mobile relay b/c station on Jan. 20, to cover the network broadcast of the Presidential Inauguration ceremonies.

WOW—Woodman of the World Life Ins. Assn., Lincoln, Neb.—Granted extension of special temporary authority to operate with power of 5 KW at night for the period Jan. 27 to Feb. 26, 1937.

KGFX—Dana McNeil, Pierre, S. Dak.—Granted extension of special temporary authority to Mrs. Dana McNeil to operate station KGFX for the period beginning Jan. 15, 1937, and ending no later than March 1, 1937, pending action on application for consent to involuntary assignment of license.

WKOK—Sunbury Broadcasting Corp., Sunbury, Pa.—Granted special temporary authority to operate a 50 watt portable test transmitter between the hours of 1 and 6 a. m., EST, for a period not to exceed 30 days, in order to obtain a suitable location for transmitter in and near Sunbury.

WRDW—Augusta Broadcasting Co., Augusta, Ga.—Granted special temporary authority to operate a 100 watt portable test transmitter between the hours of 12 midnight and 6 a. m., EST, for the period Jan. 14 to Feb. 12, 1937, in order to locate desirable transmitter site.

ACTION ON EXAMINERS' REPORTS

NEW—Ex. Rep. 1-222: Century Broadcasting Co., Inc., Richmond, Va.—Denied C. P. for new broadcast station to operate on **1370 kc.**, 100 watts, daytime. Examiner John P. Bramhall sustained.

WMBG—Havens & Martin, Inc., Richmond, Va.—Granted C. P. to install new equipment; move transmitter from 914 W. Broad Street, Richmond, to intersection of Broad St. Road and Staples Hill Road, near Richmond; change frequency from **1210 kc.** to **1350 kc.**; change hours of operation from unlimited, except Sunday to unlimited; increase power from 100 watts night, 250 watts day, to 500 watts. Examiner Bramhall reversed. Order effective Feb. 2, 1937.

WPHR—Ex. Rep. 1-225: WLBG, Inc., Petersburg, Va.—Granted renewal of license; **880 kc.**, 500 watts daytime. Examiner John P. Bramhall sustained.

WPHR—Ex. Rep. 1-225: WLBG, Inc., Petersburg, Va.—Granted C. P. to move transmitter and studio from Petersburg, Va., to Richmond, Va. (site to be determined, subject to Commission's approval); **880 kc.**, 500 watts, daytime. Examiner Bramhall reversed.

NEW—Wilbur M. Havens, Chas. H. Woodward, Calomb B. Jones and Wilfred H. Wood, d/b as Petersburg Broadcasting Co., Petersburg, Va.—Denied C. P. for new broadcast station to operate on **880 kc.**, 500 watts, daytime (site to be determined, subject to Commission's approval). (Facilities WPHR). Examiner Bramhall sustained. Order effective Feb. 2, 1937.

NEW—Ex. Rep. 1-285: The Times Dispatch Pub. Co., Inc., Richmond, Va.—Granted C. P. for new broadcast station to operate on **1500 kc.**, 100 watts, unlimited time (site and antenna to be approved). Examiner John P. Bramhall reversed. Order effective Feb. 2, 1937.

MISCELLANEOUS

NEW—Philadelphia Radio Broadcasting Corp., Philadelphia, Pa.—Granted petition to intervene in the hearing on the application of the Trenton Times, Trenton, N. J., for authority to establish a new special broadcast station in Trenton, to operate on **1570 kc.**, 250 watts, unlimited time.

NEW—Philadelphia Radio Broadcasting Corp., Philadelphia, Pa.—Granted authority to intervene in the proceedings upon application of the Mid-Atlantic Corp., for authority to establish a new station in Washington, D. C., to operate on **1570 kc.**, 1 KW, unlimited time, scheduled to be heard January 19.

WOKO—WOKO, Inc., Albany, N. Y.—Granted authority to intervene in the hearing on the application of Hearst Radio, Inc., for C. P. to erect a new broadcast station at Albany, N. Y., to operate on frequency **1240 kc.**, 1 KW, unlimited time.

WABY—Adirondack Broadcasting Co., Albany, N. Y.—Granted authority to intervene in the hearing on the application of Hearst Radio, Inc., for C. P. to erect a new broadcast station at Albany, N. Y., to operate on frequency **1240 kc.**, 1 KW, unlimited time.

WMT—Iowa Broadcasting Co., Cedar Rapids, Iowa.—Granted authority to intervene in the hearing of the Waterloo Times-Tribune Pub. Company's application for a C. P. to establish a broadcasting station at Waterloo, Iowa, to operate on **1370 kc.**, 100 watts, daytime only, making use of special antenna design.

WJAX—The City of Jacksonville, Jacksonville, Fla.—Granted petition to intervene in the hearing on the application of the Florida Broadcasting Co. (WMBR), Jacksonville, Fla., for C. P. to change frequency from **1370 kc.** to **1120 kc.**, increase power from 100 watts night, 250 watts day, to 1 KW, unlimited time.

KGDY—Voice of South Dakota, Huron, S. Dak.—Denied request for extension of Rule 132.

NEW—Hammond-Calumet Broadcasting Corp., Hammond, Ind.—Granted authority to take depositions in support of application for new station in Hammond, Ind., to operate on **1480 kc.**, 5 KW, daytime, transmitter to be determined, scheduled to be heard Feb. 1, 1937.

NEW—F. M. Gleason, d/b as North Georgia Broadcasting Co., Rossville, Ga.—Granted continuance of hearing scheduled for Feb. 8, 1937, for at least 30 days from that date. Applicant seeks authority to erect a new station at Rossville, Ga., to operate on **1200 kc.**, 100 watts, daytime.

WTAM—National Broadcasting Co., Inc., Cleveland, Ohio.—Reconsidered action of November 10, 1936, granting application of WCAZ for increase in day power from 100 watts to 250 watts without hearing. Approved recommendation that WCAZ's application be set for hearing and that the effective date of the Commission's action be postponed to the date of decision after hearing.

WCBD—WCBD, Inc., Waukegan, Ill.—Entered new order granting unconditionally and finally the application for authority to transfer the control of the corporation from Wilbur Glenn Voliva, et al., to Gene T. Dyer, E. M. Ringwald, Elizabeth Hinzman, Louis E. Moulds, and William F. Moss.

NEW—S. H. Patterson, Denver, Colo.—Denied petition for dismissal without prejudice of S. H. Patterson for C. P. for new broadcast station at Denver, Colo., to operate on **1570 kc.**, 1 KW, unlimited time. Also denied petition for reinstatement of this application.

KGBX—Springfield Broadcasting Co., Inc., Springfield, Mo.—Denied petition to reconsider and grant without a hearing application for permit to authorize a local move of the studio, changes in equipment, and change in power from 500 watts, unlimited time, to 1 KW, unlimited time, with a directional antenna for nighttime operation. Hearing will be held as originally scheduled.

WREN—WREN Broadcasting Co., Lawrence, Kansas.—Granted motion to postpone hearing on application of WCAE, Inc., for renewal of license of WCAE which is scheduled for February 3, 1937, until after Commission shall have acted upon a pending application for transfer of control of WREN Broadcasting Co.

NEW—John S. Braun, Waco, Texas.—Denied petition for postponement of hearing scheduled for February 15, 1937, on application for C. P. to erect a new broadcast station at Waco, Texas, to operate on **1500 kc.**, 100 watts, daytime only.

WLBC—Donald A. Burton, Muncie, Ind.—Granted permission to participate in oral argument on Examiner's Report No. 1-240 on application of Continental Radio Co., Columbus, Ohio, for C. P. to erect broadcast station at Columbus, Ohio, to operate on **1310 kc.**, 100 watts, unlimited time.

NEW—Pee Dee Broadcasting Co., Florence, S. C.—Granted motion to dismiss without prejudice application for new broadcast station at Florence, S. C., to operate on **950 kc.**, 1 KW, daytime only, site to be determined.

KFBB—Buttery Broadcast Co., Great Falls, Mont.—Reconsidered action of Sept. 22, 1936, in designating application for renewal of license of KFBB for hearing, and dismissed same from the hearing docket. The renewal application of KFBB was designated for hearing because of an application of Ed Klies for its facilities. The Klies application was dismissed from the hearing docket on applicant's request.

NEW—Twin City Broadcasting Co., Inc., Lewiston, Me.—Granted petition to consider and receive answer as respondent to application of the Cumberland Broadcasting Co., Portland, Me., applying for C. P. for new station to operate on **1210 kc.**, 100 watts, unlimited. Hearing on application scheduled for January 25, 1937.

NEW—Harold F. Gross and Edmund C. Shields, Saginaw, Mich., and WBCM—James E. Davidson, Bay City, Mich.—Suspended its order of Nov. 10, 1936, granting without hearing application of WBCM for modification of license to increase day power from 500 watts to 1 KW, and designated same for hearing. Also denied petition of WBCM to dismiss and strike protest of Harold F. Gross and Edmund C. Shields, who have application for new broadcast station to operate on **950 kc.**, 500 watts, daytime, at Saginaw, Mich.

A. W. Hayes, Erie, Pa.—Dismissed petition to set aside decision and order of the Broadcast Division, reopen and remand the application for hearing, de novo. (Ex. Rep. 1-212.) The petitioner sought a C. P. to erect a new station at Erie to operate on frequency **1270 kc.**, 500 watts night, 1 KW LS, unlimited time.

The Commission granted the petition of the Brooklyn Broadcasting Corp., WBBC, and directed that hearing de novo before the full Commission in the Brooklyn case be continued to March 18, 1937.

APPLICATIONS RECEIVED

First Zone

WTIC—The Travelers Broadcasting Service Corp., Hartford, Conn.
1060 —Extension of special experimental authorization to change frequency from **1060 kc.** to **1040 kc.**, hours of operation from S-WBAL to simultaneous operation with KRLD (unlimited) from 2-1-37 to 8-1-37.

WBAL—The WBAL Broadcasting Co., Baltimore, Md.—Extension
1060 of special experimental authorization to change hours of operation from S-WTIC to daily simultaneous operation on **1060 kc.** with KTHS, from 6 a. m. to local sunset at Hot Springs, Ark., from local sunset to 9 p. m., unlimited on **1060 kc.**—will synchronize with WJZ on **760 kc.** from 9 p. m., with power of 2½ KW, using directional antenna, from 2-1-37 to 8-1-37.

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Con-
1210 struction permit to move transmitter from Lovely Dame Building, 16 West Washington St., Hagerstown, Md., to near Hagerstown, Md., and install a vertical antenna. Amended re transmitter site.

WNAC—The Yankee Network, Inc., Boston, Mass.—Modification
1230 of license to change name from Shepard Broadcasting Service, Inc., to The Yankee Network, Inc.

W2XE—Columbia Broadcasting System, Inc., Wayne, N. J.—Modification of construction permit to extend completion date to 4-28-37.

NEW—Columbia Broadcasting System, Inc., New York, N. Y.—Construction permit for a new low frequency relay broadcast station to be operated on **1646, 2090, 2190, 2830 kc.**, 50 watts.

Second Zone

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Modification
560 of construction permit (B2-P-1085) as modified, for new equipment, increase in power, and move transmitter, requesting extension of commencement date from 11-6-36 to 3-1-37 and completion date from 5-5-37 to 8-31-37.

WLW—The Crosley Radio Corp., Cincinnati, Ohio.—Extension
700 of special experimental authorization to operate with power of 500 KW, using directional antenna night, for period from 2-1-37 to 8-1-37.

WCKY—L. B. Wilson, Inc., Covington, Ky.—Construction permit
1490 to install new equipment, increase power from 5 KW to 50 KW day and night. Amended: Make changes in equipment and change requested power from 50 KW to 10 KW.

NEW—The Crosley Radio Corp., Cincinnati, Ohio.—Construction permit for a new high frequency broadcast station to be operated on **31600, 35600, 38600, 41000 kc.**, 200 watts power.

NEW—The Crosley Radio Corp., Cincinnati, Ohio.—Construction permit for a new high frequency broadcast station to be operated on **31600, 35600, 38600, 41000 kc.**, 200 watts.

Third Zone

WDBO—Orlando Broadcasting Co., Inc., Orlando, Fla.—Authority
580 to determine operating power by direct measurement of antenna.

WSB—Atlanta Journal Co., Atlanta, Ga.—Construction permit to
740 make changes in transmitter and antenna and increase power from 50 KW to 500 KW.

WBRC—Birmingham Broadcasting Co., Inc., Birmingham, Ala.—
930 Construction permit to install new transmitter and vertical antenna and increase power from 1 KW to 1 KW night, 5 KW day.

WWL—Loyola University, New Orleans, La.—Extension of special
850 experimental authorization to operate unlimited time for period 2-1-37 to 8-1-37.

KWKH—International Broadcasting Corp., Shreveport, La.—Ex-
850 tension of special experimental authorization to operate on **1100 kc.**, unlimited time, with directional antenna at night, for period 2-1-37 to 8-1-37.

KARK—Arkansas Radio and Equipment Co., Inc., Little Rock,
890 Ark.—License to cover construction permit (B3-P-197) as modified for new equipment, increase in power, and move of transmitter.

KTHS—Hot Springs Chamber of Commerce, Hot Springs National
1040 Park, Arkansas.—Extension of special experimental authorization to change frequency from **1040 kc.** to **1060 kc.**, hours of operation from S-KRLD to simultaneous WBAL from 6 a. m. to local sunset daily, suspend until 8 p. m., and unlimited from 8 p. m. until midnight, for period 2-1-37 to 8-1-37.

KRLD—KRLD Radio Corp., Dallas, Tex.—Extension of special
1040 experimental authorization to operate simultaneously with WTIC for period 2-1-37 to 8-1-37.

WJDX—Lamar Life Insurance Co., Jackson, Miss.—Construction
1270 permit to make equipment changes, new antenna, increase in power from 1 KW night, 2½ KW day to 1 KW night and 5 KW day.

NEW—John C. Hughes, Phoenix City, Ala.—Construction permit
1310 for a new station to be operated on **1310 kc.**, 100 watts, daytime.

WATL—J. W. Woodruff, d/b as Atlanta Broadcasting Co., Atlanta,
1370 Ga.—Modification of construction permit (B3-P-1228) for new equipment, changes in antenna, increase in power, and move of transmitter and studio, requesting further changes in authorized equipment and antenna.

WSFA—Montgomery Broadcasting Co., Inc., Montgomery, Ala.—
1410 Authority to make changes in automatic frequency control apparatus.

WACO—KTSA Broadcasting Co., Waco, Tex.—License to cover
1420 construction permit (B3-P-1465) for a new transmitter and antenna.

NEW—James R. Doss, Jr., Mobile, Ala.—Construction permit for
1500 a new station to be operated on **1500 kc.**, 100 watts, daytime.

Fourth Zone

KFAB—KFAB Broadcasting Co., Lincoln, Nebr.—Extension of
770 special experimental authorization to operate synchronously with WBBM from local sunset at Lincoln, Nebr., to midnight, CST, from 2-1-37 to 8-1-37.

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Ex-
770 tension of special experimental authorization to operate synchronously with KFAB from local sunset (KFAB local sunset) to midnight, for period from 2-1-37 to 8-1-37. Amended to change name from WBBM Broadcasting Corp. to Columbia Broadcasting System, Inc.

NEW—Western Union College, Le Mars, Iowa.—Construction per-
1210 mit for a new station to be operated on **1210 kc.**, 100 watts night, 250 watts day, unlimited time.

KRMC—Roberts-MacNab Co. (Arthur L. Roberts, R. B. Mac-
1310 Nab, A. J. Breitbach, Gen. Manager), Jamestown, N. Dak.—Modification of construction permit (B4-P-510) for new station on **1310 kc.**, 100 watts, simultaneous day, share KVOX night, requesting authority to install new transmitter and increase power from 100 watts to 100 watts night, 250 watts day, approval of vertical antenna and transmitter site at 1 mile from center of city on U. S. Highway No. 10, Jamestown, N. Dak.

KROC—Southern Minnesota Broadcasting Co., Rochester, Minn.—
1310 Authority to transfer control of corporation from First Trust Co. of St. Paul and G. P. Castner, as special administrators of the estate of L. J. Shields, deceased, Florence E. Brown and Emmet Butler, as trustees under the last will and testament of Frank M. Brown, deceased; Florence E. Brown as guardian of the estate of James L. Brown, a minor; and Stanley Hubbard, to Gregory Gentling.

WTAQ—WHBY, Inc., Green Bay, Wis.—Construction permit to
1330 install a new transmitter and increase power from 1 KW to 1 KW, 5 KW day. Amended to use directional antenna daytime.

KSTP—National Battery Broadcasting Co., St. Paul, Minn.—Con-
1460 struction permit to make changes in transmitting equipment.

KOVC—Geo. B. Bairey, Valley City, N. Dak.—Voluntary assign-
1500 ment of license from Geo. B. Bairey to KVOC, Inc.

W9XAA—Chicago Federation of Labor, York Township, Ill.—Modification of construction permit to increase power from 5 KW to 20 KW and make changes in equipment and extend commencement and completion dates.

NEW—K. E. Schonert, d/b as Schonert Radio Service, Harrisburg, Ill.—Construction permit for a new high frequency station to be operated on **31600, 35600, 38600, 41000 kc.**, 100 watts.

Fifth Zone

KIRO—Queen City Broadcasting Co., Seattle, Wash.—Extension
650 of special experimental authorization to operate on **710 kc.**, 1 KW, unlimited time for period 2-1-37 to 8-1-37.

NEW—Earle Yates, Las Cruces, N. M.—Construction permit for
930 a new station to be operated on **1500 kc.**, 500 watts, daytime. Amended: New transmitter and antenna changes, change frequency from **1500 kc.** to **930 kc.**, power from 100 watts night, 250 watts day, to 500 watts, time from unlimited to daytime.

NEW—C. P. Sudweeks, Spokane, Wash.—Construction permit for
950 a new station to be operated on **950 kc.**, 500 watts night, 1 KW daytime, unlimited time.

KWJJ—KWJJ Broadcast Co., Inc., Portland, Ore.—Authority to
1060 determine operating power by direct measurement of antenna. Amended: Re operating constants.

NEW—The Peoples Forum of the Air, Helena, Mont.—Construc-
1210 tion permit for a new station to be operated on **1210 kc.**, 100 watts, unlimited time.

KPPC—Pasadena Presbyterian Church, Pasadena, Calif.—License
1210 to cover construction permit (B5-P-1306) for changes in equipment.

KDON—Monterey Peninsula Broadcasting Co., Monterey, Calif.—
1210 Modification of license to move studio from Del Monte Hotel, Del Monte, California, to 498 Washington St., Monterey, California.

KSUB—Harold Johnson & Leland M. Perry, d/b as Johnson &
1310 Perry, Cedar City, Utah.—Modification of construction permit (B5-P-84) for a new station, requesting changes in antenna and approval of transmitter site at West Second South, Cedar City, Utah and studio at El Escalante Hotel, Cor. 1st North & Main Sts., Cedar City, Utah.

KRE—Central California Broadcasters, Inc., Berkeley, Calif.—
1370 Construction permit to install new transmitter and antenna, change frequency from **1370 kc.** to **1440 kc.**, power from 100 watts night, 250 watts day to 1 KW, and move studio and transmitter locally.

KFEL—Eugene P. O'Fallon, Inc., Denver, Colo.—Construction permit to supersede B5-ML-360, requesting equipment changes, installation of vertical antenna, increase in power from 500 watts to 1 KW, change in hours of operation from S-KVOD to unlimited time. (Contingent on KVOD's application B5-P-1540.)

January 11, 1937.

PRELIMINARY ENGINEERING REPORT TO THE BROADCAST DIVISION CONCERNING THE OCTOBER 5, 1936, HEARING—DOCKET 4063

The Chief Engineer and the Assistant Chief Engineer in charge of broadcasting not only listened to all of the half million words of testimony presented at the formal hearing held by the Broadcast Division October 5 to 21, 1936, inclusive, but also have subsequently read and considered the record of 1,741 pages and the numerous exhibits in addition thereto. Consequently, the Engineering Department feels it advisable to submit herewith in preliminary form our general conclusions and recommendations deduced from the record, so that the Broadcast Division may have an early opportunity to direct the Engineering Department more specifically in the matter of detailed revision of the existing regulations concerning broadcasting. This report should therefore be considered as general in character and in the nature of a request for specific instructions which will enable us to prepare detailed regulations to submit to the Broadcast Division for approval.

Inasmuch as the Broadcast Division, as well as other members of the Commission, listened to the same testimony as did the Engineering Department, it seems undesirable to burden this preliminary report with the details of the evidence. Nevertheless, if the Commission desires from the Engineering Department the detailed factors of the evidence given at the hearing upon which we base our conclusions, we are ready to furnish such information. In any event, the Engineering Department will present to the Commission, in separate reports, a summary of the evidence given in the October 5 hearing, Docket 4063.

General

In general, based upon the evidence given at the hearing, the Engineering Department is of the opinion that from an engineering standpoint the existing system of allocation of frequencies within the broadcast band 550-1600 kc. which was inaugurated in 1928, is sound, particularly with reference to the fundamental 10 kc. separation between channels and the use of both clear channels and shared channels to render service to the nation. However, in view of the information which has been accumulated since 1928, and in view of technical improvements as well as an increasing demand for better facilities, there is need for an improvement in the engineering features of the structure as well as in some of the standards of engineering practice which have been followed hitherto.

In making this report the Engineering Department desires to make clear the fact that we have not endeavored to determine who should or should not be the licensees of radio stations, because this is primarily a matter of policy which the Commission will decide for itself. Our thought on this subject of allocation has been prompted primarily from the standpoint of sound engineering, and to this end we have made it our mission to ascertain how to make the best technical use of the very limited radio spectrum between 550-1600 kc. so that the entire public may receive the maximum service both of transmission and reception, regardless of who may be the licensees of the various transmitting stations. In other words, we have felt that if the basic allocation engineering within this limited spectrum were such as to make possible the greatest number of stations properly distributed geographically, and each capable of rendering technically a good service to the public, there would be made available in all sections of the country the maximum possible facilities for the Commission to license or to continue to license whomever it feels should and could operate stations.

Naturally, we have made every effort to remain properly within the limits specified in the Communications Act of 1934, as amended in 1936, particularly with reference to the distribution of facilities to States and communities.

In general, the tenor of the testimony at the October 5 hearing tended primarily toward the improvement of existing facilities. The Engineering Department is of course aware that the Commission is not only confronted with this problem, but also the additional problem of providing facilities where insufficient or none exist at present, when and if there is a need and applications are made therefor. Therefore in making our recommendations the Engineering Department has endeavored to keep the entire problem wholly in mind, but at the same time we are necessarily conscious of the extreme technical limitations imposed by the narrow radio spectrum between 550 and 1600 kc. and the relatively small number of frequency channels contained therein and available to the United States for solving its difficult problems of broadcasting.

In general, the various groups represented at the hearing who testified with reference to the reallocation of frequencies within the broadcast band 550-1600 kc., agreed that the Commission is following a sound policy in proceeding with needed technical improvements in the allocation system on the basis of evolution, experimentation and voluntary action, rather than by enforced costly changes. The only expressed view contrary to this policy was made by special groups who intimated that the existing formula for broadcasting had failed to supply a service which is essentially sound and economically fair, and that the place to make a correction is in connection with the allocation of facilities. However, representatives of some of those special groups who testified at the hearing agreed that inherent limitations of a scientific character in the broadcast band 550-1600 kc. imposed technical difficulties in the solution of the broadcast problem of certain groups, at least, and it was suggested by some of the educational groups that the ultra high frequencies might be more suitable for the future development of additional educational radio broadcast stations.

The various groups and individuals presenting evidence at the hearing agreed that any modification of existing regulations pertaining to frequencies for various classes of broadcast stations between 550-1600 kc. should be made in such a manner that they are sufficiently flexible to permit the adaptation of new technical developments. It appears that flexibility in the regulations is desirable in order that practical problems can be solved based upon sound engineering and other controlling factors. However, in the opinion of the Engineering Department this flexibility in the regulations imposes a constant responsibility upon the Commission to maintain throughout its administration the application of sound engineering to the solution of individual problems, bearing in mind their relation to the basic broadcast structure as a whole.

Inasmuch as the Commission has already enunciated its policies of procedure, which have just been outlined herein, and in view of the probable developments relative to the use of ultra high frequencies, the Engineering Department recommends the continuation of the Commission's present policy regarding the procedure for accomplishing improvements in the broadcast band 550 to 1600 kc. Naturally, in making this recommendation the Engineering Department feels that where the lack of voluntary action on the part of an individual would result in an impairment of public interest, or would improperly hamper the broadcast industry as a whole, the Commission should resort to such lawful measures as it deems necessary in the premise. In this connection, the Engineering Department is of the opinion that the industry as a whole is keenly interested in technical improvements in service to the public.

The subject of reallocation is so complex and the various phases so interrelated that it is essential to have some discussion in detail. However, for the convenience of those who do not have the time to study the details of this report, we set forth herewith a brief summary of the salient features of the recommendations of the Engineering Department.

Summary

The following is a summary of the Engineering Department's conclusions, recommendations and requests for instructions with respect to the broadcast band 550-1600 kc., based upon the October 5, 1936, hearing, Docket 4063:

(1) We believe that while the engineering principles of the allocation structure of 1928 are basically sound, technical progress, operating practice and the accumulation of new data since 1928 indicate conclusively that modifications are needed and that improvements can be made which, from a technical standpoint, will result in better broadcasting service to the public.

We recommend that these modifications be made by revising the existing rules, regulations and standards of good engineering practice.

The Engineering Department's proposals for modification would not change the 10 kc. separation between channels, nor would it change fundamentally the conception as to the use of both clear channels and shared channels to render service to the nation. In the latter respect the recommendations tend toward the modification of the number of frequencies made available to each class of station.

(2) As to the general procedure for making modification of the allocation structure, we believe and recommend that the Commission should continue its existing policy of evolution and experimentation through voluntary action of applicants rather than by enforced costly radical changes. The reasonableness of the details of any of the new rules and regulations could well be the subject of formal hearings after due notice is given of the effective date of the new rules. Applicants desiring to take advantage of the improvements made possible by the new rules might have their applications granted or designated for hearing, depending upon the facts in each individual case. In any event, the present prescribed legal procedure of the Federal Communications Commission could be maintained.

(3) We recommend that the new rules be inherently flexible so as to permit practical adaptation of sound engineering to individual cases in accord with economic and social needs.

(4) We suggest for consideration by the Commission the use of ultra high frequencies to assist in the solution of the educational broadcast problem.

(5) We recommend six classes of broadcast stations in the band 550-1600 kc. with powers as outlined in the following. The exact definitions will be submitted later by the Law and Engineering Departments, provided the general policies herein are approved:

				Approximate Interference Limits	
Class	*Comparison*	*Purpose*	*Night Power*[1]	*Night*	*Day*
A	Similar to clear channel stations....	To include remote rural coverage...........	Not less than 50 kw	.5 mv	.1 mv
B[2]	Similar to clear channel stations except other stations use channel so as to protect secondary coverage dominant station.	To include rural coverage..................	10 to 50 kw	.5 mv	.1 mv
C	Similar to high power regional stations.	Large metropolitan *district* coverage, as well as limited rural coverage.	5 to 50 kw	2.5 mv	.5 mv
D	Similar to regional stations........	Metropolitan *district* coverage...........	1 to 5 kw	2.5 mv	.5 mv
E	Similar to existing regional stations separated by relatively short distances.	City coverage..........................	.5 to 1 kw	4 mv	2 mv
F	Similar to local stations...........	City or town coverage.................	0.1 to 0.25 kw	4 mv	2 mv

[1] The power for each station of a class is to be determined individually upon showing of need and proper consideration of channel conditions with respect to interference.

[2] The class of stations which will use the same channel as Class B stations and protect the latter's secondary coverage, are in general Class D or Class E stations, located at sufficient distance from Class B stations to enable proper service to be rendered in accordance with the standards of good engineering practice. It may be possible in some instances to permit Class C stations to use Class B station channels.

(6) We request the Broadcast Division to designate which frequencies should be assigned to each class of station. In this connection we are ready to submit a separate memorandum setting forth the conditions existing on each frequency. This separate memorandum will assist the Division in designating frequencies to be assigned each class of station. We recommend that the following number of channels be assigned to the various classes of stations in the band 550-1500 kc.:

Class	**Number of channels*	
A	Not less than	25
B	Approximately	5
C	"	14
D	"	30
E	"	10
F	"	6
	Total	90

* The foregoing numbers exclude the frequencies now assigned exclusively to Canada.

With reference to the band 1510-1600 kc., we suggest that the Commission has three courses of action open to it, depending upon which policy the Commission desires to follow:

1. To assign all 10 channels in the band 1510 to 1600 kc. to Class F stations. In our opinion, while this provides the maximum number of stations, it does not in all cases provide a facility which will enable service to be rendered to all of an area requiring service.
2. To assign all 10 channels to Class D stations. This would permit only a few of the cities which do not now have a station to secure facilities. It would, however, in the relatively few individual cases afford a facility capable of performing an adequate service to a large community.
3. To distribute the 10 channels to Class D, E and F stations. This would enable a large number of cities to be served and at the same time permit a degree of flexibility in utilizing facilities in a manner which may be required in individual cases. A division such as 3 channels to Class D, 4 channels to Class E and 3 channels to Class F might be suitable, or else 3 channels to Class D and 7 channels to Class E, in which the power range may be more suitable for individual areas, would be an effective engineering solution to the problem. Instructions in this matter are requested.

(7) We recommend that when the Commission is satisfied a frequency assigned to one class of station has been utilized to the fullest and proper extent by stations of such class, that stations of another class be permitted to use the said frequency, provided the latter does not cause objectionable interference, either to the good coverage of any station regularly licensed on the frequency or jeopardize the specified use of the channel, and provided further that the new stations shall be able to render service consistent with the standards of good engineering practice.

(8) We recommend that when licensing new stations, or when increasing the power of an existing station of any class on a channel assigned to such class, due regard should be given to the standards of good engineering practice, particularly with reference to the interference that may be caused within the good service areas of other stations of the same class on the channel in question.

(9) We recommend that the band 1500-1600 kc. be opened for Class D, E or F stations, depending upon the policy to be determined by the Commission with respect to the number of additional stations and the type of service they should render.

(10) We recommend that all stations except Class A operate simultaneously on shared channels at night, and whenever practicable, use methods to increase service and reduce interference.

(11) We believe that two 50 kw. stations separated by great distances and operating simultaneously at night on the same channel, are capable of rendering a service to a limited area, particularly if directional antennas are used. However, we do not recommend the universal duplication of all existing clear channel stations located on the coasts. We have recommended the retention of at least 25 clear channels permanently, and caution in duplicating other such channels, pending a North American arrangement.

(12) We believe that directional antennas are feasible, but we recommend the careful and studied application of these antennas in individual instances.

(13) We recommend against the general application of synchronization, but suggest it can be applied in certain instances to assist in increasing coverage of low-powered stations.

(14) While we believe that powers in excess of 50 kw. on clear channels are technically sound and are in accord with scientific progress, we recognize that social and economic factors involved in the use of 500 kw. may outweigh in importance engineering considerations, and request instructions from the Division as to its desires with respect to regulations on the question of super-power. We feel that, in the matter of super-power, the Commission should give full consideration to our report summarizing the economic testimony in the October 5 hearing prior to making a decision.

(15) We feel that there is a need for increased signal intensity and have recommended that in general power increases are required to better the service to the public. However, we recommend that the regulations in this respect be sufficiently flexible to permit the Commission to judge each individual case upon its merits, particularly as to the needs and economic and social circumstances.

(16) We believe that from an ideal standpoint the "bloc" system of allocation to classes of stations may reduce the disadvantages of a disparity in power between stations on adjacent frequencies, but because of practical considerations, we do not recommend a radical change in allocation to accomplish this scientific ideal.

(17) We recommend against the establishment of standards of receiver selectivity and fidelity, but instead we recommend incorporation in the standards of good engineering practice the basis of receiver performance which is utilized in arriving at necessary ratios between desired and undesired signals to avoid objectionable interference.

(18) We suggest the paramount importance of economic and social factors in the determination of the distribution of facilities to licensees in any section of the country, and state that a separate report will be submitted giving in detail a summary of the evidence presented at the October 5 hearing. We hope the Commission will consider this summary of evidence before making final decisions.

(19) We recommend against changing the existing requirements with respect to frequency stability, modulation, harmonics and power determination.

(20) We suggest proceeding in an evolutionary manner toward the improvements in the broadcast band 550-1600 kc. without endeavoring to await developments in other bands of frequencies, because we feel that the public needs the possible technical improvements in the existing broadcast service.

(21) We recommend that the present empirical standards be revised and issued in the form of "standards of good engineering practice" and used as a guide in administration and in testimony when no better evidence is available. We believe that the following is the proper trend of the revision:

- (a) Adopt curves on those presented by the Engineering Department at the hearing as guides to estimate service and interference under various conditions.
- (b) Retain the present ratios between desired and undesired signals for stations using the same channel.
- (c) Revise the ratios between desired and undesired signals for stations on adjacent channels. The ratios now used will be decreased to an amount to be finally determined at the engineering conference scheduled for January 18, 1937, at Washington. These revisions will permit stations of like power to be spaced geographically closer than hitherto provided in our "empirical standards".
- (d) Stations in the same city may be assigned frequencies 40 kc. apart under special conditions of location and power.
- (e) While we believe that the present limit of 125 mv. used in connection with "blanketing" is too small, we are not prepared at this time to accept the 1000 mv. limit suggested by certain engineers at the October 5 hearing. The figure which should be used will be determined after the engineering conference scheduled for January 18, 1937, and we shall make a specific recommendation to the Division after that date.
- (f) It is recommended that the present engineering "allocation factor" be replaced by a more scientific treatment of cross-talk interference based upon the selectivity performance of receivers as testified to by engineers at the October 5 hearing. The details of the changes will be determined finally at the engineering conference scheduled for January 18, 1937. The Engineering Department can then revise its present interference curves to take this into consideration.
- (g) The existing mileage frequency separation tables should

and can safely be revised. It is recommended that this be so done and included in the "standards of good engineering practice" as general guides for administrative purposes, as well as ready references for lay interpretation of the average curves. After the scheduled January 18 engineering conference, the Engineering Department will submit a revision of the existing tables, provided the Broadcast Division has determined certain matters of policy. These tables will be based upon the performance of 1000 kc. with a conventional antenna of the efficiency required for each class of station over average conductivity and for the sky wave conditions for the second hour after sunset.

It is to be expected that in individual cases the distance tables will not indicate practical conditions, but before the Commission departs from the distance tables, it should require

(1) Competent evidence indicating wherein facts in individual cases differ from the calculations upon which the distance tables were computed.
(2) Adherence to accepted standards of service and interference.
(3) Proper measurements taken by competent engineers over a sufficient period of time.
(4) Adherence to good engineering practice in the location and efficiency of transmitter and antenna.

Specific Questions

In order that the details of the conclusions of the Engineering Department may be presented more clearly, this report will henceforth adhere to the outline of the subject matters given in the notice of hearing in Docket 4063, Mimeo. 17695.

I. Classification of Broadcast Stations

1. *Desirability of establishing new classes, or of sub-dividing, modifying or abolishing any existing class.*

In the opinion of the Engineering Department and based upon the evidence given at the hearing, there is need for establishing new classes of stations, as well as modifying some of the existing classifications. Such new classes will make more flexible the existing rigid classifications, or in other words, will make available more sizes of "shoes" to fit the various "feet." The establishment of new classes would permit an improved application of sound engineering to suit the variable practical field conditions which are encountered in the allocation of broadcast facilities.

In the opinion of the Engineering Department there should be at least six classes of stations, as follows: (We have used letters to denote classes, pending final definitions yet to be determined.)

Class A—A station class having wide area coverage on a clear channel.

Class B—A station class having wide area coverage and using simultaneously a frequency which is also assigned to other stations designed or so located as to protect the secondary coverage of the Class B station from objectionable interference. An example of the Class B station is one located on the coast using 50 kw. on a frequency to obtain secondary coverage, while at the same time there is operating on the same frequency a 1 kw. or 5 kw. Class D or E station in another part of the country in such a manner as not to cause objectionable interference to the Class B station.

Class C—A station class utilizing either great distance separation or else protective devices to avoid objectionable mutual interference with stations of the same class, enabling less coverage than the long distance service to be rendered by Class A or B stations, but greater coverage than Class D stations. An example of Class C stations would be certain existing high power stations separated by great distances such as coast to coast and operating simultaneously on the same frequency, or certain existing high power clear channel stations, both of which use the same frequency but with directional antennas or other means to avoid objectionable mutual interference. An other example is the existing 10 kw. high power regional station separated geographically by a distance sufficient to avoid objectionable mutual interference.

Class D—A station class similar to the existing regional stations.

Class E—A station class which, from an engineering standpoint, will render less coverage than the existing regional stations, but greater coverage than the existing local stations.

Class F—A station class similar to the existing local stations.

2. *Proper definition of each class with respect to purpose and character of service.*

Suggestions were made at the hearing as to the definition of the several classes of stations. Emphasis was placed by some groups upon the existing definition of clear channel stations, and others endeavored to define the various classes of stations by suggesting a definition based upon the primary purpose of each class. The Engineering Department is not submitting at this time detailed recommendations to the Commission as to the exact definitions of each class of station, because it involves both legal interpretation and matters of policy. We recommend, however, that the Engineering and Law Departments be directed to submit jointly to the Broadcast Division specific definitions for six classes of stations, based upon the general ideas outlined in sub-paragraph 1 above. Such definitions, in our opinion, should indicate the general purpose for which each class of station is intended. The Engineering Department can further express technically, in the "standards of good engineering practice," the engineering conditions involved for each class of station by setting forth in general terms their interference limits. These standards will not be a part of the regulations, but will be promulgated by the Commission. Engineering Department will submit these standards of good engineering practice to the Broadcast Division for approval. If final hearings are held with respect to the reasonableness of the new rules and regulations, it appears desirable that these standards also be subject to hearing at the same time.

3. *Number of frequencies to be allocated to each class.*

There was no specific suggestion made at the hearing with respect to the number of frequencies that should be allocated to each of the six classes of stations. However, the clear channel group claimed that there should be at least 30 clear channels. Inasmuch as it was admitted and claimed that existing stations which share time on clear channels are confronted with a serious economic problem—one which, in the opinion of the Engineering Department, affects the character and continuity of the program service rendered to the public by each of these stations in sections of the country which in our opinion need high grade transmission facilities, we recommend that the number of channels assigned to Class A stations be not less than approximately 25, thus effecting a reduction of 15 of the original 40 clear channels. In arriving at the number of channels assigned to Class A stations, we feel that the Commission should bear in mind the possibility of a North American agreement which might involve the number of such channels ultimately to be preserved for the exclusive use of the United States, and it is entirely possible that the Commission may not desire to reduce the number to 25 in the immediate future.

In our opinion and based upon the engineering evidence at the October 5 hearing, as well as upon our general technical knowledge of actual operating conditions in the existing system, we suggest that the ultimate number of frequencies to be assigned to various classes of stations be as follows:

550-1500 kc. (exclusive of Canadian frequencies)

Class A	Not less than	25
Class B	Approximately	5
Class C	"	14
Class D	"	30
Class E	"	10
Class F	"	6
Total		90

1510-1600 kc.

Class A	None
Class B	None
Class C	None

The distribution of the 10 frequencies between 1510 and 1600 kc. to Classes D, E and F involves important new policy questions which make it unfeasible for the Department to make specific suggestions without further instructions from the Division. However, we set forth herewith certain pertinent facts and suggest various courses of action which may be of assistance to the Division in making its final determination of this matter.

The following table sets forth certain facts pertaining to coverage of these frequencies for the three classes of stations involved. 1550 kc. is taken as an average, there being only slight differences between 1510 and 1600 kc.

		Average Conductivity		*Low Conductivity*	
		Day	**Night*	*Day*	**Night*
Class D	5 KW	48 mi.	25 mi.	21 mi.	11 mi.
Class D	1 KW	32 "	16 "	13 "	7 "
Class E	1 KW	17 "	12 "	7 "	6 "
Class E	.5 KW	14 "	10 "	6 "	5 "
Class F	.25 KW	12 "	8 "	5 "	4 "
Class F	.10 KW	9 "	6 "	4 "	2.5"

* It will be recalled that we suggest the following interference limits:

	Day	*Night*
Class D	.5 mv	2.5 mv
Class E	2 "	4.0 "
Class F	2 "	4.0 "

The sizes of metropolitan districts in towns of about 100,000 people vary both in size and shape. In general, a station having a good service radius at night of 10 miles should be capable of covering such districts.

In centers of less population, the service radius required could be less. However, in many instances there is a rural population in the locality that should be served and hence a good service radius of 10 miles at night is not an inordinate figure for which to strive.

In determining the power of a radio station to be used to serve any community, the size and shape of the area in which the population resides and the propagation conditions therein are important factors.

There are 10 channels between 1510 and 1600 kc. The following approximate number of stations of each class might be accommodated in the United States if the whole band were assigned to a class and the stations properly spaced geographically:

Class D	5 KW	40
Class D	1 KW	60
Class E	1 KW	200
Class E	.500 KW	300
Class F	.250 KW	400
Class F	.100 KW	500

With respect to the present status of the distribution of facilities to cities, our records show that there are no cities over 100,000 population without one or more broadcast stations. There are 546 cities in the United States with a population of from 10,000 to 100,000 (which are not included in metropolitan districts) and of these 329 do not have local broadcast stations. There are 606 towns with a population from 5000 to 10,000 of which 562 are without local broadcast stations. These figures do *not* include cities of this population range located within the 96 metropolitan districts recognized by the Census of 1930. There are also 343 cities of a population from 10,000 to 100,000 included within these 96 metropolitan areas in each of which there are one or more broadcast stations.

In view of the foregoing facts, there seem to be three courses of action open to the Commission, namely,

(1) To assign all 10 channels in the band 1510 to 1600 kc. to Class F stations. In our opinion, while this provides the maximum number of stations, it does not in all cases provide a facility which will enable service to be rendered to all of an area requiring service.

(2) To assign all 10 channels to Class D stations. This would permit only a few of the cities which do not now have a station to secure facilities. It would, however, in the relatively few individual cases afford a facility capable of performing an adequate service to a large community.

(3) To distribute the 10 channels to Class D, E and F stations. This would enable a large number of cities to be served and at the same time permit a degree of flexibility in utilizing facilities in a manner which may be required in individual cases. A division such as 3 channels to Class D, 4 channels to Class E and 3 channels to Class F might be suitable, or else 3 channels to Class D and 7 channels to Class E, in which the power range may be more suitable for individual areas, would be an effective engineering solution to the problem. Instructions in this matter are requested.

The foregoing facts give the situation in each—the band 550-1500 kc. and the new band 1510-1600 kc., and give our suggestions as to the total number of channels that should be assigned to each class of station. However, inasmuch as the exact frequencies to be designated for the different classes of stations involve matters of policy as well as the rights of various stations, the Engineering Department requests instructions from the Division as to which specific frequencies shall be so allocated. In selecting frequencies to designate for different classes of stations on which there exist the present classes of stations, the Engineering Department believes that it will be possible to so assign a frequency to a new class of station and at the same time take advantage of the practical situation which may exist and designate certain stations on that frequency for some other class in such a manner as is provided for in the use of a frequency by more than one class of station under our recommendation in sub-paragraph 5 (d) following herein. It is believed that this will enable the initial preservation of any possible public interest in the coverage of existing stations which by the nature of their service should be placed in a different classification than warranted by the actual conditions in other parts of the country for the same channel.

The Engineering Department is ready to submit to the Commission data with reference to each channel in order to assist in the specific selection of frequencies to be assigned to various classes of stations.

4. *Suitability of various bands of frequencies (e. g., propagation characteristics and noise levels) in the range 500-1600 kc. for the service to be rendered by each class.*

In general, the lower frequencies have better propagation characteristics for all conditions of terrain than do higher frequencies under the same conditions. However, where ground propagation conditions are poor, all frequencies do not enable as large a coverage with the same power as if the propagation conditions were good. Therefore, since propagation conditions vary over the country, we may find that a higher frequency, used where conditions are good, may enable a station to obtain coverage almost equal to that secured by the use of lower frequencies used where propagation conditions are poor.

On the other hand the lower frequencies require larger and more expensive antennas in order to secure the same efficiency as the cheaper and smaller antennas used on the higher frequencies.

Generally speaking, sky wave propagation is about the same on all frequencies with the same radiated power. However, it is possible to secure at less cost greater efficiency on the higher frequencies, and hence greater sky wave intensity per kilowatt input than on the lower frequencies. This increased signal intensity is, however, overbalanced by the fact that the rapidity of fading seems to be greater generally on the higher frequencies than on the lower frequencies.

It is the opinion of the Engineering Department that in determining the radius of coverage of a radio station it is necessary to consider four factors, namely, (1) conductivity, (2) frequency, (3) power, and (4) interference.

For example, the following table will illustrate these factors for regional stations rendering service to a 2 mv. ground wave signal intensity, which we consider good suburban service from a technical standpoint:

	5 KW		*1 KW*		*250 WATTS*	
	Average Cond.	*Low Cond.*	*Average Cond.*	*Low Cond.*	*Average Cond.*	*Low Cond.*
600 kc	72 mi.	29 mi.	40 mi.	19 mi.	25 mi.	13 mi.
900 kc	47 "	19 "	28 "	12 "	19 "	8.5 "
1200 kc	34 "	14 "	22 "	9 "	15 "	6.4 "
1400 kc	29 "	12 "	18.5 "	7.5 "	13 "	5.4 "
1550 kc	26 "	11 "	17 "	7 "	12 "	4.9 "

The fourth factor, "interference," is primarily a matter of the maintenance of the standards of good engineering practice. If allocations are so made that mutual interference exists at higher signal intensities than recommended, the coverage will be less than if the standards are adhered to. We have subsequently set forth in this report our ideas regarding the standards of interference.

From the above it can be seen that 1 kw. on 1550 kc. over terrain having average conducticity gives better coverage than 5 kw. on 1200 kc. over terrain having low conducticity, and that 250 watts on 1550 kc. gives as great a coverage over good terrain as does 5 kw. on 1400 kc. over poor terrain. Of course, almost any example can be taken to show advantages or disadvantages, but none affect the fact that coverage from an engineering standpoint is a function of at least four factors. Naturally we are not forgetful of the fact that the population residing within the area served by a station is a governing factor in all cases and that program content is a factor in ascertaining the size of a listening audience in any community.

Summarizing, the Engineering Department is of the opinion that, while generally speaking, lower frequencies enable better coverage for the same input power than do higher frequencies, each channel from 550 to 1600 kc. is extremely valuable for broadcasting purposes.

The evidence shows that the band 1510-1600 kc., which heretofore has been allocated only experimentally, is most useful and can be utilized for rendering excellent service to the listening public, particularly in the smaller cities.

In general, from a practical standpoint, the present engineering principles of allocation appear to be a good general guide for the Commission to follow in the allocation of frequencies to the various classes of stations, and in consideration of the practicalities involved, the Engineering Department recommends that in this phase of the allocation no radical departures from existing engineering principles be made, except as to the modification necessary to utilize existing frequencies for the new classes of stations.

5. *Extent to which freedom from interference is to be secured to each class and extent to which duplicated use, night or day, of frequencies allocated to each class is to be permitted.*

When the Commission has approved the new definitions of stations recommended to be submitted jointly by the Engineering and Law Departments, the Engineering Department can indicate more definitely than at present the extent to which freedom from interference is to be secured for each class, but in general we feel that Class A stations should not share the same channel at night with any other class of station, and that the ground wave protection from stations using the same frequency during the day should be to the .1 millivolt contour. The side channel interference protection to these stations should be to the .5 mv. ground wave contour.

We believe that the service of Class B stations to the .5 mv. ground wave contour should be free from objectionable interference from other stations on the same channel at night, and the .1 mv. contour in the day. As to Class C and Class D stations, it is our opinion that mutual interference should be limited to approximately the 2.5 mv. contour at night, and the .5 contour in the day, and that the stations using the same channel should be so placed geographically or else should use other methods to obtain this degree of mutual freedom from interference.

As for the Class E and F stations, it is believed that the Commission should endeavor to arrange this allocation ultimately in such a manner that the interference limitations for these stations are not greater than the 4 mv. ground wave contour at night and the 2 mv. contour in the day.

All of these interference limitations, as mentioned before, should not be placed in the regulations, but in the "standards of good engineering practice" which will be promulgated by the Commission as general guides.

(a) *Number of stations to be permitted to operate simultaneously on frequencies of each class.*

On frequencies assigned to Class A stations, only one station should operate at night. Since a Class B station is a dominant station on a channel, the number of other classes of stations which can operate successfully in the United States on the same channel will depend primarily on the geographical location of the Class B station. As to the other classifications of stations, the number of stations which can operate successfully on each channel will be dependent upon geographical separation, operating conditions and the engineering methods used to prevent interference. Generally speaking, however, the higher the power, the fewer the number of stations which can use the same frequency. For example, with Class C stations, assuming that each station has 50 kw. and uses a directional antenna in a practical manner, perhaps two or three stations could use the same channel, depending entirely upon practical circumstances, but in this connection, it is believed that in some instances it may be possible for only two Class C stations in the United States to operate simultaneously at night on the same channel. On frequencies assigned to Class F stations, it should be practical, from an engineering standpoint, for more than 20 stations in the United States to operate simultaneously at night on the same channel, provided they are properly distributed geographically.

(b) *Mileage-frequency separation tables as a method for determining permissible duplications.*

It appeared to be the unanimous opinion of engineers that the mileage-frequency separation tables are useful as a guide in determining questions of interference and geographical separation of stations. These tables could well be utilized in the "standards of good engineering practice" and will be useful as evidence when there are no other facts upon which to base any conclusions. However, the presentation of actual measurements or actual facts which show conditions different from those upon which the distance tables are based, should be better evidence. In accepting such facts, the Commission should weigh carefully the qualifications of engineers presenting testimony, and the accuracy of their measurements.

As to separations on the same channel, the existing distance tables will require modification to bring into consideration new classes of stations.

As to the final geographical separation required to avoid side channel interference, the Engineering Department is not satisfied that the evidence presented at the October 5 hearing adequately covers all the factors involved. However, the evidence shows conclusively that the existing distance tables with respect to 10, 20, 30 and 40 kc. can very well be modified to take into consideration the better known facts presented at the hearing with respect to receivers.

The Engineering Department recommends that it be instructed by the Division to revise the existing distance tables based upon new engineering facts given in evidence at the October 5 hearing, as well as upon the determination of final technical details resulting from the engineering conference scheduled for January 18, 1937, and that these distance tables be made a part of the "standards of good engineering practice" to be used as guides when better evidence is lacking. Other aspects of the mileage-frequency separation tables are dealt with subsequently in this report.

(c) *Advisability of establishing subclassifications of any of the principal classes.*

If the Commission should adopt the six general classifications mentioned in sub-paragraph 1 above, there would seem to be no need for further subclassification, and the Engineering Department recommends that there be no additional classes of stations.

(d) *Use of frequencies allocated to one class by stations of another class.*

The Engineering Department is of the opinion that the Commission should proceed most carefully in allowing one class of station to use frequencies assigned to stations of another class. The reason for this caution in procedure is that each class of station has its own specific engineering factors, and until, throughout this country and the rest of North America, the intended use has been made of a frequency assignment to a particular class of station, the Commission might so involve engineering as to make the frequency assigned to a particular class of station totally useless for the intended purpose. However, when the Commission is satisfied that all the requirements involved in the use of a frequency assigned to one class of station have been fulfilled, and that there can be no harm whatsoever to the stations regularly assigned that class and frequency, the Commission might at that time take advantage of the opportunity and allow another class of station to use the same frequency, provided that the new station shall be capable of rendering service consistent with the standards of good engineering practice. A good example of duplicate use of a channel by more than one class of station is that of a Class B station on one coast using the same frequency as a Class D or E station on the other coast.

(e) *Possibility of duplicated use of a frequency by two 50 kw. stations separated by a substantial distance.*

The evidence is conclusive that two 50 kw. stations separated by approximately 2500 miles or more can operate simultaneously on the same frequency and render a limited degree of good service, particularly if the stations have a difference in time, such as between the east and west coasts. It should be made clear, however, that the duplicated operation of two 50 kw. stations, both using conventional antennas and separated by a substantial distance, is not the equivalent of clear channel service. The Engineering Department is further of the opinion that the Commission should proceed with the utmost care in duplicating all existing clear channel stations located on the coasts because it is entirely possible that the secondary areas of some clear channel stations may afford the only good program service to rural areas adjacent to the coasts.

The comparison between duplicated and nonduplicated clear channel operation is of interest and is set forth herewith in the following table, which is for total hours of darkness. An east-west path in which there is three hours difference in time will enable freedom from mutual interference between "duplicated 50 kw. stations" over a longer period of time than if the transmission path were north and south:

Service Ranges of 50 Kw. Broadcast Stations

Assumed *conventional* antennas producing 1414 mv./m. at 1 mile unattenuated average conductivity 4 x 10^{-14}. Second hour after sunset on east-west path.

	Approximate Miles Day Service 500 uv/m	*Approximate Miles Day Service* 100 uv/m	*Approximate Miles Night Service Free From Objectionable Interference*
640 kc			
Unduplicated	133 mi.	230 mi.	* 500 uv/m 70% time 500 mi.
			* 400 uv/m 90% " 150 "
			* 100 uv/m 90% " 820 "
Duplicated			
2500 mi.	133 mi.	230 mi.	847 uv/m 90% time 110 mi.
" 2000 "	" "	" "	1475 uv/m 90% " 86 "
" 1500 "	" "	" "	2970 uv/m 90% " 62 "
800 kc			
Unduplicated	105 "	195 "	Same as 640 kc.
Duplicated			
2500 mi.	" "	" "	847 uv/m 90% time 82 mi.
" 2000 "	" "	" "	1475 uv/m 90% " 65 "
" 1500 "	" "	" "	2970 uv/m 90% " 47 "
1190 kc			
Unduplicated	71 "	143 "	Same as 640 kc.
Duplicated			
2500 mi.	" "	" "	847 uv/m 90% time 56 mi.
" 2000 "	" "	" "	1475 uv/m 90% time 42 "
" 1500 "	" "	" "	2970 uv/m 90% time 31 mi.

* Approximately same all frequencies from 640 to 1190 kc.

If both 50 kw. stations use directional antennas, it is possible that a better degree of secondary coverage can be obtained by both stations than is possible with conventional antennas. A degree of protection to so-called duplicated 50 kw. stations can be obtained for one of the stations if the other station utilizes a directional antenna. However, the latter cannot expect a highly satisfactory degree of secondary service over wide areas.

(f) *Consideration of hour of sunset as the dividing line between daytime and nighttime permissible duplications, and location at which sunset or other hour should be taken as such dividing line.*

The Engineering Department, as a result of the evidence submitted at the hearing, sees no necessity for changing the present rules with respect to the hours of sunset at the dividing line between daytime and nighttime permissible duplications.

(g) *Application of directional antennas.*

It was the consensus of engineering opinion that directional antennas are feasible, and if properly designed can be applied to assist in the solution of the broadcast allocation problem. However, in consideration of practical conditions, the directional antenna cannot be applied universally to all stations because there are many stations from which service could be rendered only in the directions where relatively few persons resided.

In the application of directional antennas, it is the opinion of the Engineering Department that the Commission should require technical conditions leading to the stable operation of such antennas under variable conditions. The Engineering Department will prepare such specifications in the standards of good engineering practice which the Commission will be asked to promulgate at some future date.

(h) *Application of synchronization.*

Synchronization has some limited application, particularly in booster stations. However, it has one distinct disadvantage, in that it requires all stations which are synchronized on a channel to use the same program at night, and thus limits the availability of the station for local features as well as the independence of action of licensees. Differences in time also limit the practicality of synchronized channels. The synchronization of too many channels may also result in a waste rather than a net gain in the economic use of the spectrum by reason of limitations of side channel interference. Nevertheless, in certain cases the engineering phases of synchronization might be resorted to in order to solve particular problems where the evidence shows that there is a distinct advantage to the public to be gained thereby.

The Engineering Department recommends that the Commission not consider synchronization as a desirable cure for some of the claimed unsatisfactory features of broadcasting which appear in some minds with respect to "chains". In this connection, the Engineering Department views chain broadcasting as a means of program distribution from the centers of talent to other centers which are unable to sustain good programs over an extended period of time by reason of lack of adequate talent. Therefore, from this standpoint "chains" used as a method of program distribution are a distinct advantage to the public, as well as to the lower-power stations—particularly if sufficient time is made available by each station on the chain for operation in direct behalf of local community interests.

The Engineering Department is of course aware that some persons feel that "chains" have disadvantages. If these disadvantages are serious, it appears that they can be corrected by administrative licensing measures rather than by empirical technical restrictions. Therefore, since the subject is one of policy, the Engineering Department has no other recommendations to submit at this time with respect to "chains".

6. *Maximum and minimum power requirements with respect to each class.*

General

In general, the trend of all engineering testimony was toward higher power for all classes of stations. It was clearly indicated that in general the existing empirical standards of the Engineering Department with reference to signal intensities required for good service should be used as a minimum and that in many instances there is needed a higher order of signal intensity to overcome the noise level in cities and the noise level in rural areas, particularly during the summer and in the southern sections of the country.

The only way to secure increased signal intensity is by increase in radiated power. However, it should be clearly understood that if the power of all stations were increased generally, the interference which now exists would remain exactly the same in so far as the distance from each station is concerned, and there would be no increase in good service areas free from interference at night unless means were taken to avoid such interference.

In the opinion of the Engineering Department, and in view of modern technical developments, it would seem desirable that if power were to be increased at various stations, an attempt should be made from the standpoint of interference to secure an additional improvement in service to the public over and above increased signal intensity within existing interference boundaries. This, of course, could not be accomplished in all cases, but in each individual case advantage might be taken of practical opportunities which might exist to secure the service of increased signal intensity which might benefit the local listeners and at the same time create less interference to listeners of a distant station.

(a) *Increases in power above 50 kw. on any class of frequency.*

The greatest controversy and difference of opinion existed with respect to power greater than 50 kw. However, with but one exception, all engineers who testified admitted that where side channel interference was not a factor, powers on clear channels in excess of 50 kw. would be a technical advance and would result in an increased signal intensity to remote areas. It is also clear to the Engineering Department that from a technical standpoint any power less than 50 kw. on a clear channel is a wasteful use of such frequency on the North American Continent.

The following table gives a comparison of coverage expected from a 50 and a 500 kw. station under the same conditions:

Comparison of Service Between 50 and 500 Kw. Stations

(a) Daytime service—500 microvolts. (Good rural service when no static.)

Propagation Conditions Over Terrain	*50 kw.*	*500 kw.*	*Percentage Increase In Area of 500 kw. Over 50 kw.*
	640 kc.		
2x10^{-13} (Good)	270 miles	360 miles	80%
10^{-13} (Average)	210 "	292 "	93%
6x10^{-14} (Fair-East and West Coast)	165 "	240 "	110%
2x10^{-14} (Poor-New England)	92 "	153 "	175%
	870 kc.		
2x10^{-13} (Good)	208 miles	280 miles	82%
10^{-13} (Average)	154 "	222 "	107%
6x10^{-14} (Fair)	121 "	185 "	134%
2x10^{-14} (Poor)	68 "	114 "	181%
	1190 kc.		
2x10^{-13} (Good)	154 miles	217 miles	100%
10^{-13} (Average)	112 "	170 "	130%
6x10^{-14} (Fair)	87 "	140 "	159%
2x20^{-14} (Poor)	50 "	84 "	182%

(b) Daytime service—100 microvolts. (Fair rural service when no static.)

Propagation Conditions Over Terrain	*50 kw.*	*500 kw.*	*Percentage Increase In Area of 500 kw. Over 50 kw.*
		640 kc.	
2x10^{-13}	395 miles	400 miles	60%
10^{-13}	330 "	415 "	58%
6x10^{-14}	270 "	352 "	69%
2x10^{-14}	188 "	262 "	94%
		870 kc.	
2x10^{-13}	310 miles	390 miles	58%
10^{-13}	250 "	325 "	69%
6x10^{-14}	212 "	290 "	86%
2x10^{-14}	141 "	208 "	117%
		1190 kc.	
2x10^{-13}	240 miles	305 miles	61%
10^{-13}	193 "	256 "	77%
6x10^{-14}	165 "	232 "	97%
2x10^{-14}	105 "	164 "	143%

(c) Nighttime secondary service.

It should be noted that for all conductivities and frequencies fading will limit the *primary* service of the station within its .5 mv. day contour whether the power be 50 kw. or 500 kw. The secondary service is that resulting from sky wave radiation reflected beyond the ground wave.

Late Evening Local Time

	*500 microvolts**	*100 microvolts**
500 kw	1180 miles	2200 miles
50 kw	810 "	1390 "

Second Hour After Sunset Local Time

500 kw	1060 miles	1880 miles
50 kw	680 "	1220 "

* Intensity of signal is exceeded 50% of the time.

Judging from the testimony, the Engineering Department is of the opinion that social and economic factors involved in powers in excess of 50 kw. are of paramount importance and in our opinion may outweigh engineering considerations in the final determination of this subject by the Commission.

For example, one group claimed that the use of 500 kw. by such clear channel stations would not result in either social or economic difficulties, but would result in a general benefit to the public. It was claimed by this group that the initial additional cost, as well as the additional cost of maintenance of operation would not be a detriment, and that in general the use of 500 kw. stations would benefit other stations indirectly by reason of the generally better radio service to be rendered to the public.

Some of those who opposed the use of 500 kw. power claimed that if super power were permitted on a few clear channel stations, there would be an inevitable trend toward the use of 500 kw. or more by all clear channel stations and that if such an event should occur, the results on the broadcast structure as a whole would be such as to reduce the benefits to the public and completely change the existing system of rendering program service to the public.

Some evidence was given by those opposed to the use of super power to the effect that it would result in low-power stations being unable to obtain by wire the benefits of good program service originating at the centers of talent.

Other groups indicated that they felt the use of 500 kw. by clear channel stations might make it difficult for the stations in the smaller communities to carry on local service to such communities, but they admitted the possibility that in general, where radio is well received, there might be an increasing public interest in radio such as to make the local station useful in its community.

Still another group indicated that the Commission should not at this time permit powers in excess of 50 kw., but should study the question further and in particular each individual case. This same group indicated that if the Commission should license two or three 500 kw. power stations in competing situations, the inevitable trend would be for all clear channel stations to have this high power, and that therefore the Commission should hesitate in this matter and study the situation carefully and proceed with caution.

The Engineering Department is of the opinion that if the Commission accepts the doctrine of clear channel stations, all such stations should employ sufficient power to justify the use of a single channel at night by only one station and that this power should not be less than 50 kw.

In connection with this question of super power, we are preparing a separate report giving a detailed analysis of the voluminous testimony in the record with respect to the economic phases involving costs, earnings and other facts which may be of assistance to the Commission in its final determination of increases in power. We feel that these facts are important and that the Commission should await its final decision pending the completion of this summary of the evidence.

(b) *Horizontal increases in power on frequencies on which nighttime duplicated operation is permitted.*

With reference to horizontal increases in power on frequencies on which nighttime duplicated operation is permitted, the Engineering Department, based upon the evidence at the hearing, is of the opinion that such increases in power should be permitted when the facts show the need therefor in any particular community, and when such increases in power can be made without detriment to other stations, and when the proposals for such increases in power are sound from both an engineering and economic standpoint. We further believe that the regulations with respect to power on these shared channel stations should be sufficiently flexible to permit an evolutionary accomplishment of a direct improvement in service to the public of the entire nation. However, we feel that the Commission should issue no blanket increases in power to any class of station, but instead should examine each case individually upon the voluntary application to this Commission for a modification of existing license or for a new license.

With special reference to local channels, the Engineering Department is of the opinion that gradually, by evolution, it will be possible to so arrange these channels as to permit an increase in power to 250 watts instead of the 100 watts which exists today. However, this will have to be accomplished in certain congested sections of the country by a slight reallocation when and if existing local stations request new frequencies. In this connection, it is believed that the frequencies between 1500-1600 kc., with powers up to 1 kw., would permit a service to local communities equivalent to the service rendered by a 250 watt station on the local channel of 1200 kc.

(c) *Differentiation in maximum power at day and at night.*

With respect to the differentiation in maximum power day and night, the Engineering Department is of the opinion that this in general is unsatisfactory, and should apply only when sound engineering prevents the use of the day power at night.

Summary on Question of Power

The Engineering Department suggests that in general the night power for different classes of stations be as follows:

Class A—Not less than 50 kw.
Class B—Not less than 10 kw. or more than 50 kw.
Class C—Not less than 5 kw. or more than 50 kw.
Class D—Not less than 1 kw. or more than 5 kw.
Class E—Not less than 500 watts or more than 1 kw.
Class F—Not less than 100 watts or more than 250 watts.

The power for each station should be determined upon facts in each individual case. The existing powers should not be changed except when there are applications made therefor. Increases in power of existing stations should, if practicalities permit, be made by utilizing interference protection devices in such a manner as to permit a general increase in coverage in so far as is possible. All increases in power on any channel should be based upon sound engineering.

II. Standards to Be Applied in Determining Coverage and the Presence or Absence of Objectionable Interference.

1. *Propagation characteristics of the various frequencies in the range 550-1600 kc. including comparison of east-west and north-south transmission, effect of intervening mountain ranges, and seasonal variations.*

The Engineering Department, as a result of the allocation survey and as a result of the data collected over a period of years, submitted testimony concerning the propagation charactertistics, both of the ground and sky waves, on the various frequencies. There was unanimous engineering agreement with respect to these curves, provided they were used as guides in determining coverage and interference. Engineers in general felt that in individual cases the actual facts determined as a result of proper measurement should be the determining factors rather than the curves.

However, with respect to the sky wave, the Engineering Department is of the opinion that when the characteristics of the radiation at the source are known, the sky wave curves of the Engineering Department should not be discarded for other data unless at the same time it is disclosed that measurements were taken over a sufficient period of time to justify such data as being better evidence of propagation.

The Engineering Department recommends that its curves be incorporated in the "standards of good engineering practice" which will be used as a guide for allocation engineering in all of the Commission's broadcast work between the frequencies 550-1600 kc.

It is the opinion of the Engineering Department that these curves will require possible modification from time to time, as additional data is collected, and it is believed that money could be well expended from time to time in securing such additional data. We shall therefore, at some future date, recommend to the Commission the expenditure of funds for the special purpose of making measurements in the field.

We shall also require our Technical Information Section to act continuously as a centralizing agency for all data and information collected by various organizations, as well as data presented to the Commission in various hearings, with the view of keeping up to date the standards of good engineering practice with reference to good propagation characteristics of the regular broadcast frequencies.

2. *Prevailing attenuation in various parts of the country.*

The general consensus of engineering opinion was that attenuation is different in different parts of the country, due to variations in conductivity and inductivity. The Commission's Engineering Department had collected data with respect to certain parts of the country, and at the hearing various broadcast organizations gave the Commission the benefit of their research. All of this data will be coordinated and placed on a chart which will become part of the standards of good engineering practice heretofore referred to. The Engineering Department will also endeavor to collect additional data in the future and add such information to the aforementioned chart. This will be of benefit in all of the engineering phases of the broadcast allocation system.

3. *Proper ratio of desired to undesired signal.*

The general consensus of engineering testimony at the hearing was to the effect that the Commission's present standards concerning the ratio of desired to undesired signal to prevent objectionable inerference, is proper for conditions involving the use of the same channel. However, it was the general trend of testimony that the Commission's existing standards for adjacent channel problems could well be revised in keeping with the present development of the art.

By reason of the excellent data concerning receivers presented to the Commission at the hearing, the Engineering Department is in accord with the engineering opinions given by the various witnesses with respect to the ratios between desired and undesired signals, with the exception that we are not satisfied with the efficacy of some of the details of the data and recommendations concerning these ratios. In this case we feel that the ratios between desired and undesired signals recommended by the engineers who testified, may not have taken into consideration the apparent advancing desire for higher fidelity, both of transmission and reception, and consequently, with the approval of the Broadcast Division, the Engineering Department has planned an informal engineering conference to be held in January to determine finally this technical subject.

When these technical details have been determined finally, the Engineering Department will revise its empirical standards, and with the permission of the Broadcast Division, will publish such revisions in the standards of good engineering practice. In this connection, we can now state to the Division that the present distance tables for 10, 20, 30 and 40 kc. may be safely changed downward in mileage for stations of corresponding class and power.

4. *Signal intensity necessary to render satisfactory service in various types of community (e. g., urban, residential, rural, etc.)*

The engineering testimony at the hearing indicated that while in general the Commission's present empirical standards as to the signal intensity necessary for satisfactory service, are not unsound, there is, however, a need for a higher ratio of signal intensity in order to classify service as good, particularly in cities.

The Engineering Department accepts these suggestions and recommends to the Commission that our standards of good engineering practice be revised accordingly. Unless otherwise directed, we shall forthwith proceed with such upward revision of our standards.

5. *Relative electrical noise levels, natural and man-made in the range 550-1600 kc. and in various types of communities.*

The evidence given at the hearing indicates that the Engineering Department's previous conception of noise level is generally correct. Usually, noise decreases with an increase of frequency, but within the broadcast band 550-1600 kc. there is so little difference as to make each frequency of equal advantage from the standpoint of noise. Of course, in specific portions of the country one might be able to show a little differentiation between the lower and higher frequencies, but the Engineering Department recommends that for practical purposes no benefit would accrue with the data we have at the present time in arriving at any large differentiation with respect to noise on any frequencies between 550 and 1600 kc.

We agree that in different parts of the country and in different times of the year, atmospheric noises vary considerably. For example, in the southern part of the country for a large portion of the year, atmospheric noise is generally higher than in the northern section of the country. In the summer months the atmospheric noise is always higher in level than during the winter months. The noise level in cities is always higher in general than in rural sections. However, it must not be forgotten that in certain rural sections where there is much electrification, the man-made noise level in the homes, particularly those along highways, is generally higher than in the more remote and non-electrified portions of the rural areas.

The Engineering Department will set forth these facts in the standards of good engineering practice.

6. *Frequency separation,* including

(a) *the prescribed 10 kc. separation between frequencies used by broadcast stations:*

The evidence at the hearing showed conclusively that 10 kc. separation between channels is the minimum separation that can be accommodated with good service. With the trend toward higher fidelity, 10 kc. separation is barely sufficient. The evidence showed that in some cases, a 10 kc. separation is the cause of certain high frequency beat notes which, under certain conditions, are objectionable.

The Engineering Department recommends most strongly that the Commission not change the existing 10 kc. separation to any separation lower in value.

(b) *the customary 50 kc. separation between frequencies used by broadcast stations in the same community.*

The evidence showed that the present 50 kc. separation policy for stations in the same community is safe, and indicated that possibly under certain conditions such separation might be reduced to 40 kc. The Engineering Department believes that the 40 kc. separation would be sound under certain conditions, where two stations so separated are in the same general locality with respect to the local community. It is possible that if one station were located in the opposite part of the community from that of the second station, the 40 kc. separation might at the present time be the cause for some complaint by the listeners between the two stations, depending of course upon the type of receivers used.

(c) *mileage-frequency separation tables as a method for determining minimum geographical separation between stations using frequencies separated by from 10 to 40 kc.:*

The evidence at the hearing was conclusive, in the opinion of the Engineering Department, to the extent that the so-called mileage tables should be used solely as a guide in determining questions of interference when no additional evidence with respect to actual conditions is available.

Propagation conditions and other factors, such as different types of antennas, vary so greatly between stations and in different parts of the country and on different frequencies, that it will be impracticable to set up a rigid set of distance tables which would permit the necessary flexibility in enabling service to be rendered to the public in individual cases.

The Engineering Department recommends that the revised distance tables which we shall submit to the Commission at a later date, be included in the standards of good engineering practice and used solely as a guide in determining questions of interference when there is no other evidence. In these standards of good engineering practice, we shall set forth the assumptions upon which the distance tables were based, and shall state clearly that with other conditions the distance tables are in general subject to change, but that unless measurements are given, showing where actual conditions depart from those assumed in the distance tables, the latter will be considered the best evidence with reference to interference, as well as the necessity for maintaining geographical separations set

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forth in the tables. However, before the Commission accepts a departure from the distance tables, it should require:

1. (1) Competent evidence indicating clearly wherein the facts in individual cases differ from the assumptions upon which the distance tables are based.
2. (2) Adherence to accepted standards of service and interference.
3. (3) Proper measurements taken by competent engineers over a sufficient length of time.
4. (4) Adherence to good engineering practice in the location and efficiency of transmitters and antennas.

(d) *permissible disparity in power between stations on adjacent frequencies:*

While no specific testimony was given on this subject, an analysis of the evidence on several subjects, including propagation curves and receiver selectivity, indicates that the question of disparity in power on adjacent channels depends entirely upon conditions resulting from geographical separation and propagation conditions between stations. A factor which is of prime importance is the ratio between desired and undesired signals at the edge of the service area of the station requiring freedom from interference. These are factors which can be determined either by measurement or as a general guide, by reference to the distance tables referred to above.

Generally speaking, however, it is the opinion of the Engineering Department that an ideal situation, from an allocation engineering standpoint, would be the "bloc" assignment of frequencies to stations having equivalent powers so as to avoid the ill effects of disparity in power between stations on adjacent frequencies and to permit a better basic engineering allocation. However, from a practical standpoint, and in view of the great desirability of proceeding with improvements in allocation on an evolutionary basis, the Engineering Department is of the opinion that there should be no attempt made at this time to change radically the existing allocation so as to secure the ideal of "bloc" assignment. Nevertheless, it is suggested that in the years to come and whenever practically possible, the Commission might take advantage of opportunities gradually to work into the "bloc" principle of allocation.

(e) *practicable standards of receiver selectivity:*

Much excellent data was given by engineers at the hearing with respect to selectivity of receivers and the distribution to the public. From this data, the Engineering Department will, as mentioned before, revise its distance tables. We will also eliminate the present allocation factor and replace it by a curve based upon the receiver data given at the hearing. This curve and the basis will be placed in the standards of good engineering practice which, of course, will be submitted to the Division at a later date for approval. Otherwise, we do not believe it advisable to specify at this time standards of receiver selectivity.

(f) *practicable standards of receiver fidelity.*

While there was much evidence given at the hearing with reference to receiver fidelity, this evidence showed that different receivers vary greatly, and the Engineering Department is of the opinion that at this particular time it would not be feasible to prescribe standards for receiver fidelity.

However, at the informal engineering conference to be held in January with respect to the ratio between desired and undesired signal, it is expected to take up this question of receiver fidelity with the view of ascertaining whether or not the receiver industry is willing to adopt voluntarily some standard which all will use as a guide. If this is shown to be feasible, the Engineering Department may be in the position to recommend to the Commission certain engineering limits to be placed upon transmitters in order to accomplish a greater degree of quality service and at the same time avoid some of the interference created by a 10 kc. separation. Such standards, of course, will be placed in the standards of good engineering practice heretofore mentioned and which will be submitted to the Division for approval.

7. *Proper definition of blanketing signal.*

While the evidence given at the hearing showed conclusively that the present definition of blanketing signal used by the Engineering Department in its recommendations on various matters to the Commission is not modern, the Engineering Department is not prepared to accept the extreme figure of 1 volt generally recommended by engineers who testified at the hearing. The reason for our hesitation in this matter is that upon studying the recommendations made by the engineers at the hearing, we find that there are justified complaints of difficulties, which in all probability would increase if we accepted the figure of 1 volt. We have, therefore, with the approval of the Division, placed on the agenda of the January engineering conference this question of blanketing, and it is expected that there will be a compromise between the extremes of engineering opinion and that in all probability neither the 1 volt figure of the engineering testimony nor the 125 millivolt existing figure of the Engineering Department will be accepted; and that instead some figure between the two extreme limits will be a proper compromise in the public interest.

The Engineering Department will, unless otherwise directed by the Division, include this compromise figure in the standards of good engineering practice.

8. *Legitimate assumptions with respect to Heaviside layer and sunspot cycle.*

No new evidence was given with respect to the existing known facts concerning the Heaviside layer and sunspot cycle. It is impossible at this time to give rigid assumptions concerning this subject, because insufficient data have been collected.

However, the Engineering Department recommends that its Technical Information Section continue to accumulate data from other sources with reference to this subject, and that the Commission encourage research on the part of institutions, leading to the accumulation of greater knowledge concerning the Heaviside layer and the sunspot cycle. This study, of course, has been in progress at various commercial, educational and governmental institutions and laboratories in this country and abroad.

III. Geographical Distribution of Broadcast Facilities.

1. *Weight to be given to such factors as area, population and economic support.*
2. *Feasibility of allowing adherence to sound engineering princi- (e.g., a quota system) in order to comply with Sec. 307 (b) of the Communications Act of 1934, as amended, and "to provide a fair, efficient and equitable distribution of radio service" among the several States and communities.*
2. *Feasibility of allowing adherence to sound engineering principles automatically to effect the distribution required by Sec. 307 (b).*

We know that the Commission understands it should take into consideration all the factors concerning the distribution of facilities, particularly the laws of Congress, economic laws, social requirements and principles of sound engineering. However, we feel that the entire subject is of such vital importance as a policy matter to the Commission, that the Engineering Department considers that we should only lay the available facts before the Commission, rather than to make any specific recommendations, particularly at this time, which take into consideration matters other than engineering. Consequently, the Engineering Department will make this Section III the subject of a separate report to the Commission, in which we shall attempt to summarize the comprehensive evidence given by economic experts and others, concerning market research data and its relation to the coverage of radio stations, as well as facts concerning costs, revenue and other economic factors.

In making this separate report we hope that it will be clearly understood that the Engineering Department feels that the subject matter, by its nature, requires more than engineering consideration, and that therefore we are constrained to confine our efforts to a summary of the facts so as to assist the Commission in its own determination of the weight to be given to these factors in the important policy question involving distribution of radio facilities.

At this time we can state that evidence was given at the October 5 hearing which was intended to show that there were certain economic entities within the borders of this country which may or may not have a definite relationship to the question of coverage of broadcast stations of different classes, and which in turn may or may not lead to some knowledge as to the necessity or lack of necessity of licensing certain classes of stations in any particular community in a manner so as to enable proper coverage and program service.

There was also certain testimony given in the record with respect to the cost involved in the construction and maintenance of various classes of stations, as well as to their revenues, which information, in our opinion, should be of paramount importance in assisting the Commission in arriving at decisions with reference to the details of its specific regulations on any particular matter.

However, in our initial study of these questions, we fail to find a reason why it is not an advantage from all standpoints to so draft the regulations as to permit flexibility in making available suitable facilities in all sections of the country under varying technical and economic conditions, and in this connection it is our opinion that such a procedure will enable the Commission in its detailed consideration of licenses to so control the situation that the Commission's final determination will be in accord with the broader phases of social and economic laws, and in conformity with sound engineering.

We feel that from an engineering standpoint the allocation system should provide the greatest number of stations so geographically distributed as to make the least wasteful use of the narrow spectrums from 550 to 1600 kilocycles and to the end that the entire public will receive the maximum possible service, both transmission and reception. We feel that in each community or section of the country the transmitting facilities should have sufficient power to render a good service in accord with the determined needs of the community or section of the country. We also feel that the allocation system should provide for facilities that will enable service to be rendered to remote rural areas.

IV. Standards and Methods of Measurement With Respect To

1. *Power.*
2. *Tolerance.*
3. *Field intensity*
4. *Determination of service*
5. *Determination of interference.*

The engineering testimony indicated clearly that the Engineering Department's standards with reference to the various factors mentioned above are sound. We shall include them in the standards of good engineering practice mentioned heretofore.

V. Apparatus Performance Requirements to Be Imposed on Broadcast Stations.

1. *Frequency stability.*

Engineering testimony indicated that the present standards of frequency stability, namely, 50 cycles tolerance, is capable of being maintained by all stations in the broadcast band 550-1600 kilocycles, and that while many stations maintain better tolerance than 50 cycles, there is no distinct advantage to be gained.

"Zero beat" between all stations on the same channel can be accomplished in practice and while there are methods available to enable such accomplishment, the Engineering Department is of the opinion that it is not practical at this time to change our existing standard of 50 cycles. There was some evidence to the effect that a 17 cycle difference might be useful, but the Engineering Department is not in accord with this suggestion because of the practical difficulties involved in utilizing such a difference, even if it were beneficial, which we do not at this time admit.

2. *Antenna efficiency.*

No engineering facts were given to indicate that the Engineering Department's standards with respect to antenna efficiency are unsound.

3. *Modulation.*

No engineering facts were given to indicate that the present engineering requirements as to modulation are unsound. However, evidence showed that certain stations are overmodulated, and that there might be a desirability of requiring broadcast stations to utilize apparatus which will automatically prevent overmodulation. Overmodulation can be the source of much undesirable and objectionable interference. The Engineering Department will include in its standards of good engineering practice some requirements with respect to modulation.

4. *Suppression of harmonics.*

No evidence was given to indicate that the existing requirements with respect to harmonics are unsound. The Engineering Department feels that while it may be desirable to increase the restrictions with respect to harmonics, it is not practicable to do so at this time.

5. *Fidelity of transmission.*

This subject is interrelated with the subject of desired to undesired ratios, mentioned heretofore with respect to the January conference to be held by the Engineering Department. It is possible that after that date the Engineering Department will have some recommendations to submit.

6. *Transmitter Location.*

This subject is interrelated with that of the proper definition of blanketing signal, which will be discussed at the January engineering conference, and recommendations will be submitted subsequent to that time.

VI. Effect of Any Proposals Regarding the Foregoing Subjects.

1. *Socially and economically, upon the public and the industry.*

The four subjects on which there was the greatest difference of opinion at the hearing were (a) allocation of frequencies to special groups; (b) the use of powers of 500 kw. or greater; (c) horizontal increase in power on existing stations operating simultaneously at night on the same channel and (d) duplication of station frequency assignments on existing clear channels.

(a) With respect to the allocation of frequencies to educational groups, the latter indicated that they recognize the limitations of the existing band 550-1600 kc., and they had no engineering suggestions to offer. Solely from a technical standpoint and based upon the engineering evidence at the hearing concerning the propagation qualities of frequencies and the performance of various radio stations, the Engineering Department feels that to allocate a "block" of frequencies in the band 550-1600 kc. to any special group would be unsound engineering and would limit the service which can be rendered to the public within the broadcast band 550-1600 kc. both by the special group as well as by all others.

It is the opinion of the Engineering Department that the band 550-1600 kc. is too small a band with which to solve the perplexing engineering problems presented by such special groups, and that resort must be had to the ultra high frequencies if the problems of these groups are to be solved by the use of sound engineering. Consequently, the Engineering Department feels that the suggestions of some of the educational groups with respect to the ultra high frequencies deserve the consideration of the Division.

In submitting these statements, we do not make at this time any recommendations or any suggestions which deal with the desirability or undesirability from a policy or licensing standpoint of assigning frequencies to any special group, because we believe that is not the function of this Department, but the sole responsibility of the Commission.

The Engineering Department feels that if there were imposed a requirement to allocate broadcast facilities within the narrow band 550-1600 kc. to special groups particular care must be taken to avoid unsound engineering. From an engineering standpoint, each frequency within the band should be utilized geographically in such a manner that it is available for rendering good service to a large portion of the public and not used technically so as to limit the total availability of the band by wasteful engineering methods.

It is possible that the inherent technical limitations in the band 550-1600 kc. are so restrictive at to make the question of allocation of frequencies to special groups a subject of administrative action other than allocation engineering in the band 550-1600 kc.

(b) With reference to the use of 500 kw. power, the technical aspects of this subject have been discussed previously in this report. We feel that recommendations covering social and economic factors relating thereto are not within the province of the Engineering Department.

(c) The question of increased power for regional and local stations likewise has some economic features, but in this connection the Commission is of course aware of the fact that the relative increase in power of these classes of stations does not present the same contract as does the question of 500 kw. power for a few stations, and of course if the Commission proceeds on an evolutionary basis, by voluntary action on the part of the licensees, the economic and social consequences involved in increasing power of these classes of stations could be under control.

Naturally, there is a cost factor involved in any increase of power, because in many instances it requires additional apparatus, but from the standpoint of individual stations the question of whether or not the cost is insurmountable can be determined by consideration of the individual cases upon their engineering and economic merits as well as upon other evidence involving public interest.

(d) In the matter of the duplication of some of the existing assignments on clear channels, the Engineering Department feels that if sound engineering is applied in each individual case, as well as consideration given to other important factors upon their individual merits, the Commission could in all probability accomplish an evolutionary improvement in broadcast service to the public in every section of the country.

2. *Internationally, upon the use of the band 550-1600 kc. by other countries in North and Central America.*

The testimony given with respect to the use of the band 550-1600 kc. by other countries in North and Central America was not gone into thoroughly at the October 5 hearing for obvious reasons. Nevertheless, the Commission is aware of the situation with respect to these nations. It is the opinion of the Engineering Department that if the United States should proceed with the technical improvements suggested in this report, this country should, in all probability, be in a more sound position with reference to our negotiations with other nations on this continent.

3. *Upon possible future use of frequencies in the bands 6000-30,000 kc. and in the band above 30,000 kc. for broadcasting.*

With reference to the effect upon the possible future use of frequencies in the band 6000-30,000 kc. and in the band above 30,000 kc., there was some testimony which indicated that if the industry by reason of competitive factors, should be forced to expend huge sums of money in improving facilities in the band 550-1600 kc., there might be some slowing up in the development of other broadcasting frequencies. However, evidence to the contrary was expressed by other groups which indicated that the industry could bear both expenses.

It is the opinion of the Engineering Department that in so far as frequencies between 6000-30,000 kc. are concerned, the technical limitations relative to the use of additional frequencies in this band, combined with the great demand therefor by other nations, create a situation wherein the industry as a whole would not be greatly embarrassed by the lack of funds to develop these few channels, and that this nation is capable of handling this situation without any regard to the effect improvements in regular broadcast band may or may not have thereon.

Regarding the use of frequencies above 30,000 kc., on which will appear television, the Engineering Department feels that while there may be some inability on the part of some of the existing licensees or broadcasters to finance improvements in existing broadcast facilities in the band 550-1600 kc., there was sufficient evidence at the hearing to indicate that others were capable of financing improvements in the existing structure as well as to finance heavily the development of television. The Engineering Department sees no valid reason why needed improvements in the existing broadcast structure should be withheld from the public by reason of the possible future development of television, particularly in view of the evolutionary character of such regular broadcast improvements. However, this is a matter which is of concern to the Commission as a matter of policy, and hence we are not making any specific recommendations in this matter.

4. *Probable effects of the recommendations of the Engineering Department if same are approved by the Broadcast Division.*

We believe that, while the Engineering Department may be qualified from a technical standpoint, for us to wander afield is fraught with some peril. Nevertheless, we feel that since economies, social requirements and allocation engineering are so closely related in broadcasting, the Commission is entitled to our opinion of the possible effect of our own engineering recommendations.

First, we feel that if our recommendations are approved there will result an evolutionary technical improvement of broadcasting service to the public.

Second, it is our opinion that within the limitations inherent in the narrow frequency band 550-1600 kc. the resultant technical improvements in the broadcast structure will permit the maximum service to the greatest number of the public.

Next, it is our opinion that through flexibility in the details of the regulations and with the evolutionary procedure recommended for accomplishing the technical improvements, the Commission can exercise continuous control to prevent a radical upheaval which would affect program service to the public.

It is also our opinion that with the policy of voluntary action on the part of licensees or applicants, the Commission can avoid the dire consequences of imposing costly burdens where economic justification may be lacking.

If the Commission keeps itself informed of the social and economic trends underlying the broadcast industry and will judge each individual case on its merits, bearing in mind the economic effect of granting of any applications on the broadcast service to the public, the Commission will be able to proceed judicially and wisely in improving service to the public.

All items in the proposed regulations involving direct cost to existing licensees are those pertaining to possible increases in kilowatt power. If the Commission in acting upon individual applications is assured that the applicant has the funds, that there is valid need for increasing power, and that there is evidence of continued financial support for the station, there need be no fear of the discontinuance of service to the community in which the station is located.

As to the indirect effect of competition on the costs involved in power increases or from additional stations, the Commission will be guided solely by the facts in each case and the resulting determination of what is in public interest.

We feel that with the evolutionary procedure recommended there is no valid reason to believe that needed improvements of broadcasting service in the band 550-1600 kc. will retard proper development of broadcasting in other bands by reason of lack of funds to finance such development. It is our belief that the public needs improved service in the band 550-1600 kc. and that when this be accomplished the industry will be in a better position to handle the newer developments which are certain to come when and if there is a public demand and an economic justification therefore.

In conclusion, it has been the objective of the Engineering Department to recommend such changes in the Rules and Regulations pertaining to broadcasting in the band 550-1600 kc. that will result in the accomplishment of the following:

(1) The maximum availability in all sections of the country of broadcast facilities both of transmission and reception, having proper regard for the inherent technical limitations imposed by the narrow band of frequencies between 550 and 1600 kc.

(2) From a technical standpoint, an improved service to the public consistent with sound engineering principles and abreast technical progress in the art.

(3) The possibility for the Commission to secure greater freedom of action in determining the corelation between the technical, economic and social factors of broadcasting.

(4) An improvement in broadcast service to the public where needed and where economically justified through voluntary evolutionary action on the part of the entire broadcast industry including both those who operate or manufacture for profit as well as those who do not operate stations for profit.

(5) Rules and Regulations which are in accord with existing practical conditions.

(6) An opportunity for all existing licensees, particularly low power "local" stations, to improve service to the public.

T. A. M. CRAVEN,
Chief Engineer.
A. D. RING,
Assistant Chief Engineer.

January 11, 1937.

The National Association of Broadcasters
NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

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NAB PRESIDENT ATTENDS SALES MEETING

C. W. Myers (KOIN-KALE) Portland, Oregon, attended the sales managers meeting in Chicago this week. Other officers in attendance included Arthur B. Church (KMBC), and John Patt (WGAR), director, H. K. Carpenter, Chairman of the commercial section and James W. Baldwin, managing director.

SALES MANAGERS MEET

More than 80 sales executives attended the meeting of the sales managers division this week (January 18 and 19) at Chicago, Illinois.

The meeting was the culmination of intensive and aggressive work on the part of Buryl Lotteridge (KFAB-KOIL, Omaha) Sales Division Chairman.

The story of the meeting will appear in a subsequent issue of NAB Report and as soon as a transcript of the proceedings is available.

CONNERY RADIO INVESTIGATION

Representative Connery of Massachusetts has introduced a resolution in the House (H. Res. 61) for the appointment of a special committee by the Speaker of the House to make a thorough investigation of radio and radio activities. The resolution, which has been referred to the House Committee on Rules, will be found in full on page 1896.

NEW CALIFORNIA STATION RECOMMENDED

Luther E. Gibson doing business as the Times-Herald Publishing Company applied to the Federal Communications Commission for a construction permit for the erection of a new broadcasting station at Vallejo, Cal. He asked for 1320 kilocycles, 250 watts power and daytime operation.

Examiner John P. Bramhall in Report No. I-335 recommended that the application be granted. He found that there is a need for daytime service in the area proposed to be served. The Examiner discusses interference with various stations and applications already on file with the Commission but found that granting this application would not cause any undue interference either with existing or proposed stations.

SECURITIES ACT REGISTRATIONS

The following Companies have filed registration statements with the Securities & Exchange Commission under the Securities Act:

Cinema Magazine, Inc., New York City (2-2746, Form A-1).
Kentucky Mansion Distillery, Louisville, Ky. (2-2747, Form A-1).
Davega Stores Corporation, New York City (2-2748, Form A-2).
United States Potash Company, New York City (2-2749, Form A-2).
The Indiana Steel Products Company, Chicago, Ill. (2-2750, Form A-2).
Fairchild Engine and Airplane Corporation, New York City (2-2751, Form A-1).
National Funding Corporation, Los Angeles, Cal. (2-2752, Form A-2).
Associated General Utilities Company, Jersey City, N. J. (2-2753, Form A-2).
Gold Star Radio and Television Corporation, Boston, Mass. (2-2754, Form A-1).
Oakmere Cemetery Association, Inc., Stapleton, Staten Island, N. Y. (2-2755, Form E-1).
Manufacturers Trading Corporation, Cleveland, Ohio (2-2756, Form A-1).
Union Wire Rope Corporation, Kansas City, Mo. (2-2757, Form A-2).
Belden Manufacturing Company, Chicago, Ill. (2-2758, Form A-2).
Fontenelle Brewing Company, Omaha, Neb. (2-2759, Form A-1).
Western Petroleum Company, Aztec, N. M. (2-2760, Form A-1).
Lyons Finance Service, Inc., Philadelphia, Pa. (2-2761, Form A-2).
E. L. Bruce Company, Memphis, Tenn. (2-2762, Form A-2).
Condor Pictures, Inc., New York City (2-2763, Form A-1).
Panhandle Eastern Pipe Line Company, Kansas City, Mo. (2-2764, Form A-1).
National Aircraft Company, Los Angeles, Cal. (2-2765, Form A-1).
Detrola Radio and Television Corporation, Detroit, Mich. (2-2766, Form A-1).
Kaw-Crow Patricia Gold Mines Limited, Toronto, Canada (2-2768, Form A-1).
Gateway Patricia Gold Mines Limited, Toronto, Canada (2-2769, Form A1).
Winoga Patricia Gold Mines Limited, Toronto, Canada (2-2770, Form A-1).
The Colonial Finance Company, Lima, Ohio (2-2771, Form A-2).
Diamond T Motor Car Company, Chicago, Ill. (2-2772, Form A-2).
Southern California Water Company, Los Angeles, Cal. (2-2773, Form A-2).
Gardner-Denver Company, Quincy, Ill. (2-2774, Form A-2).

RECOMMENDATION FAVORS NEW HONOLULU STATION

The Advertising Publishing Company, Ltd., applied to the Federal Communications Commission for a construction permit for the erection of a new broadcasting station at Honolulu, Hawaii to use 1370 kilocycles, 100 watts and unlimited time on the air. Also Fred J. Hart applied to the Commission to erect a station at the same place to use 600 kilocycles, 250 watts and unlimited time on the air.

Examiner Robert L. Irwin in Report No. I-336 recommended that the application of the Publishing Company be granted but that of Hart be denied. There is need for additional radio service in the proposed coverage area, the Examiner states. In connection with the application of Hart the Examiner says that he filed it "with the intention of transferring control of any license or permit that might be acquired to parties who are not applicants and who do not appear in this proceeding."

RADIO ADVERTISING BILL

Representative Culkin, of New York has introduced a bill (H. R. 3140) in the House "to prohibit the advertising of alcoholic beverages by radio, and for other purposes." The bill has been referred to the House Committee on Interstate and Foreign Commerce and will be found in complete text on page 1897.

BROADCAST MEASUREMENTS

The Federal Communications Commission has announced that during the month of December, 613 stations were measured, with 61 not being measured.

Of the number of stations measured the maximum deviation within 0-10 cycles was 497; between 11-25 cycles, 96; between 26-50 cycles, 17; and over 50 cycles 3.

DENIAL OF CHANGES RECOMMENDED FOR WMAS

Broadcasting Station WMAS, Springfield, Mass., applied to the Federal Communications Commission to change its frequency from 1420 to 560 kilocycles; its power from 100 and 250 watts LS to 1,000 watts; and to leave its hours of operation at unlimited as at present.

Examiner Melvin H. Dalberg in Report No. I-339 recommended that the application be denied. He states that "the granting of this application would result in causing severe objectionable interference to Station WDEV in the late afternoon hours. In view of the use of the directive antenna proposed by the applicant, no interference would occur to Station WFIL, but serious objectionable interference would be caused to the applicant by Station WFIL at night."

SCOTT RADIO BILLS

Representative Scott of California has introduced three radio bills in the House (H. R. 3033, 3038 and 3039) all of which are amendments to the Communications Act of 1934. They were all referred to the House Committee on Interstate and Foreign Commerce and will be found in full beginning on page 1896 of this issue.

ELECTRICAL EXPERT NAMED

Appointment of John H. Payne as Chief, Electrical Division, Bureau of Foreign and Domestic Commerce, succeeding Andrew W. Cruse who recently resigned, has been announced by Daniel C. Roper, Secretary of Commerce.

This appointment was the result of harmonious collaboration between the electrical industry and the Administration, and was preceded by a number of conferences of officials of the Department of Commerce and leaders in the electrical equipment and allied products industry, in which the selection of a person to fill the position was discussed.

Born in Titusville, Pennsylvania, Mr. Payne attended the Fostoria, Ohio, high school, and was later graduated from the Armour Institute of Technology, Chicago.

For fifteen years he has been connected with the Westinghouse Electric Company in representative and executive capacities. He has resigned from the service of that organization to enter upon his new duties with the Federal Government.

Mr. Payne brings to his new position the experience gained by 25 years of active service in various phases of the electrical industry, 12 years of which were devoted to the development and handling of export business.

NEW MICHIGAN STATION RECOMMENDED

The Port Huron Broadcasting Company applied to the Federal Communications Commission for a construction permit for the erection of a new broadcasting station at Port Huron, Mich., asking to use 1370 kilocycles, 250 watts and daytime operation.

Examiner John P. Bramhall in Report No. I-338 recommended that the application be granted. He found that the applicants showed a definite need for daytime service in the area proposed to be served. He recommended that the application be granted and that it be conditioned "upon the selection of an approved site."

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3031. The Great Atlantic and Pacific Tea Company, owner and operator of more than 14,000 retail grocery stores, is charged with violation of the Robinson-Patman Anti-Price Discrimination Act, in a complaint. The complaint specifically alleges that The Great Atlantic and Pacific Tea Company, by accepting allowances or discounts in lieu of brokerage from certain corporations, firms and individuals from whom it purchases merchandise, has violated section 2 (c) of the Act, which provides:

> "That it shall be unlawful for any person engaged in commerce, in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid."

Among the numerous corporations, firms and individuals from which the respondent corporation allegedly accepts discounts and allowances, the following are named in the complaint:

Alton Canning Co., Inc., Alton, N. Y.; Fred B. Huxley, trading as F. B. Huxley & Son, Alton, N. Y.; The H. J. McGrath Co, Baltimore; H. C. Roberts, trading as W. H. Roberts & Co., Baltimore; R. J. Peacock Canning Co., Lubec, Me.; Phillips Packing Co., Inc., and Phillips Sales Co., Inc., Cambridge, Md.; and Philips Commission Company of Maryland, Inc., Baltimore.

The respondent corporation is allowed 20 days from the service of the complaint to file answer to the charges contained therein.

No. 3032. Biddle Purchasing Co., 107 Chambers St., **New York City,** operating market information and purchasing services, and 13 companies engaged either in buying or selling foodstuffs and groceries through the Biddle Company, are named respondents in a complaint, charging violation of section 2 (c) of the Robinson-Patman Anti-Price Discrimination Act, which provides:

> "That it shall be unlawful for any person engaged in commerce, in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid."

Respondent companies classified in the complaint as buyers are:

General Grocer Co., 301 South 8th St., St. Louis, Mo.; Smart & Final, Ltd., 315 Marine Ave., Wilmington, Calif.; The Eavey Co., Xenia, O.; Michigan Trading Corporation, 140 12th St., Detroit; C. G. Meaker Co., Inc., 139 Wall St., Auburn, N. Y.; Middendorf & Rohrs, a co-partnership composed of Peter and John Rohrs, 3 Little West 12th St., New York City, and Koll Grocer Co., Owensboro, Ky.

Respondent companies designated as sellers are:

Dannemiller Coffee Co., 116-39th St., Brooklyn; Colonial Molasses Co., Inc., 616 Kent Ave., Brooklyn; Albert Dickinson Co., 2750 West 35th St., Chicago; Ervin A. Rice Co., 2230 South LaSalle St., Chicago; Cava Packing Co., Salinas, Calif., and Godchaux Sugars, Inc., Masonic Temple Building, New Orleans.

No. 3033. Use of unfair trade practices in connection with the sale of soap, which it represents to be olive oil Castile and of Spanish or Italian origin, when such is not a fact, is alleged in a complaint issued against **Babiglo Company, Inc.,** 37 West 20th St., **New York City.**

The respondent company, the complaint charges, purchases soap for resale, and brands it with designations which are said to represent, and to lead purchasers to erroneously believe, that it is made wholly or predominantly of imported Spanish olive oil, or is a Spanish product made of olive oil, or is of Spanish or Italian origin.

According to the complaint, such representations are false, and the brands advertised and sold as "Castile Soap" made of imported oil are not manufactured, as claimed, from olive oil, but are highly adulterated soaps, saponified and mixed with other oils and fats, having for their fatty base large percentages of cocoanut oil, palm kernel oil and tallow, containing either a small percentage of olive oil or none at all.

No. 3034. Alleging unfair trade representations in the sale of pencils, a complaint has been issued against **United States Pencil Co., Inc.,** 487 Broadway, **New York City.**

Selling to jobbers, retailers and others, the respondent company is alleged to have advertised "High quality pencils at a tremendous saving," specifying that the regular $5 grade was being offered at $2.75 per gross or "A 5¢ pencil at less than 2¢ each."

The complaint charges that the products thus advertised were not of a regular $5 grade, but of a less expensive grade sold at a lower price, and that other articles offered by the respondent company as "free" with an order for pencils, were not given free but the cost was included in the price paid by purchasers of the pencils.

No. 3036. Charging unfair competition in the sale of fur products, a complaint has been issued against **Benjamin Tucker,** 194 Livingston St., **Brooklyn, N. Y.,** trading as **Ben Tucker's and Hudson Bay Fur Co.**

Furs and fur coats were represented by Tucker as "Beaver," "Hudson Seal," "Mink Marmot" and by other similar names when, according to the complaint, such garments were made from furs and skins other than and in many cases inferior to those of the seal, beaver and mink.

Other similar misrepresentations were alleged, and in certain advertisements the respondent is said to have used various names of furs without qualifications of any kind. In other advertisements, he allegedly used the qualifying words "dyed coney," "dyed muskrat" or "processed lamb," in footnotes purporting to refer to the fur coats described in the advertisements but in such small type as to be practically unreadable, and not in close proximity to the fur designations set out.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 1724. Voneiff, Drayer Co., 1606 Harford Ave., **Baltimore,** has been ordered to cease and desist from selling candy so packed and assembled that sales to ultimate purchasers are made by means of a lottery, gaming device or gift enterprise.

The order also prohibits placing in the hands of wholesalers and jobbers, packages of candy which may be used without alteration to conduct a lottery or gift enterprise, and bars the packing or assembling in the same packages of uniform sized candies having different colored centers, together with larger pieces of candy, which larger pieces are to be given as prizes to the purchaser procuring a piece of candy with a center of a particular color.

No. 1846. Under a stipulation entered into, **William A. Buckner** and **Harry E. Cleason,** trading as **Buckner Manufacturing Company,** 1615 Blackstone Ave., **Fresno, Calif.,** have agreed to discontinue advertising that the Buckner snap valve, which they manufacture and sell in interstate commerce, is the original or only snap valve on the market, or the first quick-coupling valve.

According to the stipulation, there were other snap valves on the market both before and at the time the Buckner Manufacturing Company advertised its product as the first and only such valve.

Nos. 1874 and 1876. C. DeWitt Lukens Surgical Supply Co., 4908 Laclede Ave., St. Louis, trading as Duray Chemical Co., and **Percy LeMon Clark, Jr., and Philip A. Lieber, 310 South Michigan Ave., Chicago, trading as Cervicol Laboratories,** agree to stop unfair representations in the sale of products said to be contraceptives. The Chicago firm will also cease use of the word "laboratories" as part of its trade name under which to carry on its business, when in fact it does not own or control laboratories, and will ban use in advertisements of a fictitious portrait with or without a fictitious name and the letters "M. D." in a manner implying that the portrait is that of a real individual, that his name is as stated, or that he is a physician, when such are not the facts.

No. 1877. Canadian Fur Trappers Corporation, 156 West 34th St., New York, agreed to stop using the words "Canadian" or "Fur Trappers" in any manner so as to imply that it is a Canadian corporation, or is engaged in shooting or trapping fur-bearing animals in Canada or elsewhere, or that it buys its furs from trappers. The corporation also will stop using in radio broadcasts such program titles as "Fur Trappers Dance Period," implying that it is an association of trappers or a direct producer of furs. The corporation further agreed to discontinue describing furs in any other manner than by use of the correct name of the fur as the last word of the description; and when any dye or blend is used in simulating another fur, that fact shall be made known in the advertising matter.

No. 1878. Belmont Products Company, Calhoun and Lewis Sts., Fort Wayne, Ind., in the sale of flavoring products, stipulated that it would cease using on labels, or in any manner as descriptive of its products, the phrase "Dollar Value," when such alleged valuation is greatly in excess of the actual value and much greater than the price for which the products are sold and intended to be sold in the usual course of trade; and stop employing the same phrase in connection with a suggested retail price of less than $1, so as to cause the purchaser to believe that the cost has been reduced and that he is obtaining for the lower price a product having a dollar value.

The corporation also will discontinue use of the words "vanilla" or "lemon" to represent products not composed wholly of vanilla or the juice of the lemon. If the products are imitation flavors, and "vanilla" or "lemon" is used to describe them, then such words shall be immediately accompanied by the word "imitation" in type equally conspicuous. The corporation further agreed to desist from use of the words "double strength" or "extra strength" to designate products which are not of double or extra strength.

No. 1880. Montgomery Ward & Co., Chicago, in connection with the sale of articles of furniture, signed a stipulation to discontinue using in advertising certain phrases containing some form of the word "veneer" to describe products not wholly covered with veneer. However, the stipulation provides that if the articles of furniture are not wholly covered with veneer and the phrases referred to are used to describe them, then the other woods of which the exposed surfaces of such products are composed shall be designated in the advertising matter. Use of the words "verified value," to describe products whose value has not been ascertained by an impartial organization, also is to be stopped.

No. 1881. Purex Corporation, Ltd., 1001 East 62d Street, Los Angeles, selling "Purex", for dairy and poultry sanitation, agrees to stop advertising that its products has germicidal or disinfectant properties when taken internally by poultry or other domestic animals; that, when used for bathing domestic live stock, it will aid in disinfecting surface cuts or sores and in preventing spread of contagious diseases, and that it is non-poisonous under all circumstances or conditions.

No. 1882. Albert S. Braaten, 4 4th St., South, Moorhead, Minn., trading as More-X Graphite Co., engaged in compounding an auxiliary lubricant with a colloidal graphite base, intended to be added to ordinary lubricating oils and motor fuel oils, agrees to stop advertising that by use of "More-X," friction has or can be reduced as much as 50 per cent, or in any other exaggerated degree not warranted by experiments conducted under scientific test conditions; or that the quantity of oil required to be used can be reduced. The respondent also will stop asserting that wear or repairs are stopped by use of "More-X"; that its use makes it possible for a motor to function for phenomenal lengths of time without damage, with no oil in the crankcase; that "More-X" defies heat and lubricates up to 7500 degrees, and penetrates or adheres to the metal surfaces of motors, or penetrates the pores. The respondent agrees to discontinue use of extravagant and misleading claims of superiority of "More-X" over other similar lubricants.

No. 1883. Gaylord Manufacturing Co., 1227 Washington Blvd., Chicago, sells a multiple speed fan having a so-called "purifying" attachment composed of two electrically heated devices which vaporize chemicals introduced into the air current by a circulator. The chemicals, according to the stipulation, consist of chlorine and formaldehyde, the strong order of which is neutralized by perfume.

Use in advertising of the words "air conditioning," either alone or in connection with the word "system." "unit," or "features," so as to imply that the device is capable of performing air conditioning, will be discontinued, as will the use in advertising of the word "sterilizes," so as to imply that the device actually destroys all germs within the space in which it operates. The word "deodorizes" will not be used so as to impart that the device actually destroys or absorbs offensive odors within the space in which it operates.

The respondent company will also discontinue use of the phrase "Fresh'nd-Aire Alone Accomplishes Cooling Effects of 8 to 10 Degrees Lower Temperatures in Summer," and will eliminate from its corporate name the word "Manufacturing" so used as to imply that the company owns and operates a factory wherein its products are made, when this is not a fact.

No. 1885. Cooperative Distributors, Inc., 30 Irving Place, New York City, in the sale of razor blades, agrees to stop advertising to the effect that it made tests of competing razor blades produced by all blade manufacturers in America, and that not one of such blades was good or dependable. It also agreed to cease employing representations of similar meaning, the effect of which is to unwarrantably disparage the products of competitors. The respondent corporation also agrees to bar use of the advertising assertion that "samples were sent to 1200 shaver-consumers for testing. This time more than 90 per cent reported them eminently satisfactory." This representation, according to the stipulation, exaggerated the percentage of persons reporting, and misconstrued many of their answers.

The respondent corporation agrees to stop using in advertising representations such as that "Blades in some cases were being made purposely bad in order to increase turnover and sky-rocket sales," when, according to the stipulation, this assertion was not warranted by the facts.

No. 2395. Imperial Distillers Co., 12001 East Jefferson Ave., **Detroit,** has been ordered to cease and desist from representing that it is a distiller of whiskey, gin and other spirituous beverages, when such is not a fact.

Under the order, the respondent corporation is prohibited from representing, through use of the word "Distillers" in its corporate name, on labels, or otherwise, that it is a distiller of spirituous beverages, that it manufactures such products through the process of distillation, or that it owns or operates a distillery, unless it actually does own or operate such a place.

The order excepts from its provisions gin made by respondent through a process of rectification whereby alcohol, purchased but not produced by the respondent corporation, is redistilled over juniper berries and other aromatics.

No. 2397. Banner Distilling Co., 2100 South Morgan St., **Chicago,** has been ordered to cease and desist from representing that it is a distiller of whiskey, gin and other spirituous beverages, when such is not a fact.

Under the order, the respondent corporation is prohibited from representing, through use of the word "distilling" in its corporate name, on labels, or otherwise, that it is a distiller of spirituous beverages, that it manufactures such products through the process of distillation, or that it owns or operates a distillery, unless it actually does own or operate such a place.

No. 2652. Unfair trade representations in the sale of a reference work and loose-leaf extension service are prohibited in an order to cease and desist issued against **Bernhart P. Holst,** of **Boone, Iowa,** trading as **Holst Publishing Co.,** and others.

Among practices specifically barred are assertions that a purchaser is being given a set of books free because of his exceptional ability in his chosen trade or profession, when this is not a fact; that the reference work has been substantially enlarged and brought down to date, until and unless such is a fact; and that a person buying the reference work is only paying for an extension service to keep the books up to date, when in fact the price he pays covers the entire set.

The respondents are directed to stop representing that Bernhart P. Holst, or any other person, firm or corporation, is a bona fide purchaser for value without notice of the contracts executed by purchasers in buying the reference work and extension service, when such is not a fact.

No. 2855. An order to cease and desist has been issued against **A. O. Leonard, Inc.,** 70 Fifth Ave., **New York,** directing discontinuance of certain unfair competitive methods in the interstate sale of "Leonard's Ear Oil."

The respondent company is ordered to stop representing that its product is an ear oil or that it has such therapeutic properties as to relieve deafness, and to cease making assertions of similar import and effect.

FTC CLOSES CASES

The Federal Trade Commission has announced the closing and dismissal of the following cases.

No. 2468. An order has been issued closing the Commission's case against United Distillers Importers, Inc., 1020 West 7th St., Los Angeles. The complaint alleged unfair competition in use of the word "Distillers" in the corporate name and in advertising.

The case was ordered closed because, according to information received by the Commission, the respondent company has not engaged in the liquor business since June 30, 1935, has renewed none of its permits or licenses under either State or Federal governments, and it appears unlikely that the company will resume the acts and practices alleged in the complaint.

No. 2727. The Commission has dismissed a complaint which charged Nuway Printing Co., 12 South Clinton St., Chicago, with unfair competition in the sale of dental record cards.

The respondent company also trades under the name Professional Record Card Co.

No. 2918. The Commission has entered an order closing its case against John D. Myers, trading as John Sterling Remedy Co., 1600 Bryant Building, Kansas City, Mo., which was charged with unfair competition. The case was closed because the respondent company is no longer in business. The closing order was made without prejudice to the Commission's right to reopen the case should it become advisable.

FEDERAL COMMUNICATIONS COMMISSION ACTION

HEARING CALENDAR

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, January 25.

Monday, January 25

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Eastern Broadcasting Co., Portland, Maine.—C. P., **1210 kc.,** 100 watts, unlimited time.

NEW—Cumberland Broadcasting Co., Inc., Portland, Maine.—C. P., **1210 kc.,** 100 watts, unlimited time.

NEW—Twin City Broadcasting Co., Inc., Lewiston, Maine.—C. P., **1210 kc.,** 100 watts, unlimited time.

NEW—Philip J. Wiseman, Lewiston, Maine.—C. P., **1210 kc.,** 100 watts, unlimited time.

NEW—Harriett M. Alleman and Helen W. MacLellan, d/b as Cape Cod Broadcasting Co., Barnstable Township, Mass.—C. P., **1210 kc.,** 100 watts, 250 watts LS, unlimited time.

NEW—George M. Haskins, Hyannis, Mass.—C. P., **1210 kc.,** 100 watts, 250 watts LS., unlimited time.

NEW—James D. Scannell, Lewiston, Maine.—C. P., **1420 kc.,** 100 watts, unlimited time.

NEW—Arthur E. Seagrave, Lewiston, Maine.—C. P., **1420 kc.,** 100 watts, 250 watts LS, unlimited time.

Thursday, January 28

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. I-295:

NEW—Metro Broadcasting Co., Los Angeles, Calif.—C. P., **820 kc.,** 250 watts, limited with WHAS.

Examiner's Report No. I-300:

KUJ—KUJ, Inc., Walla Walla, Wash.—C. P., **1250 kc.,** 250 watts, unlimited time. Present assignment: **1370 kc.,** 100 watts, unlimited time.

Examiner's Report No. I-303:

WNRI—S. George Webb, Newport, R. I.—Modification of C. P., **1200 kc.,** 100 watts, 250 watts LS, unlimited time.

NEW—E. Anthony & Sons, Inc., Pawtucket, R. I.—C. P., **1200 kc.,** 100 watts, 250 watts LS, unlimited time (requests facilities of WNRI).

WTHT—The Hartford Times, Inc., Hartford, Conn.—Modification of C. P., **1200 kc.,** 100 watts, unlimited time (requests facilities of WNRI).

Examiner's Report No. I-305:

NEW—The Pottsville Broadcasting Co., Pottsville, Pa.—C. P., **580 kc.,** 250 watts, daytime.

APPLICATIONS GRANTED

WMFJ—W. Wright Esch, Daytona Beach, Fla.—Granted C. P. to install new equipment and vertical radiator.

KOIL—Central States Broadcasting Co., Omaha, Nebr.—Granted amended C. P. to move transmitter site locally about 1.93 miles; install vertical radiator; change composite equipment; increase day power from 2½KW to 5 KW.

KTAT—Tarrant Broadcasting Co., Fort Worth, Tex.—Granted C. P. to install new equipment and vertical radiator.

KOBH—Black Hills Broadcast Co., Robert Lee Dean, V.-P., Rapid City, S. Dak.—Granted license to cover C. P. and modifications; **1370 kc.,** 100 watts, unlimited.

KARK—Arkansas Radio & Equipment Co., Little Rock, Ark.—Granted license to cover C. P. as modified; **890 kc.,** 500 watts night, 1 KW day, unlimited.

KSCJ—Perkins Bros. Co., The Sioux City Journal, Sioux City, Iowa.—Granted license to cover C. P.; **1330 kc.,** 250 watts night, day, for auxiliary purposes only.

KPPC—Pasadena Presbyterian Church, Pasadena, Calif.—Granted license to cover C. P.; **1210 kc.,** 100 watts, night-day, shares with KFXM.

WGPC—Americus Broadcast Corp., Albany, Ga.—Granted license covering C. P. as modified; **1420 kc.,** 100 watts, unlimited. The license is granted on a temporary basis subject to decision in case of H. Wimpy requesting facilities of WGPC.

KGGC—The Golden Gate Broadcasting Co., San Francisco, Calif.—Granted license to cover C. P.; **1420 kc.,** 100 watts night-day; specified hours.

WATL—J. W. Woodruff, d/b as Atlanta Broadcasting Co., Atlanta, Ga.—Granted modification of C. P. to reduce height of authorized 172-ft. vertical radiator to 145 ft.; install equipment other than that authorized.

WEDC—Emil Denemark, Inc., Chicago, Ill.—Granted modification of license (amended) to delete hours of operation after midnight; erect new vertical radiating system. Application dismissed from hearing docket.

WATR—The WATR Co., Inc., Waterbury, Conn.—Granted renewal of license for the period Feb. 1 to Aug. 1, 1937.

WLW—The Crosley Radio Corp., Cincinnati, Ohio.—Granted extension of special experimental authority to operate with 500 KW day and night, using directional antenna at night, for period Feb. 1 to Aug. 1, 1937.

KIRO—Queen City Broadcasting Co., Seattle, Wash.—Granted extension of special experimental authority to operate unlimited time on **710 kc.,** 1 KW, for period Feb. 1 to Aug. 1, 1937.

KWKH—International Broadcasting Corp., Shreveport, La.—Granted extension of special experimental authority to operate on frequency **1100 kc.,** 10 KW, unlimited, with directional antenna night, for period Feb. 1 to Aug. 1, 1937.

WPTF—WPTF Radio Co., Raleigh, N. C.—Granted extension of special experimental authority to operate with 5 KW power, sunset at KPO to 11 p. m., EST, directional antenna system, for period ending Aug. 1, 1937.

WSFA—Montgomery Broadcasting Co., Inc., Montgomery, Ala.—Granted authority to make changes in automatic frequency control apparatus.

KFUO—Evangelical Lutheran Synod of Missouri, Etc., Clayton, Mo.—Granted authority (conditionally) to determine operating power by direct measurement of antenna input.

NEW—Isle of Dreams Broadcasting Corp., Mobile (Miami, Fla.).—Granted C. P. for new experimental high relay broadcast station; frequencies **31100, 34600, 37600** and **40600 kc.,** 10 watts.

W4XB—Isle of Dreams Broadcasting Corp., Miami, Fla.—Granted C. P. to install new equipment; increase power from 250 watts to 5 KW.

W8XHX—The Evening News Asso., Inc., Portable-Mobile.—Granted license to cover C. P. for new experimental relay broadcast station; frequencies **90,000, 100,000, 200,000** and **300,000 kc.,** 1 watt.

W9XAA—Chicago Federation of Labor, Chicago, Ill.—Granted modification of C. P. for changes in equipment; increase power to 20 KW; extend commencement date to 3-1-37 and completion date to Aug. 1, 1937.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KFBI, Abilene, Kans.; KMMJ, Clay Center, Nebr.; KSOO, Sioux Falls, S. Dak.; WCBD, Chicago; WDZ, Tuscola, Ill.; WPG, Atlantic City, N. J.; WSPR, Springfield, Mass.; WTAM, Cleveland, Ohio.

SPECIAL AUTHORIZATIONS

KPAC—Port Arthur College, Port Arthur, Tex.—Granted special temporary authority to operate from 5:30 p. m. to 12 midnight, CST, Jan. 28, in order to broadcast the mid-term graduation exercises of Thomas Jefferson Senior High School of Port Arthur.

WMBG—Havens & Martin, Inc., Richmond, Va.—Granted extension of special temporary authority to operate from 5:30 to 7 p. m., EST, on Sundays, during month of February (provided WBBL remains silent) in order to broadcast special programs.

WLBC—Donald A. Burton, Muncie, Ind.—Granted special temporary authority to operate simultaneously with WTRC from 6 to 7:30 p. m., CST, nights of Feb. 1, 3, 5, 9, 12, 13, 15, 17, 19, 25 and 26, 1937, in order to broadcast basketball games of Muncie Central High School, Burris High School of Muncie and Ball State Teachers College; also operate simultaneously with WTRC from 7:30 to 10 p. m., CST, nights of Feb. 14, 21 and 28, 1937, in order to broadcast services of St. Mary's Church of Muncie.

WNAD—University of Oklahoma, Norman, Okla.—Granted special temporary authority to operate from 2 to 4 p. m., CST, Feb. 1, 2, 3, 4, 8, 9, 10, 11, 15, 16, 17, 18, 22, 23, 24 and 25; also 2 to 3 p. m., CST, Feb. 12 (provided KGGF remains silent), in order to broadcast special educational programs.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to operate on **580 kc.,** with 1 KW at night, during month of February, 1937, pending filing of and action on license application to cover C. P. for this authority.

APPLICATION DENIED

WSAZ—WSAZ, Inc., Huntington, W. Va.—Denied special temporary authority to operate from 1 to 4 a. m., EST, Jan. 10, 17, 24 and 31, 1937, in order to broadcast regular programs.

SET FOR HEARING

NEW—Anne Jay Levine, Palm Springs, Calif.—Application for C. P. for new broadcast station at Palm Springs, Calif., to operate on **1200 kc.,** 100 watts night, 250 watts day, unlimited time.

NEW—Vancouver Radio Corp., Vancouver, Wash.—Application for C. P. for new broadcast station at Vancouver, Wash., to operate on **880 kc.,** 250 watts, daytime. Exact transmitter and studio sites and antenna are to be determined with Commission approval.

NEW—Geraldine Alberghane, Pawtucket, R. I.—Application for C. P. for new broadcast station at Pawtucket, R. I., to operate on **720 kc.,** 1 KW, daytime only. Transmitter site to be determined with Commission approval.

NEW—The Record Publishing Co., Okmulgee, Okla.—Application for C. P. for new broadcast station at Okmulgee, Okla., to operate on **1210 kc.,** 100 watts, daytime only. Transmitter site to be determined with Commission approval.

NEW—Springfield Newspapers, Inc., Springfield, Ohio.—Application for C. P. for new brodacast station at Springfield, Ohio, to operate on **1120 kc.,** 250 watts, daytime only. Transmitter site to be determined with Commission approval.

NEW—Ann Arbor Broadcasting Co., Inc., Ann Arbor, Mich.—Application for C. P. for new special broadcast station to be located at Ann Arbor, Mich., originally filed on August 15, 1936, by Waldo Abbot, to operate on **1550 kc.,** 1 KW, unlimited time. Amended on Sept. 29, 1936, to change name of application from Waldo Abbot, an individual, to Ann Arbor Broadcasting Co., Inc. Transmitter site to be determined with Commission approval.

NEW—W. E. Whitmore, Hobbs, N. Mex.—Application for C. P. for new broadcast station at Hobbs, N. Mex., originally filed on 6-6-36, and amended on 8-26-36 as to frequency and hours of operation and amended on 12-14-36 as to equipment. Application asks for **1500 kc.,** 100 watts, daytime only.

KROW—Educational Broadcasting Corp., Oakland, Calif.—Hearing before Broadcast Division on application for C. P. to move station locally, exact location to be determined subject to Commission approval, to install new equipment, and increase power from 1 KW to 5 KW, unlimited time.

WBNX—Standard Cahill Co., Inc., New York, N. Y.—Hearing before Broadcast Division on application for C. P. to move transmitter site, install new equipment and directional antenna system, and increase power from 1 KW night, 1 KW day, sharing with Station WAWZ, to 5 KW night, 5 KW day, sharing with WAWZ.

WSAY—Brown Radio Service & Laboratory (Gordon P. Brown, owner), Rochester, N. Y.—Application for C. P. to make changes in equipment and increase power and time of operation from 100 watts, daytime only, to 100 watts night, 250 watts day, unlimited time.

WSPA—Virgil V. Evans, d/b as The Vocie of South Carolina, Spartanburg, S. C.—Application for C. P. (amended 12-16-36) to install new equipment and vertical radiator, change frequency from **920 kc.** to **880 kc.,** and increase power from 1 KW daytime to 5 KW daytime.

KDON—Monterey Peninsula Broadcasting Co., Del Monte, Calif. —Application for C. P. (amended 11-25-36) to install new equipment and change frequency from **1210 kc.** to **1280 kc.**; increase night power from 100 watts to 250 watts, day power from 100 watts to 1 KW, unlimited time.

KFBB—Buttrey Broadcast, Inc., Great Falls, Mont.—Application for C. P. (amended 11-27-36) to install new equipment, move transmitter, site to be determined with Commission approval, change frequency from **1280 kc.** to **950 kc.**; increase power from 1 KW night, 2½ KW day, to 5 KW, unlimited time. Hearing before Broadcast Division.

WEEI—Columbia Broadcasting System, Inc., Boston, Mass.—Hearing before Broadcast Division on application for modification of C. P. (amended 12-15-36) to increase night power from 1 KW to 5 KW.

KFPY—Symons Broadcasting Co., Spokane, Wash.—Hearing before Broadcast Division on application for modification of license to increase nighttime power from 1 KW to 5 KW.

KGHL—Northwestern Auto Supply Co., Inc., Billings, Mont.—Hearing before Broadcast Division on application for modification of license to increase night power from 1 KW to 5 KW.

NEW—Pottsville News & Radio Corp., Pottsville, Pa.—Application for C. P. for new broadcast station at Pottsville, Pa., to operate on **580 kc.**, 250 watts, daytime only. Transmitter and studio sites and type of antenna to be determined with Commission approval.

NEW—Don M. Lidenton and A. L. McCarthy, d/b as Fields McCarthy Co., Poplar Bluff, Mo.—Application for C. P. for new broadcast station at Poplar Bluff, Mo., to operate on **1310 kc.**, 100 watts, daytime only.

NEW—Lou Poller, Scranton, Pa.—Application for C. P. for new broadcast station at Scranton, Pa. (amended 12-14-36) to operate on **1370 kc.**, 250 watts, daytime only. Transmitter site is to be determined with Commission approval.

RULE 175 AMENDED

The Broadcast Division amended Rule 175 to strike the words "consecutive speech" in the last sentence, and substitute therefor the words, "continuous, uninterrupted speech, play, symphony concert or operatic production of longer duration than 30 minutes."

ORAL ARGUMENTS

NEW—Ex. Rep. 1-312: News-Press Pub. Co., Santa Barbara, Calif. —Granted Oral argument to be held Feb. 4, 1937.

NEW—Ex. Rep. 1-323: Voice of Greenville, Greenville, Tex.—Granted oral argument to be held Feb. 25, 1937.

NEW—Ex. Rep. 1-325: The Times Pub. Co., St. Cloud, Minn.; and NEW—Michael F. Murray, St. Cloud, Minn.—Granted oral argument to be held Feb. 25, 1937.

WOAI—Ex. Rep. 1-337: Southland Industries, Inc., San Antonio, Tex.—Granted oral argument to be held Feb. 25, 1937.

NEW—Ex. Rep. 1-329: Bayou Broadcasting Co., Houston, Tex.—Granted oral argument to be held March 4, 1937.

NEW—Ex. Rep. 1-330: Brownwood Broadcasting Co., Brownwood, Tex.—Granted oral argument to be held March 4, 1937.

KIT—Ex. Rep. 1-311: Carl E. Haymond, Yakima, Wash.—Granted oral argument to be held Feb, 25, 1937.

MISCELLANEOUS

WMCA—Knickerbocker Broadcasting Co., Inc., New York City.—Directed that modification of license to increase power to 1 KW night and day be issued WMCA in conformity with action of the Broadcast Division of Sept. 22, 1936, inasmuch as station has complied with the proviso contained in that authority regarding installation of directional antenna for use day and night.

Montgomery Broadcasting Co., Montgomery, Ala.—Denied in toto petition asking Commission to remand Docket No. 3982 to the Examiner with directions that Examiner's Report No. 1-324 be rewritten in the light of depositions excluded by the Examiner or to reopen hearing and allow the retaking of said depositions. Examiner's Report No. 1-324 is based on the application of John S. Allen and G. W. Covington, Jr., Montgomery, Ala., for a C. P. to erect station to operate on **1210 kc.**, 100 watts, daytime.

NEW—F. M. Gleason, d/b as North Georgia Broadcasting Co., Rossville, Ga.—Denied petition asking Commission to reconsider and grant without hearing application for C. P. to erect a new radio station to operate on **1200 kc.**, 100 watts, daytime. Hearing on this application is scheduled for Feb. 8, 1937.

NEW—Ferris Hodge et al., d/b as Lenawee Broadcasting Co., Adrian, Mich.—Denied petition asking Commission to dismiss application for permit to erect and operate a new radio broadcasting station at Adrian, Mich., on frequency **1440 kc.**, power 250 watts day only, and to cancel order for the taking of depositions in Adrian pursuant to such application.

NEW—Ex. Rep. 1-261: Earl Weir, St. Petersburg, Fla.—Granted petition of station WSUN, Clearwater, Fla., to remand application of Earl Weir for C. P. to operate on **1370 kc.**, 100 watts, unlimited (site to be determined), to the Examiner for further hearing on finances and need.

In the case of WOL, American Broadcasting Company, Washington, D. C., the effective date was extended to January 27, 1937. Under this decision WOL was granted permission to move transmitter from 1111 H St., N. W., Washington, to about ½ mile east Riggs and Iager Roads, Md.; change frequency from **1310 kc.** to **1230 kc.**; increase power from 100 watts to 1 KW, unlimited time (directional antenna); and make changes in equipment.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

KUOA—KUOA, Inc., Siloam Springs, Ark.—Modification of C. P., **1260 kc.**, 5 KW, daytime and midnight to 6 a. m.

KFEL—Eugene P. O'Fallon, Inc., Denver, Colo.—Modification of license, **920 kc.**, 500 watts, unlimited.

WBNO—J. E. Richards, John R. Maddox, and Edw. R. Musso, New Orleans, La.—C. P., **1500 kc.**, 100 watts, unlimited.

In the following case, the Commission, in the Broadcast Division meeting of January 12, 1937, denied the petition of this applicant requesting reinstatement and request for dismissal without prejudice; the application is therefore dismissed with prejudice.

NEW—S. H. Patterson, Denver, Colo.—C. P., **1570 kc.**, 1 KW, unlimited.

RATIFICATIONS

The Commission ratified the following acts authorized on the dates shown:

WSAR—Doughty & Welch Electric Co,. Inc., Fall River, Mass.—Granted extension of program test period 30 days from Jan. 6.

WALR—WALR Broadcasting Corp., Zanesville, Ohio.—Granted extension of program test period 30 days from Jan. 10.

KWJJ—KWJJ Broadcast Co., Inc., Portland, Ore.—Granted authority to extend program test period 30 days.

WIEF—Miami Broadcasting Co., Inc., Miami, Fla.—Granted authority to operate as licensed for additional period of 30 days beginning Jan. 15 to Feb. 15, inclusive, for relay broadcast descriptions of Miami from Blimp *Puritan*.

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted special temporary authority to operate from 2 to 3 p. m., EST, Jan. 23, 24, 30, 31, 1937, and from 8:30 a. m. to 10 a. m., EST, Jan. 24, 31, 1937, in order to broadcast religious, sports and other programs of special local interest (provided WSVS remains silent).

W10XDX—National Broadcasting Co., Inc., New York City.—Granted special temporary authority to operate licensed mobile relay broadcast station experimental on frequencies **38900, 39100, 39300, 39500 kc.** in addition to authorization contained in present license, on Jan. 14 and 21, for Inaugural Ceremonies.

W10XAH—National Broadcasting Co., Inc., New York City.—Granted special temporary authority to operate a licensed relay broadcast (mobile) experimental station on frequencies **38900, 39100, 39300, 39500 kc.** in addition to the authortiy contained in present license, on Jan. 14 to 21, 1937, for purpose of describing Inaugural Ceremonies.

W10XV-W10XDY-W10XDZ—National Broadcasting Co., Inc., New York City.—Granted special temporary authority to operate a licensed relay broadcast (mobile) experimental station on frequencies **38900, 39100, 39300, 39500 kc.** in addition to the authority contained in present license, on Jan. 14 to 21, 1937, for purpose of describing Inaugural Ceremonies.

In the matter of the applications of Miles J. Hansen, Fresno, Calif., for C. P., Julius Brunton & Sons Co., Fresno, Calif., for C. P., on which an order was heretofore entered on November 17, 1936, the Broadcast Division adopted and published a statement of facts and grounds for decision.

The Broadcast Division granted petition of Cherry and Webb Broadcasting Co. (WPRO), Providence, R. I., to intervene in the proceedings upon the application of the Bay State Broadcasting Corp., Docket 4128.

The Broadcast Division granted petition of the Woodmen of the World Life Ins. Asso. (WOW), Omaha, Nebr., to intervene in the hearing of the application of Central States Broadcasting Corp. for a new station at Council Bluffs, Iowa, Docket 4179.

The Broadcast Division granted petition of Portland Broadcasting System, Inc., to intervene in the hearing on application of Cumberland Broadcasting Co., Inc., for a new station at Portland, Maine, Docket No. 2929.

The Broadcast Division, upon its own motion, directed that the oral argument now scheduled for Feb. 4, 1937, upon the applications of KVOS, Inc., for renewal of license, and for transfer of control, be postponed until Feb. 18, 1937, and argument relative to the applications of the Bellingham Pub. Co. for C. P., and Gomer Thomas for C. P., be scheduled for Feb. 18, 1937, also.

The Broadcast Division waived Rule 104.6 (b) and accepted the answer by Intermountain Broadcasting Corp. relative to the proceedings upon the application of WATR Co., Inc., for **C. P.**, Docket 4292.

ACTION ON EXAMINERS' REPORTS

NEW—Ex. Rep. 1-227: J. T. Bilben and N. G. Barnard, Walker, Minn.—Denied C. P. for new broadcast station to operate on **1310 kc.**, 100 watts, unlimited time. Examiner John P. Bramhall sustained. Order effective Feb. 23, 1937.

WMFF—Ex. Rep. 1-294: Plattsburg Broadcasting Corp., Plattsburg, N. Y.—Granted modification of license to change hours of operation from daytime to unlimited, using 100 watts power after sunset; **1310 kc.**, 250 watts day, 100 watts night. Examiner R. H. Hyde sustained. Order effective Feb. 23, 1937.

NEW—Ex. Rep. 1-308: Struble, Strong & Fagan (Carl C. Struble, Curtis T. Strong and Jane M. Fagan), The Dalles, Ore.—Dismissed with prejudice application for C. P. for new broadcast station to operate on **1200 kc.**, 100 watts, unlimited time (site to be determined subject to Commission's approval). Examiner J. P. Bramhall sustained.

APPLICATIONS RECEIVED

First Zone

WICC—Southern Connecticut Broadcasting Corp., Bridgeport,
600 Conn.—Voluntary assignment of license from The Southern Connecticut Broadcasting Corporation to The Yankee Network, Inc.

WEAN—Shepard Broadcasting Service, Inc., Providence, R. I.—
780 Modification of license to change name from Shepard Broadcasting Service, Inc., to The Yankee Network, Inc.

NEW—New England Radio Corp., Bridgeport, Conn.—Construc-
1190 tion permit for a new station to be operated on **1420 kc.**, 100 watts, daytime. Amended to make changes in equipment, change requested frequency from **1420 kc.** to **1190 kc.**, power from 100 watts to 250 watts, hours of operation from daytime to limited time (all daytime hours and night to local sunset at San Antonio, Tex.). Contingent upon WATR being granted **1290 kc.**

WAAB—Bay State Broadcasting Corp., Boston, Mass.—Voluntary
1410 assignment of license from Bay State Broadcasting Corporation to The Yankee Network, Inc.

WAAB—Bay State Broadcasting Corp., Boston, Mass.—License to
1410 cover construction permit (B1-P-1212) as modified for new equipment.

W10XV—National Broadcasting Co., Inc., Portable and Mobile.—Construction permit to make changes in equipment and increase operating power to 25 watts.

W10XCH—National Broadcasting Co., Inc., Portable and Mobile.—Construction permit to make changes in equipment and increase operating power to 25 watts.

W10XCG—National Broadcasting Co., Inc., Portable and Mobile.—Construction permit to make changes in equipment and increase operating power to 25 watts.

W10XED—National Broadcasting Co., Inc., Mobile.—Construction permit to make changes in equipment and increase power to 25 watts.

NEW—Columbia Broadcasting System, Inc., New York, N. Y.—Construction permit for a new low frequency relay broadcast station on **1646, 2090, 2190** and **2830 kc.**, 50 watts power.

NEW—Columbia Broadcasting System, Inc., New York, N. Y.—License to cover the above.

NEW—Columbia Broadcasting System, Inc., Boston, Mass.—Construction permit for a new high frequency broadcast station on **31600, 35600, 38600, 41000 kc.**, 100 watts power.

Second Zone

WKRC—Columbia Broadcasting System, Inc., Cincinnati, Ohio.—
550 Extension of special experimental authorization to operate with power of 1 KW from 3-1-37 to 9-1-37.

WJAY—The Cleveland Radio Broadcasting Corp., Cleveland,
610 Ohio.—License to cover construction permit (B2-P-1364) for move of transmitter and installation of new transmitter and antenna.

NEW—The Ohio Broadcasting Company, Steubenville, Ohio.—
780 Construction permit for a new broadcast station to be operated on **780 kc.**, 250 watts power, daytime operation.

WTAR—WTAR Radio Corp., Norfolk, Va.—License to cover con-
780 struction permit (B2-P-1073) for changes in auxiliary equipment.

NEW—Leonard A. Versluis, Grand Rapids, Mich.—Construction
830 permit for a new station to be operated on **830 kc.**, 500 watts power, daytime operation.

NEW—The Ohio Broadcasting Co., Marion, Ohio.—Construction
880 permit for a new broadcast station to be operated on **880 kc.**, 250 watts power, daytime operation.

NEW—WRBC, Inc., Cleveland, Ohio.—Construction permit for a
880 new broadcast station to be operated on **880 kc.**, 1 KW, unlimited time. Amended: For approval of transmitter site on Rockside Road, ½ mile east of Canal Road, Valley View Village, near Cleveland, Ohio, and for approval of directional antenna for use at night.

WEXL—Royal Oak Broadcasting Co., Royal Oak, Mich.—License
1310 to cover construction permit (B2-P-1333) for new equipment.

WGH—Hampton Roads Broadcasting Corp., Newport News, Va.—
1310 License to cover construction permit (B2-P-1062) for new antenna and move of transmitter.

NEW—The Ohio Broadcasting Co., East Liverpool, Ohio.—Con-
1350 struction permit for a new broadcast station to be operated on **1350 kc.**, 250 watts power, daytime operation.

NEW—Valley Broadcasting Co., Youngstown, Ohio.—Construc-
1350 tion permit for new station to be operated on **1350 kc.**, 1 KW power, unlimited time. Amended to install directional antenna for night use, give studio site as Youngstown, Ohio, and for approval of transmitter site at Lake Park Road and Shields Road, Youngtown, Ohio.

NEW—The Ohio Broadcasting Co., Salem, Ohio.—Construction
1420 permit for a new broadcast station to be operated on **1420 kc.**, 100 watts power, daytime operation.

WHIS—Daily Telegraph Printing Co., Bluefield, W. Va.—Modifica-
1420 tion of license to increase power from 500 watts night, 1 KW day, to 1 KW day and night.

W8XKJ—Radio Air Service Corp., Mobile.—License to cover construction permit for a new high frequency relay broadcast station.

NEW—WCAU Broadcasting Co., Philadelphia, Pa.—Construction permit for a new high frequency broadcast station to be operated on **31600, 35600, 38600, 41000 kc.**, 100 watts.

NEW—WGAL, Inc., Lancaster, Pa.—Construction permit for a new high frequency broadcast station to be operated on **31600, 35600, 38600, 41000 kc.**, 100 watts.

NEW—Radio Air Service Corp., Cleveland, Ohio.—Construction permit for a new high frequency broadcast station to be operated on **31600, 35600, 38600, 41000 kc.**, 50 watts.

Third Zone

NEW—Carolinas Radio, Inc., Charlotte, N. C.—Construction per-
880 mit for a new station to be operated on **880 kc.**, 500 watts, 1 KW day, unlimited time.

WMFN—Attala Broadcasting Corp., Grenada, Miss.—Modification
1210 of construction permit (B3-P-829) for new equipment and move of transmitter, requesting extension of completion date from 1-28-37 for ninety days.

NEW—Archie E. Everage, Andalusia, Ala.—Construction permit
1310 for new station to be operated on **1420 kc.**, 100 watts night, 250 watts day power, unlimited time. Amended to change requested frequency from **1420 kc.** to **1310 kc.**

NEW—G. Kenneth Miller, Tulsa, Okla.—Construction permit for a
1310 new station to be operated on **1310 kc.**, 100 watts power, unlimited time.

KGKL—KGKL, Inc., San Angelo, Tex.—Construction permit to
1370 install a new transmitter; make changes in antenna; change frequency from **1370 kc.** to **940 kc.**, power from 100 watts, 250 watts day, to 1 KW night, 5 KW day; and move transmitter from 50 S. Milton Street, San Angelo, Tex., to site to be determined, Texas.

KGNC—Plains Radio Broadcasting Co., Amarillo, Tex.—License
1410 to cover construction permit (B3-P-1470) for equipment changes.

Fourth Zone

KFEQ—KFEQ, Inc., St. Joseph, Mo.—License to cover construc-
680 tion permit (B4-P-1303) for new equipment.

KFJB—Marshall Electric Co., Inc., Marshalltown, Iowa.—Modifi-
1200 cation of construction permit (B4-P-1054) as modified for new equipment and move of transmitter, requesting extension of commencement date from 11-19-36 to 1-18-37 and completion date from 1-18-37 to 3-18-37.

KWTN—Greater Kampeska Radio Corp., Watertown, S. Dak.—
1210 Construction permit to install a new transmitter, erect a vertical antenna, change frequency from **1210 kc.** to **1340 kc.**, change power from 100 watts to 500 watts, and move transmitter from 502 Fifth Street, N. W., Watertown, S. Dak., to East Shore, Lake Kampeska, S. Dak. Requests frequency of KGDY (subject to KGDY being granted **1210 kc.**). Amended to change hours of operation from daytime to unlimited time, using power of 250 watts night, 500 watts daytime.

NEW—Arthur Malcolm McGregor and Dorothy Charlotte McGregor (partnership), Mobile.—Construction permit for a new high frequency relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 10 watts.

Fifth Zone

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Modification of
590 license to change power from 1 KW night, 5 KW day, to 5 KW day and night.

NEW—J. Laurance Martin, Amarillo, Tex.—Construction permit
1120 for a new station to be operated on **1120 kc.**, 100 watts power, limited time (7 a. m. to 8 p. m.). Amended to change power from 100 watts to 250 watts, time from limited (7 a. m. to 8 p. m.), to specified hours (7 a. m. to 8 p. m.), and studio and transmitter sites from 605 East 4th, Amarillo, Tex., to Amarillo, Tex. (no street address).

KRKO—Lee E. Mudgett, Everett, Wash.—Construction permit to
1370 make changes in equipment; install a vertical antenna; increase power from 50 watts to 100 watts, 250 watts day; move transmitter and studio from 2814 Rucker Avenue, Everett, Wash., to studio: Wetmore at Hewitt, and transmitter: Tract "O", Everett, Wash.

KOY—Salt River Valley Broadcasting Co., Phoenix, Ariz.—Modi-
1390 fication of construction permit (B5-P-1516) to install vertical antenna, move of transmitter, further requesting authority to install new transmitting equipment.

KGGC—The Golden Gate Broadcasting Co. (Robert J. Craig),
1420 San Francisco, Calif.—Construction permit to make equipment changes; install vertical antenna; change frequency from **1420 kc.** to **1370 kc.**, power from 100 watts to 100 watts, 250 watts day, time from specified hours to unlimited time (contingent upon KRE's application being granted for change in frequency from **1370 kc.** to **1440 kc.**).

NEW—Ben S. McGlashan, Los Angeles, Calif.—Construction permit for a new high frequency broadcasting station to be operated on **88000, 120000, 240000, 500000 kc.**, 500 watts power.

CONNERY RADIO RESOLUTION

H. Res. 61

IN THE HOUSE OF REPRESENTATIVES

January 13, 1937

Mr. Connery submitted the following resolution; which was referred to the Committee on Rules and ordered to be printed

RESOLUTION

Whereas the Congress in creating the Federal Radio Commission, and in enacting the Communications Act of 1934, expressly reserved to the people of the United States control of all radio frequencies; and

Whereas, despite this restriction through the leasing of, the purchase of, the affiliating of, the operation of, or, through the possession of contracts giving to a select few the exclusive right to use the more desirable time of these radio-broadcasting stations, there is reason to believe that contrary to the intent and the spirit, as well as the language of laws in force, a monopoly exists in radio broadcasting, which radio-broadcasting monopoly is believed to be profiting illegally at the expense and to the detriment of the people through the monopolistic control and operation of all clear-channel and other highly desirable radio-broadcasting stations; and

Whereas certain types of radio programs which have been broadcasted are allegedly indecent and contrary to the intent, the spirit, and the language of laws in force; and

Whereas it is believed that neither public interest, convenience, or necessity is served by permitting a virtual radio-broadcasting monopoly to control this property which has been reserved to the control of the American people; and

Whereas it is contrary to public policy, convenience, or necessity to allow any private groups to traffic in a property reserved to and for the people: Therefore be it

Resolved, That a committee of seven Members of the House of Representatives shall be appointed by the Speaker, which committee is hereby authorized and directed to inquire into and investigate the allegations and charges that have been or may be made relative to irregularities in or pertaining to the monopoly which exists in radio and the activities and functions carried on under the Communications Act of 1934 and all matters pertaining to radio and radio broadcasting; be it further

Resolved, That the said committee shall make a thorough and exhaustive investigation of all allegations and charges that have been or may be made in connection with or pertaining to the monopoly which exists in radio and the activities and functions carried on under the Communications Act of 1934 and all matters pertaining to radio and radio broadcasting, and shall report in whole or in part at any time to the House of Representatives, together with such recommendations as it deems advisable; and be it further

Resolved, That for the purpose of this resolution the said committee is authorized to hold such hearings, to sit and act during the sessions and the recesses of the present Congress at such times and places, either in the District of Columbia or elsewhere, and to employ such expert, clerical, and stenographic services as may be found necessary and to require by subpena or otherwise the attendance of witnesses; to administer oaths; to compel the production of books, papers, and documents by Government or private agencies; and to take and record such testimony as the committee may deem advisable or necessary to the proper conduct of the investigation directed by this resolution.

RADIO RECORDS

H. R. 3033

IN THE HOUSE OF REPRESENTATIVES

January 14, 1937

Mr. Scott introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce and ordered to be printed

A BILL

To add section 315 (a) to the Communications Act of 1934.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Communications Act of 1934 be, and hereby is, amended by adding thereto the following:

"Sec. 315. (a) Each licensee of a radio-broadcasting station shall keep complete and accurate records open to reasonable public inspection—

"(1) of all applications for time;

"(2) of all rejected applications and the reasons for such rejections;

"(3) of all additions and changes requested in arranged programs on public, social, political, and economic issues and on educational subjects;

"(4) of interference with and substitution of programs on public, social, political, and economic issues and on educational subjects.

"The licensing authority shall make rules and regulations to effectuate this provision."

RADIO CENSORSHIP

H. R. 3038

IN THE HOUSE OF REPRESENTATIVES

January 14, 1937

Mr. Scott introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce and ordered to be printed

A BILL

To amend section 326 of the Communications Act of 1934.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 326 of the Communications Act of 1934 be, and hereby is, amended by striking out the whole said section and by inserting in lieu thereof the following:

"Sec. 326. Nothing in this Act shall be understood or construed to give the licensing authority the power of censorship over the radio communications or signals transmitted by any radio station, and no regulation or condition shall be promulgated or fixed by the licensing authority which shall interfere with the right of free speech by means of radio communication. No action, civil or criminal, shall be commenced or prosecuted against any licensee in any court, Federal or State, because of anything said or done in the course of any broadcast on any public, social, political, or economic issue: *Provided,* That this provision shall not be understood or construed to exempt any licensee from liability for any defamatory, profane, indecent, or obscene language or action broadcast by any officer, employee, agent or representative of such licensee."

RADIO TIME ALLOTMENT

H. R. 3039

IN THE HOUSE OF REPRESENTATIVES

January 14, 1937

Mr. Scott introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce and ordered to be printed

A BILL

To amend section 315 of the Communications Act of 1934.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 315 of the Communications Act of 1934 be, and hereby is, amended by striking out the whole of said section and by inserting in lieu thereof the following:

"Sec. 315. Each licensee of a radio broadcasting station shall be required to set aside regular and definite periods at desirable times of the day and evening for uncensored discussion on a nonprofit basis of public, social, political, and economic problems, and for educational purposes. When any such licensee permits any speaker on any controversial, social, political, or economic issue to use its facilities during any such period, it shall afford to at least one exponent or advocate of each opposing viewpoint equivalent facilities. The licensing authority shall without any delay make rules and regulations to carry this provision into effect, and in proceeding hereunder it shall appoint and, in its discretion, act upon the recommendations of an advisory committee consisting of disinterested, representative citizens: *Provided,* That the licensing authority, the advisory committee, and licensees shall have no power of censorship of any kind, nor shall any licensee be subject to liability, civil or criminal, in any State or Federal court for material so broadcast under the provisions of this section, nor shall any license be revoked or renewal refused because of material so broadcast."

CULKIN RADIO ADVERTISING BILL

H. R. 3140

IN THE HOUSE OF REPRESENTATIVES

January 14, 1937

M. Culkin introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce and ordered to be printed.

A BILL

To prohibit the advertising of alcoholic beverages by radio, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 16 of the Act entitled "Communications Act of 1934", approved June 19, 1934, be amended by adding a new paragraph to read as follows:

"No person shall broadcast by means of any radio station for which license is required by any law of the United States or permit any advertisement of, or information concerning, any alcoholic beverage, whether beer, ale, wine, gin, whisky, or brandy, or called by any other name. Any person convicted of violating this section shall be fined not more than $1,000 nor less than $500 or imprisoned not more than one year or less than three months, or both, for each day during which the offense occurs."

The National Association of Broadcasters

NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.

JAMES W. BALDWIN, Managing Director

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COMMISSION APPROVES THREE NEW STATIONS

The Federal Communications Commission this week approved three new broadcasting stations. It granted a construction permit for a new station at Corpus Christi, Texas, to the Gulf Coast Broadcasting Company, to use 1330 kilocycles, 250 watts night, 500 watts day, and unlimited time.

Also, the Commission granted a construction permit to C. A. Rowley to erect a new station at Ashtabula, Ohio, to use 940 kilocycles, 250 watts power, and daytime operation.

The Southwest Broadcasting Company was granted a construction permit for the erection of a new station at La Junta, Colo., to use 1370 kilocycles, 100 watts, and unlimited time on the air.

RECOMMENDS NEW TEXAS STATION

The Dallas Broadcasting Company has filed an application with the Federal Communications Commission asking for a construction permit for the erection of a new broadcasting station at Dallas, Texas.

Examiner George H. Hill, in Report No. I-341, recommended that the application be granted "subject to the selection of an approved transmitter site."

The Examiner states that there is a need for additional radio service in the area proposed to be served and "there appears to be adequate local talent to supply the requirements of the proposed station." He states also that the operation of the proposed station would not cause objectionable interference to any existing station.

NEW CALIFORNIA RADIO BILL

A bill has been introduced in the State Legislature of California by Mr. Patterson, a member, for the construction of two broadcasting stations by the University of California. It has been referred to the Committee on Universities and is as follows:

"The people of the State of California do enact as follows:

"Section 1. The sum of $500,000, or so much thereof as may be necessary, is hereby appropriated out of any moneys in the State treasury not otherwise appropriated to be expended by the regents of the University of California, to provide adequate radio broadcasting facilities for the extension division of the University of California.

"Sec. 2. Out of said appropriation there shall be erected and maintained on the campus of the University of California at Berkeley a 50,000-watt radio broadcast station, and a like station on the campus of the University of California at Los Angeles.

"Sec. 3. The operation of said stations shall be under the supervision and control of the extension division of the university. The division shall prepare and broadcast a curriculum of education beneficial to those citizens who are unable to partake of the benefits afforded by actual attendance at a university. The division shall arrange to broadcast, directly or by remote control from various cities of the State, public debates and discussions on matters of vital interest to the people of the State of California. They may also arrange for the broadcast of such other matters and programs as they shall deem to be of educational or cultural value.

INCREASED POWER RECOMMENDED FOR WGBI

Broadcasting Station WGBI, Scranton, Pa., applied to the Federal Communications Commission to increase its power from 500 watts to 500 watts nighttime and 1,000 watts until local sunset. The station now operates on 880 kilocycles, sharing time with WQAN.

Examiner John P. Bramhall, in Report No. I-342, recommended that the application be granted. He found that there is need for additional daytime service in the area proposed to be served. He found also that the power increase would be in the public interest.

RECOMMENDS MORE TIME FOR KHSL

Broadcasting Station KHSL, Chico, Calif., applied to the Federal Communications Commission for a change in frequency from 950 to 1260 kilocycles, and to change its time from daytime to unlimited. It does not request a change in its 250 watts power.

Examiner R. H. Hyde, in Report No. I-340, recommended that the application be granted. He found that there is need in the area proposed to be served for nighttime service and that such service on the frequency requested would not cause objectionable interference. He states that in his opinion the granting of the application would be in the public interest.

A. T. & T. SUBSIDIARIES' NEW TARIFFS AFFECT LOCAL BROADCASTING

Each associate company of the A. T. & T. has filed a rate schedule with the FCC which is substantially a duplication of the A. T. & T. line charge rate schedule filed with the Commission in September and printed in full in the NAB Reports, Vol. 4, No. 48, September 24, 1936. The earlier schedules filed by subsidiary companies became effective December 1, 1936, and the last to be filed went into effect on January 15, 1937. In addition to the various services listed in the A. T. & T. tariffs, schedules of the subsidiary companies provide for a local rate termed Schedule F as follows:

Schedule F.

A—Local Channel	
1. Installation charge	
a. For selecting and connecting for all local channels at one time between the same points	$10.00
b. Block or drop wiring if not in place, per terminal	$ 7.50
c. For inside wiring when required between drop and broadcasting station or speech input equipment, the charges will be based on the costs incurred.	
2. Mileage per channel per one-quarter route mile, per month	$ .75
Minimum charge per channel, per month	2.50
B—Equalization Charge	
The charge for equalization will be based upon the work incurred.	

Definition of the services offered by the various schedules are listed by the A. T. & T. as follows:

Schedule A provides for the continuous use of program transmission facilities with special operation and supervision, for the high quality transmission of music and speech. This schedule covers the provision of interexchange channel facilities and services, including receiving and transmitting connections.

Schedule B provides for the occasional use of program transmission facilities with special operation and supervision, for the high quality transmission of music and speech. This schedule covers the provision of interexchange channel facilities and services, including receiving and transmitting connections.

Schedule C provides for the continuous use of program transmission facilities, without special operation and supervision, for the medium quality transmission of music and speech. Transmission limitations permit the use of these facilities only over limited distances. This schedule covers the provision of interexchange channel facilities and services, including bridging connections.

Schedule D provides for the occasional use of program transmission facilities, without special operation and supervision, for the medium quality transmission of music and speech. Transmission limitations permit the use of these facilities only over limited distances. This schedule covers the provision of interexchange channel facilities and services, including bridging connection.

Schedule E provides for occasional use of program transmission facilities without special operation and supervision suitable for the transmission of speech only. This schedule covers the provision of interexchange channel facilities and services including bridging connections. The number of stations that may be connected with a Schedule E network is limited by operating and transmitting factors.

Schedule F provides for program transmission facilities within a program transmission area between stations, or between stations and the point of connection with interexchange channels.

Studio-transmitter channels—Program transmission channels for use between the studio and radio station transmitter are not provided under the above schedules. The requirements of such facilities vary widely as between cases, and the channels are provided on a basis to meet the particular requirement of each case.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3035. Operating undertaking establishments under the firm name, **The Greater Chambers Company, William W. Chambers, Washington, D. C.,** is charged in a complaint with using unfair methods of competition in the conduct of his business.

Chambers allegedly advertises that he is "One of the largest undertakers in the world," having "Forty assistants, twenty-five cars, seven chapels, fourteen parlors." According to the complaint, he is not one of the largest undertakers in the world, does not employ 40 persons of the type susceptible of classification as undertakers, assistant undertakers or assistant funeral directors, and does not own or operate the number of cars, chapels or parlors advertised.

Among other representations allegedly made by the respondent Chambers, which the complaint charges are false and misleading, are the following:

That the services, cars, hearses and other facilities he furnishes in connection with the sale of a casket are free; that he renders a $500 service with every funeral; that his customers receive a $500 or $300 funeral for $265 or $165, respectively; that the steel vault he sells for $85 is worth $150 and is air-sealed, water-proof and air-tight; that it answers the purpose of a $5,000 mausoleum, and is the finest metal burial vault which can be obtained.

No. 3037. A complaint has been served upon **Civil Employees Training, Inc.,** Ninth and Chester Sts., **Cleveland,** and its officers, alleging use of unfair methods of competition in connection with the sale of correspondence courses of instruction to prepare students for examinations for positions under the United States Civil Service.

The respondent corporation is said to falsely represent through salesmen that it is an agency of the government or connected with the Civil Service Commission, and that its salesmen are in the employ of the government; that a person must take its course of study in order to obtain a government position; that a student will receive a government appointment as soon as the course is completed or within a reasonably short time thereafter, and that Civil Service examinations will be held at definite times stated for the positions desired.

No. 3038. Alleging unfair competition in the sale of poultry, a complaint has been issued against **Allen Poultry Farm and Hatchery, Creston, Iowa,** charging violation of Section 5 of the Federal Trade Commission Act.

Selling baby chicks in interstate commerce, the respondent company is alleged to have advertised that, because of its large hatching capacity, it assures prompt delivery; that it guarantees live delivery of the number of chicks ordered, and that they will be true to type and produced from flocks "blood tested" and culled for disqualifications.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 2067. Representations that "Alvita Tea" is a competent cure or remedy in the treatment of any disease or malady are prohibited under an order to cease and desist entered against **California Alfalfa Products Company** and **Glenn B. Willis,** trading as **Alvita Products Company,** 2573 Bersa St., **Pasadena, Calif.**

The principal ingredient of the product is alfalfa which, according to the findings, has no beneficial therapeutic value or effect.

Among the representations specifically banned in advertising matter are that use of "Alvita Tea" will build up vitality, aid digestion, supply nutritional deficiencies, increase the appetite, and cause the user to become strong and robust. Also prohibited is the assertion that the product stands at the head of the vegetable list in mineral and vitamin potency.

No. 2406. Raladam Company, of Detroit, has been ordered to cease and desist from certain misrepresentations in the sale of its product, "Marmola," advertised as a weight-reducing preparation. Such misrepresentations are held to constitute an unfair method of competition in violation of Section 5 of the Federal Trade Commission Act.

Containing as its active ingredient desiccated thyroid made from the thyroid glands of certain food animals, Marmola is said to have been advertised in a manner implying that thyroid deficiency is a common cause of excess fat, that thyroid should be taken for reducing, that "Marmola is for the average case," provides "the right way to reduce," and that "this modern method of reduction is now used by doctors the world over."

Findings in the case, based on distinguished medical and scientific opinion, are that only a small proportion of cases of over-weight result from thyroid deficiency; that in many cases the respondent company's product cannot be safely used, and in any case should be taken only on the advice of a physician.

The order to cease and desist prohibits certain misrepresentations concerning Marmola and its thyroid ingredient and also directs the Raladam Company to discontinue representing that it makes a full and complete disclosure of the properties and effects of Marmola unless and until it does in fact make such disclosures.

Among the representations barred under the order are that thyroid deficiency is a common or the usual cause of obesity or excess fat or that, if a person is over-weight, it is necessarily an indication of thyroid deficiency and that thyroid should be taken for reducing.

The respondent company is directed to cease asserting that all modern physicians use the reducing ingredient in Marmola in the treatment of obesity and that this method of treatment in all such cases is supported by the opinion of science and medicine the world over, or that this treatment is the remedy indicated in and best suited for the great multitude of cases or in the average case, or for all over-weight persons.

The order also prohibits representations that Marmola or its reducing ingredient, thyroid, feeds the thyroid gland, when taken internally, or stimulates or restores it to normal action or removes the cause of excess fat; that a table of average weights for given ages and heights indicates a person's normal or correct weight and that any weight in excess of the average weight so indicated is due to excess fat and should be reduced by taking Marmola.

The respondent company is ordered to cease and desist representing that it makes a full and complete disclosure of the properties and effects of Marmola or its ingredients, unless and until it does in fact make such disclosure, including the following: That desiccated thyroid is a powerful and dangerous drug or product when used internally for reducing purposes, attacking and oxidizing or burning not only fatty tissue, but all bodily tissues; that cases of abnormal excess fat caused by deficiency of the secretion of the thyroid gland are rare and exceptional; that physicians prescribe and recommend the use of thyroid for treating obesity only in cases of actual deficiency of thyroid gland secretion; that in cases of excess fat not caused by thyroid deficiency, thyroid is not usually indicated as a proper treatment, and its use in such cases is apt to be and frequently is harmful to the user's health.

The respondent company is also directed to stop asserting that it makes full disclosure of Marmola's properties and effects, unless it also makes known that many persons are so constituted that they may not use Marmola with safety, and that many bodily conditions, defects and abnormalities render the use of Marmola harmful to the user; that whether or not a person may safely take or use Marmola or desiccated thyroid can only be ascertained through examination by a competent physician, often to be supplemented by experimental use of the product under medical advice and observation; that Marmola or desiccated thyroid for reducing purposes cannot be used generally for self-medication without possibility of harmful results and that when employed by a person having a deficiency in thyroid gland secretion, desiccated thyroid does not feed or stimulate the thyroid gland, materially increase its activity, tend to restore it to normal condition or thereby tend to remove the cause of obesity or abnormal excess fat, but merely acts as a supplement to secretion supplied by the thyroid gland.

Findings are that Marmola is in competition with all reducing preparations, including the "patent medicine" type and pharmaceutical preparations bought by consumers on their own initiative or on a physician's prescription. Such competing products are said to include various laxative salts, preparations for lessening consumption of fat-producing foods and also books of instruction on diet and exercise for reduction of weight. The findings list 26 competing products.

No. 2488. Consolidated Distillers Corporation, 38 South Calvert St., **Baltimore, Md.,** has been ordered to cease representing through use of the word "Distillers" in its corporate name, or otherwise, that it is a distiller of whiskies, gins, or any other spirituous beverages; that it manufactures such products through the process of distillation, or that it owns or operates a distillery, unless and until it does own or operate such a plant.

No. 2716. Under an order to cease and desist, **Neet, Inc.,** 4316 North Kilpatrick Ave., **Chicago,** is directed to discontinue unfair trade representations in the sale of a depilatory advertised as "Neet."

Among representations to be discontinued are that the preparation is not caustic, that its use discourages the growth of hair and delays its appearance for a material length of time, and that the hair is much slower in returning and regrowing than when it is shaved. These prohibitions are qualified in the order, the findings showing that the product, while not generally caustic, might have a caustic effect under certain conditions, and that the hair may be delayed in reappearing above the skin surface to the extent that the product penetrates below the skin surface in dissolving the hair stalk.

No. 2802. The **I. T. S. Company,** 135 Maple St., **Elyria, Ohio,** and the **National Federation of Master Shoe Rebuilders,** 1124 Chester Ave., **Cleveland,** have been ordered to discontinue combining and cooperating to close natural channels of trade to manufacturers and wholesalers of rubber heels and soles who sell to the five-and-ten cent stores. The respondents' activities were found to have resulted in undue restraint of trade in the rubber heel and sole business.

The respondent company and trade association are also directed to stop circularizing the rubber heel and sole industry with literature falsely derogatory to manufacturers and wholesalers who sell to the five-and-ten cent stores, and which designates sources from which information may be obtained disclosing the identity of manufacturers and wholesalers who sell or who do not sell to the five-and-ten cent stores.

No. 2853. An order to cease and desist has been entered against **F. L. McWethy,** 329 Michigan Ave., **Marshall, Mich.,** prohibiting him from representing in advertising matter or in radio broadcasts that "McWethy's Home Treatment," which he sells in interstate commerce, is an effective remedy or a cure for bladder, prostatic, kidney or bowel troubles, and that it reaches all of the underlying causes of such ailments.

Other representations ordered discontinued are that the respondent's preparation will have a beneficial effect upon an acid or rheumatic condition of the blood causing bladder irritations, and that delay in taking the medicine may make it too late for one to treat a bladder ailment effectively.

No. 2922. An order to cease and desist has been issued against **Group Sales Corporation,** 215 West 39th St., **New York City,** requiring that company to discontinue certain unfair trade representations in the sale of silks, acetates and rayon piece goods in interstate commerce. The respondent company is a jobber and wholesaler.

The order bars representation that certain products it sells are the products of well and favorably known and extensively advertised silk, acetate and rayon manufacturers, when such products are not actually made by such manufacturers. It prohibits use of the names of manufacturers of silk, acetate and rayon as the makers of any of the respondent company's products not actually made by such manufacturers.

FEDERAL TRADE COMMISSION CLOSES CASES

The Federal Trade Commission has announced the dismissal and closing of the following cases:

Nos. 2467-2623-2703 and **2723.** Orders have been entered closing without prejudice four cases against wine dealers who had been charged in complaints issued by the Commission with misbranding and false advertising in connection with the sale of their products.

The cases were closed, according to the orders, because the subject matter of the complaints is covered by Regulations No. 4, relating to labeling and advertising of wine, which became effective December 15, 1936, pursuant to the Federal Alcohol Administration Act of August 29, 1935.

Respondents in the cases closed are:

Wines of France, Ltd., 119 West 57th St., **New York City,** and its agent, **International Champagne Corporation,** 629 Grove St., **Jersey City, N. J.; Joseph Della Monica,** trading as **Delmonico's,** 182 Fifteenth St., **Brooklyn; Wente Brothers, Livermore, Calif.,** and **Shewan-Jones, Inc.,** 85 Second St., **San Francisco.**

No. 2538. The Commission also dismissed a complaint charging **Strutwear Knitting Co.,** 1015 South Sixth St., **Minneapolis,** with unfair methods of competition in the sale of women's hosiery.

FEDERAL COMMUNICATIONS COMMISSION ACTION

HEARING CALENDAR

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, February 1:

Monday, February 1

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Columbia Radio Co., Inc., Columbia, S. C.—C. P., **1200 kc.,** 100 watts, unlimited time.

NEW—Carolina Advertising Corp., Columbia, S. C.—C. P., **1370 kc.,** 100 watts, 250 watts LS, unlimited time.

NEW—Hammond-Calumet Broadcasting Corp., Hammond, Ind.—C. P., **1480 kc.,** 5 KW, daytime.

NEW—Northwestern Publishing Co., Danville, Ill.—C. P., **1500 kc.,** 250 watts, daytime.

NEW—Curtis Radiocasting Corp., Indianapolis, Ind.—C. P., **1500 kc.,** 100 watts, 250 watts LS, specified hours.

WKBV—Knox Radio Corp., Richmond, Ind.—Modification of license, **1500 kc.,** 100 watts, unlimited time. Present assignment: **1500 kc.,** 100 watts, specified hours.

Tuesday, February 2

HEARING BEFORE AN EXAMINER

(Broadcast)

WMEX—The Northern Corporation, Boston, Mass.—C. P., **1470 kc.,** 5 KW, unlimited time.

Wednesday, February 3

HEARING BEFORE AN EXAMINER

(Broadcast)

WCAE—WCAE, Inc., Pittsburgh, Pa.—Renewal of license (and auxiliary), **1220 kc.,** 1 KW, 5 KW LS; auxiliary, 1 KW day and night, unlimited time.

Thursday, February 4

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. I-306:

WKZO—WKZO, Inc., Kalamazoo, Mich.—C. P., **590 kc.,** 250 watts, 1 KW LS, unlimited time.

Examiner's Report No. I-307:

NEW—North Jersey Broadcasting Co., Inc., Paterson, N. J.—C. P., **620 kc.,** 250 watts, daytime.

Examiner's Report No. I-312:

NEW—The News Press Publishing Co., Santa Barbara, Calif.—C. P., **1220 kc.**, 500 watts, unlimited time.

Friday, February 5

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Radio Enterprises, partnership of R. Lacy and J. R. Curtis, Lufkin, Tex.—C. P., **1310 kc.**, 100 watts, daytime.

NEW—Red Lands Broadcasting Assn., Ben T. Wilson, Pres., Lufkin, Tex.—C. P., **1310 kc.**, 100 watts, daytime.

NEW—The Waterloo Times-Tribune Publishing Co., Waterloo, Iowa.—C. P., **1370 kc.**, 100 watts, daytime.

APPLICATIONS GRANTED

KSTP—National Battery Broadcasting Co., St. Paul, Minn.—Granted C. P. for changes in equipment.

WISN—Hearst Radio, Inc., Milwaukee, Wis.—Granted C. P. to move transmitter locally to 231 W. Mich. St., and install vertical radiator.

KRE—Central California Broadcasters, Inc., Berkeley, Calif.—Granted C. P. for approval of transmitter at E. Shore Highway and studio at 2337 Shattuck Ave.; install new equipment and vertical radiator.

WMFN—Attala Broadcasting Corp., Grenada, Miss.—Granted modification of C. P. extending completion date to 4-28-37.

KFJB—Marshall Electric Co., Inc., Marshalltown, Iowa.—Granted modification of C. P. as modified extending commencement date to 1-18-37 and completion date to 3-18-37.

KSUB—Johnson & Perry, Cedar City, Utah.—Granted modification of C. P. approving transmitter at W. 2nd South, and studio at El Escalante Hotel, and install vertical radiator.

KOY—Salt River Valley Broadcasting Co., Phoenix, Ariz.—Granted modification of C. P. to install new equipment.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Granted modification of C. P. to extend commencement date to 3-1-37 and completion date to 8-31-37.

WEXL—Royal Oak Broadcasting Co., Royal Oak, Mich.—Granted license to cover C. P., **1310 kc.**, 50 watts, unlimited time.

WAAU—Columbia Broadcasting System, Inc., Mobile (N. Y.).—Granted license to cover C. P. for new relay broadcast station, frequencies **1646, 2090, 2190** and **2830 kc.**, 50 watts.

KFEQ—KFEQ, Inc., St. Joseph, Mo.—Granted license to cover C. P., **680 kc.**, 2½ KW, daytime only.

WALR—WALR Broadcasting Corp., Zanesville, Ohio.—Granted license to cover C. P., **1210 kc.**, 100 watts, unlimited time.

WEOA—Evansville on the Air, Inc., Evansville, Ind.—Granted license to cover C. P., **1370 kc.**, 100 watts night, 250 watts day, unlimited time.

WTAR—WTAR Radio Corp., Norfolk, Va.—Granted license to cover C. P., **780 kc.**, 500 watts night, 1 KW day, for emergency purposes only.

WAAB—Bay State Broadcasting Corp., Boston, Mass.—Granted license to cover C. P., **1410 kc.**, 500 watts, unlimited time.

WGH—Hampton Roads Broadcasting Corp., Newport News, Va.—Granted license to cover C. P., **1310 kc.**, 100 watts night, 250 watts day, unlimited time.

WNAC—Shepard Broadcasting Service, Inc., Boston, Mass.—Granted modification of license to change name from Shepard Broadcasting Service, Inc., to The Yankee Network, Inc.

WEAN—Shepard Broadcasting Service, Inc., Providence, R. I.—Granted modification of license to change name from Shepard Broadcasting Service, Inc., to The Yankee Network, Inc.

WKRC—Columbia Broadcasting System, Inc., Cincinnati, Ohio.—Granted extension of special experimental authority to operate with 1 KW for the period March 1 to Sept. 1, 1937.

KFAB—KFAB Broadcasting Co., Lincoln, Nebr.—Granted extension of special experimental authority to operate synchronously with WBBM, Chicago, from local sunset at Lincoln to 12 midnight, CST, for period Feb. 1, to Aug. 1, 1937.

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted extension of special experimental authority to operate synchronously with KFAB, Lincoln, from local sunset at Lincoln to 12 midnight, for the period Feb. 1, to Aug. 1, 1937.

KRMC—Roberts MacNab Co., Jamestown, N. Dak.—Granted modification of C. P. approving transmitter site at 1 mile from center of city, on U. S. Highway No. 10, Jamestown, N. Dak.; installation of new equipment and vertical radiator, and increase in day power from 100 watts to 250 watts; **1310 kc.**, 100 watts night, simultaneous day, share KVOX night.

WICC—Southern Connecticut Broadcasting Corp., Bridgeport, Conn.—Granted voluntary assignment of license to The Yankee Network, Inc.

WAAB—Bay State Broadcasting Corp., Boston, Mass.—Granted voluntary assignment of license to The Yankee Network, Inc.

KFPL—C. C. Baxter, Dublin, Tex.—Granted license to cover C. P. as modified; **1310 kc.**, 100 watts night, 250 watts day, unlimited.

WWL—Loyola University, New Orleans, La.—Granted extension of special experimental authority to operate unlimited time on **850 kc.**, with 10 KW, for period Feb. 1 to Aug. 1, 1937.

KDAL—Red River Broadcasting Co., Inc., Duluth, Minn.—Present license extended for period of 3 months.

WWL—Loyola University, New Orleans, La.—Granted extension of present license for period of 2 months.

WIOD-WMBF—Isle of Dreams Broadcasting Corp., Miami, Fla.—Granted renewal of license for the period Nov. 1, 1936, to May 1, 1937.

W10XCC-W10XCH-W10XED-W10XV—National Broadcasting Co., Inc., Mobile.—Granted C. P. for changes in equipment and increase in power from 15 to 25 watts.

W2XE—Columbia Broadcasting System, Inc., New York City.—Granted modification of C. P. extending completion date to 4-28-37.

SET FOR HEARING

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—C. P. to install vertical radiator at present site; increase night power from 500 watts to 1 KW (**580 kc.**, 1 KW, day, unlimited).

KIEM—Redwood Broadcasting Co., Inc., Eureka, Calif.—C. P. to install new equipment and increase power from 500 watts to 1 KW.

KRE—Central California Broadcasters, Inc., Berkeley, Calif.—C. P. to move transmitter to East Shore Highway and studio to 2337 Shattuck Ave. (locally); install new equipment and vertical radiator; change frequency from **1370 kc.** to **1440 kc.**; increase power from 100 watts night, 250 watts day, unlimited, to 1 KW, unlimited.

WSB—Atlanta Journal Co., Atlanta, Ga.—C. P. to install new equipment and vertical radiator at present transmitter location; increase power from 50 KW to 500 KW. To be heard before the Broadcast Division.

WHIS—Daily Teleg. Printing Co., Bluefield, W. Va.—Modification of license to increase night power from 500 watts to 1 KW.

WKBH—WKBH, Inc., La Crosse, Wis.—Application for renewal of license for the period 11-1-36 to 5-1-37; **1380 kc.**, 1 KW, unlimited.

WSVS—Elmer S. Pierce, Principal, Seneca Vocational High School, Buffalo, N. Y.—Application for renewal of license for period 1-1-37 to 7-1-37; **1370 kc.**, 50 watts day—8:30 a. m. to 10 a. m., 2 to 3 p. m.

WSAJ—Grove City College, Grove City, Pa.—Application for renewal of license for the period 12-1-36 to 6-1-37; **1310 kc.**, 100 watts, specified hours—Sunday, 4:30 to 5:30 p. m.; two days each week, 7 to 10:30 p. m., EST.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

NEW—Eugene Meyer & Co., d/b as The Washington Post, Washington, D. C.—C. P., **1310 kc.**, 100 watts, 250 watts LS, unlimited.

NEW—Abraham Plotkin, Chicago, Ill.—C. P., **1600 kc.**, 100 watts, 250 watts LS, unlimited.

SPECIAL TEMPORARY AUTHORIZATIONS

WJAG—The Norfolk Daily News, Norfolk, Nebr.—Granted extension of special temporary authority to operate on **1060 kc.**, with power of 1 KW and limited time, for the period beginning 3 a. m., EST, Feb. 1, 1937, and ending in no event later than 3 a. m., **EST, Aug. 1, 1937.**

KWJJ—KWJJ Broadcast Co., Inc., Portland, Ore.—Granted extension of special temporary authority to operate on **1040 kc.**, limited time, and resume operation from 9 p. m. to 3 a. m., PST, for the period beginning 3 a. m., EST, Feb. 1, 1937, and ending in no event later than 3 a. m., EST, Aug. 1, 1937.

WAAU—Columbia Broadcasting System, Inc., 485 Madison Avenue, New York, N. Y.—Granted special temporary authority to operate a mobile relay broadcast station on Jan. 26, 1937, in order to broadcast an air show program.

KTEM—Bell Broadcasting Co., Temple, Tex.—Granted special temporary authority to conduct broadcast after stations KFJZ, KONO and KMAC have signed off, in connection with WHAS Louisville flood relief work, for a period from 12 midnight to 6 a. m., CST, Jan. 26 and 27, 1937.

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Granted special temporary authority to operate from 7:15 p. m., EST, to 12 midnight, Jan. 30, 1937, in order to broadcast the President's Birthday Ball.

WELI—City Broadcasting Corp., New Haven, Conn.—Granted special temporary authority to operate from 8 p. m. until 12 midnight, EST, Jan. 30, 1937, in order to broadcast the New Haven section Birthday Ball to the President, to be held at the New Haven Armory.

WTRC—The Truth Publishing Co., Inc., Elkhart, Ind.—Granted special temporary authority to operate simultaneously with WLBC from 7:30 p. m. to 10 p. m., CST, Feb. 5, 6, 12, 13, 19, 20, 26 and 27, 1937, for the purpose of broadcasting Elkhart High School basketball games; also from 7:30 p. m. to 10:30 p. m., CST, Feb. 12, 1937, in order to broadcast a combined Lincoln-Washington anniversary program.

KFRO—Voice of Longview, Longview, Tex.—Granted special temporary authority to operate from local sunset (February sunset, 6 p. m.) until 9 p. m., CST, on Sundays, Feb. 7, 14, 21 and 28, 1937, in order to broadcast services of the Kelly Memorial Methodist Church of Longview.

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Granted extension of special temporary authority to operate with power of 30 watts from local sunset (5:45 p. m.) to 11 p. m., EST, on Tuesdays, Thursdays, Saturdays and Sundays, during the month of Feb. 1937, pending compliance with Rule 131 on modification of license application requesting this authority.

WSYB—Philip Weiss, t/a Philip Weiss Music Co., Rutland, Vt.—Granted special temporary authority to operate from 9 a. m. to 10 a. m., EST, for period beginning Feb. 1, 1937, and ending in no event later than Feb. 27, 1937, in order to broadcast the Rutland County Community programs.

WCAX—Burlington Daily News, Inc., Burlington, Vt.—Granted special temporary authority to operate from 8 p. m. to 10:30 p. m., EST, Feb. 2, 6, 13; from 10 p. m. to 10:30 p. m., EST. Feb. 5, 12, 19, 26; and from 7 p. m. to 10:30 p. m., EST, Feb. 22, 1937, in order to broadcast University and High School basketball games.

WTIC—The Travelers Broadcasting Service Corp., Hartford, Conn.—Granted extension of special temporary authority to operate simultaneously with KRLD on frequency of **1040 kc.**, with 50 KW power for period ending Aug. 1, 1937.

KTHS—Hot Springs Chamber of Commerce, Hot Springs National Park, Ark.—Granted extension of special experimental authority to operate on **1060 kc.**, with 10 KW power, simultaneously with WBAL, from 6 a. m. to LS, sharing after sunset (KTHS operates unlimited 8 p. m., to midnight), for the period ending Aug. 1, 1937.

KRLD—KRLD Radio Corp., Dallas, Texas.—Granted extension of special temporary authority to operate simultaneously with WTIC, Hartford, Conn., for the period ending Aug. 1, 1937.

WESG—Cornell University, Ithaca, N. Y.—Granted extension of special temporary authority to operate on **850 kc.**, daylight to sunset at New Orleans, La., with 1 KW power to period ending Aug. 1, 1937.

WBAL—The WBAL Broadcasting Co., Baltimore, Md.—Granted extension of special temporary authority to operate on **1060 kc.**, with 10 KW power, simultaneously with KTHS from 6 a. m. to sunset at Hot Springs, Ark., and from sunset at KTHS to 9 p. m., EST, unlimited time, and synchronously with WJZ on **760 kc.**, with 2½ KW power, from 9 p. m., EST, to midnight employing directional antenna system for the period ending Aug. 1, 1937.

RATIFICATIONS

WEOA—Evansville on the Air, Inc., Evansville, Ind.—Granted extension program test period 30 days from January 19, 1937.

WABG—Memphis Commercial Appeal, Inc., Memphis, Tenn.—Granted authority to operate as licensed period 10 days beginning 1-21, for emergency use in connection with flood in vicinity Kennett, Mo.

KIGA-KABE—National Battery Broadcasting Co., St. Paul, Mo. —Granted authority operate as licensed period January 24, ending no event later than Feb. 6, relay broadcast St. Paul Winter Sports Carnival.

WTAG—Worcester Telegram Publ. Co., Inc., Worcester, Mass.—Granted extension program test period for period of 10 days from January 21, 1937.

W8XFM-W8XFO-W8XIK—The Crosley Radio Corp., Cincinnati, Ohio.—Granted authority to operate as licensed for period of 10 days beginning Jan. 18, for emergency use in cooperation with local authorities in connection with Ohio River floods.

W8XIR—WGAR Broadcasting Co., Cleveland, Ohio.—Granted authority to operate as licensed for an additional period of 30 days beginning January 17 to February 17, relay broadcast interviews with school children.

W9XLC—Racine Broadcasting Corp., Racine, Wisc.—Granted authority to operate as licensed on January 31, relay broadcast Racine Ski Club annual Ski Jump.

Radio Station WPAY, Portsmouth, Ohio.—Granted authority to operate emergency transmitter **1370 kc.**, 75 watts for general communication purposes and public service in event main transmitter becomes inoperative, for a period not to exceed 30 days in accordance with Rule 23. Station will be held responsible for deviations in excess of 50 cycles from assigned frequency.

W10XAK-W10XAN—National Broadcasting Co., Inc., New York, N. Y.—Granted authority to operate as licensed Jan. 22 to 28 incl. in flood area near Hazelton, Ind.

W10XFR-W10XEB—National Broadcasting Co., Inc.,, New York, N. Y.—Granted authority to operate as licensed Jan. 25 to 29, incl. in San Francisco in connection with program inquiring reporter.

KPPC—Pasadena Presbyterian Church, Pasadena, Calif.—Granted extension program test period 30 days from Jan. 18, 1937.

WBNX—Standard Cahill Co., Inc., New York, N. Y.—Granted authority for WBNX to remain silent for period not to exceed 3 days provided licensed operator cannot be obtained.

WIEX—United Air Lines Transport, Inc., Washington, D. C.—Granted special temporary authority to operate the regularly licensed aircraft transmitter KHAQY, aboard United Air Lines plane, as a relay broadcast station, on frequency **1606, 2022, 2102, 2758 kc.**, power 50 watts on Jan. 26 and 27 (and 28th and 29th if weather conditions not favorable), 1937, in connection with NBC "Flying Time" program in Chicago, Ill.

The Broadcast Division granted the petition of Indianapolis Power and Light Company (WFBM), Indianapolis, Ind., to intervene in the proceedings on the application of Curtis Radiocasting Corp., for construction permit for new station in Indianapolis, Ind., Docket No. 4323.

The Broadcast Division granted the petition of Twin City Broadcasting Co., Inc., to intervene in the proceedings upon the application of James D. Scannell, for construction permit for new station in Lewiston, Me. Docket No. 2624.

The Broadcast Division granted the petition of the Birmingham Broadcasting Co., Inc. (WBRC), to intervene in the proceedings upon the application of the Birmingham News Company for Construction Permit, File No. B3-P-997, Docket No. 3975, for new station at Birmingham, Alabama.

The Broadcast Division granted the petitions of Curtis Radiocasting Corp., waived Rule 104.6 (b), and accepted its answer in connection with the applications of Knox Radio Corp., Richmond, Ind. (Docket No. 4247), and the Northwestern Publishing Co., Danville, Ill. Docket No. 4177.

The Broadcast Division upon consideration of a petition filed in behalf of the Montgomery Broadcasting Co., respondent, directed that all parties involved in the proceeding relative to the Allen and Covington application (John S. Allen and G. W. Covington, Jr., Montgomery, Alabama), Docket No. 3982, be given until Monday, January 25, 1937, to file exceptions to Examiners Report No. I-324.

ACTION ON EXAMINERS' REPORTS

NEW—Ex. Rep. 1-251: Voice of Marshall Assn., Marshall, Tex.—Denied C. P. for new broadcast station to operate on **1500 kc.**, 100 watts, specified hours (site to be determined subject to Commission's approval). Examiner George H. Hill sustained. Order effective March 9, 1937.

NEW—Ex. Rep. 1-272: Gulf Coast Broadcasting Co., Corpus Christi, Tex.—Granted C. P. for new broadcast station to operate on **1330 kc.**, 250 watts night, 500 watts day, unlimited time. Examiner George H. Hill sustained. Order effective March 2, 1937.

NEW—Ex. Rep. 1-287: C. A. Rowley, Ashtabula, Ohio.—Granted C. P. for new broadcast station to operate on **940 kc.**, 250 watts, daytime (site to be determined subject to Commission's approval). Examiner John P. Bramhall sustained. Order effective March 9, 1937.

KFPM—Ex. Rep. 1-321: Voice of Greenville, Greenville, Tex.—Dismissed application for renewal of license. Examiner P. W. Seward sustained. Order effective March 2, 1937.

KFPM—Ex. Rep. 1-322: Dave Ablowich, tr. as The New Furniture Co., Greenville, Tex.—Dismissed application for voluntary assignment of license from Dave Ablowich, tr. as The New Furniture Co., to Voice of Greenville; **1310 kc.**, 15 watts, specified hours. Examiner P. W. Seward sustained. Order effective March 2, 1937.

NEW—Ex. Rep. 1-326: The Southwest Broadcasting Co., La Junta, Colo.—Granted C. P. for new broadcast station to operate on **1370 kc.**, 100 watts, unlimited time. Examiner P. W. Seward sustained. Order effective March 9, 1937.

ORAL ARGUMENTS

NEW—Ex. Rep. 1-240: Continental Radio Company, Columbus, Ohio.—Granted oral argument to be held March 4, 1937.

NEW—Ex. Rep. 1-241: Continental Radio Company, Toledo, Ohio.—Granted oral argument to be held March 4, 1937.

MISCELLANEOUS

KLO—Ex. Rep. 1-221: Interstate Broadcasting Corp., Ogden, Utah.—Effective date further extended for a period of 30 days.

NEW—Ex. Rep. 1-259: K. K. Kidd and A. C. Kidd, Taft, Calif.—Effective date extended to February 2, 1937.

NEW—Ex. Rep. 1-252: Maddox & Hair, d/b as Chattanooga Broadcasting Co., Chattanooga, Tenn.—Effective date extended to February 9, 1937.

WMBG—Ex. Rep. 1-222: Havens & Martin, Inc., Richmond, Va.—Effective date extended to February 9, 1937.

NEW—Century Broadcasting Co., Inc., Richmond, Va.—Effective date extended to February 9, 1937.

NEW—Ex. Rep. 1-225: Havens, Woodwad, Jones, Wood, d/b as Petersburg Broadcasting Co., Petersburg, Va.—Effective date extended to February 9, 1937.

WPHR—WLBG, Inc., Petersburg, Va.—Effective date extended to February 9, 1937.

NEW—Ex. Rep. 1-285: The Times-Dispatch Pub. Co., Inc., Richmond, Va.—Effective date extended to February 9, 1937.

WJAX—City of Jacksonville, Jacksonville, Fla.—Granted petition to intervene in hearing of application of Metropolis Co. for C. P. for new radio broadcasting station at Jacksonville, Fla., to operate on **1290 kc.**, 250 watts, unlimited time.

NEW—R. Lacy and J. R. Curtis, d/b as Radio Enterprises, Lufkin, Tex.—Refused and returned proposed amendment to original application for C. P. to erect new broadcast station to operate on **1310 kc.**, 100 watts, daytime, scheduled for hearing Feb. 5, 1937. Amendment changed applicant from a partnership to a corporation, embracing among stockholders two of the parties involved in application of Lufkin Publishing Co., another applicant for authority to erect broadcast station at Lufkin, to operate on similar assignment. Lufkin Pub. Company sought to merge its application with that of Radio Enterprises.

RENEWAL OF LICENSES

The Commission directed that the license of Station WHBI, Newark, N. J., expiring 3 a. m., EST, Oct. 1, 1936, extended on a temporary basis only to 3 a. m., EST, Nov. 1, 1936, and further extended on a temporary basis only to 3 a. m., EST, Feb. 1, 1937, be further extended upon a temporary basis only for the period ending in no event later than 3 a. m., EST, March 1, 1937, subject to such action as may be taken upon the application for renewal of license pending before it, subject, further, to the condition that nothing contained in said extension of license shall be construed as a finding that the operation of the station is or will be in the public interest beyond the express terms thereof.

KWKH—International Broadcasting Corp., Shreveport, La.—Present license extended on a temporary basis only for the period Feb. 1 to March 1, 1937, pending receipt and/or action on renewal application.

KGFG—Oklahoma Broadcasting Co., Inc., Oklahoma City, Okla.—Present license further extended on a temporary basis only for the period Feb. 1 to March 1, 1937, subject to such action as may be taken on pending application for renewal.

The following stations were granted renewal of television (exp.) station licenses for the period Feb. 1, 1937, to Feb. 1, 1938, in exact conformity with existing licenses:

W2XAX, Columbia Broadcasting System, Inc., New York; W6XAO, Don Lee Broadcasting System, Los Angeles; W9XAL, First National Television, Inc., Kansas City, Mo.; W1XO, General Television Corp., Boston; W2XBS, National Broadcasting Co., Inc., New York City; W2XDR, Radio Pictures, Inc., Long Island City, N. Y.; W3XEP, RCA Mfg. Co., Inc., Camden, N. J.; W10XX, RCA Mgf. Co., Mobile; W9XX, W9XUI, University of Iowa, Iowa City; W9XAT, Dr. Geo. W. Young, Minneapolis; W9XD, Milwaukee Journal, Milwaukee, Wis.; W9XG, Purdue University, W. Lafayette, Ind.; W3XE, Philco Radio & Television Corp., Philadelphia.

The following applications for renewal of broadcast station licenses were granted for the regular period:

KFI and auxiliary, Los Angeles, Calif.; KFVD, Los Angeles, Calif.; KGDM, Stockton, Calif.; KGU, Honolulu, Hawaii; KIRO, Seattle, Wash.; KNX, Los Angeles, Calif.; WEW, St. Louis, Mo.; WGY, Schenectady, N. Y., and auxiliary; WIBG, Glenside, Pa.; WJZ, New York, N. Y.; WOV, New York, N. Y.; WSM, Nashville, Tenn.

The Commission granted renewal of the following licenses on a temporary basis only for the term beginning 3 a. m., EST, Feb. 1, 1937, and ending 3 a. m., EST, Aug. 1, 1937, said temporary licenses to contain the following clause: "This license is granted on a temporary basis only and subject to such action as the Commission may take upon the licensee's pending application for renewal of license. No authority herein contained shall be construed as a finding by the Commission that the operation of this station is, or will be in the public interest beyond the express terms hereof":

KWJJ, Portland, Ore.; WESG, Elmira, N. Y.; and WJAG, Norfolk, Nebr.

The Commission granted applications for renewal of the following licenses for the period ending 3 a. m., EST, July 1, 1937:

KCMC, Texarkana, Ark.; KUMA, Yuma, Ariz.; and WMSD, Sheffield, Ala.

The Commission granted applications for renewal of license of the following for period ending 3 a. m., EST, June 1, 1937:

KVSO, Ardmore, Okla.; WTAL, Tallahassee, Fla.

The Commission granted an extension of the following licenses expiring 3 a. m., EST, Feb. 1, 1937, upon a temporary basis only for the period ending in no event later than 3 a. m., EST, March 1, 1937, pending receipt and/or action on application for renewal of license:

WJZ auxiliary, New York, N. Y.; and WSM auxiliary, Nashville, Tenn.

The Commission directed that the licenses of the following station expiring 3 a. m., EST, Jan. 1, 1937, and extended upon a temporary basis only to 3 a. m., EST, Feb. 1, 1937, be further extended upon a temporary basis only for period ending in no event later than 3 a. m., EST, March 1, 1937, pending receipt and/or action on application for renewal of license:

WPRP, Ponce, Puerto Rico; and WRDO, Augusta, Me.

APPLICATIONS RECEIVED

First Zone

WJZ—National Broadcasting Co., Inc., New York, N. Y.—Modi-
760 fication of license to reduce operating power of auxiliary transmitter from 30 KW to 25 KW.

WEAN—Shepard Broadcasting Service, Inc., Providence, R. I.—
780 Construction permit to make changes in equipment and increase power from 1 KW to 1 KW night and 5 KW day.

WORL—Broadcasting Service Organization, Inc., Boston, Mass.—
920 Construction permit to install directional antenna day and night use, increase power from 500 watts to 1 KW and hours of operation from daytime to unlimited. Amended: To change transmitter site from Great Plain Ave., Babson Park, Needham, Massachusetts, to Near Belmont, Cambridge, Massachusetts, and use directional antenna at night.

WESG—Cornell University, Ithaca, N. Y.—Extension of special
1040 experimental authorization to operate on **850 kc.**, daylight to sunset at New Orleans, Louisiana, for period 2-1-37 to 8-1-37.

NEW—Press-Union Publishing Co., Atlantic City, N. J.—Con-
1200 struction permit for a new station to be operated on **1200 kc.**, 100 watts, daytime.

NEW—Frank M. Stearns, Salisbury, Md.—Construction permit
1200 for a new station to be operated on **1200 kc.**, 250 watts, daytime.

NEW—Fall River Herald News Publishing Co., Fall River, Mass.
1240 —Construction permit for a new station to be operated on **1240 kc.**, 1 KW, unlimited time, directional antenna.

WFBR—The Baltimore Radio Show, Inc., Baltimore, Md.—Con-
1270 struction permit to install new transmitter and directional antenna for day and night use, increase power from 500 watts night, 1 KW day to 5 KW day and night, and move transmitter locally.

WDRC—WDRC, Inc., Hartford, Conn.—Special experimental
1330 authorization to erect a "booster" station at New Haven, Connecticut, site to be determined, to be operated on **1330 kc.**, 250 watts power, to synchronize with WDRC at Hartford, Connecticut, for period from 5-1-37 to 11-1-37.

National Broadcasting Co., Inc., New York, N. Y.—Extension of authority to transmit recorded programs to all broadcast stations in Canada licensed to operate by the Canadian Government, which may be heard consistently in the United States.

National Broadcasting Co., Inc., New York, N. Y.—Extension of authority to transmit programs to stations CFCF and CRCT and the Canadian Radio Broadcasting Commission.

W1XER—Shepard Broadcasting Service, Inc., Quincy, Mass.—Modification of license to change corporate name of Shepard Broadcasting Service, Inc., to The Yankee Network, Inc.

W1XAC—Shepard Broadcasting Service, Inc., Quincy, Mass.—Modification of license to change corporate name of Shepard Broadcasting Service, Inc., to The Yankee Network, Inc.

W10XCT—Shepard Broadcasting Service, Inc., Boston, Mass.—Modification of license to change corporate name of Shepard Broadcasting Service, Inc., to The Yankee Network, Inc.

WBRY—American-Republican, Inc., Waterbury, Conn.—Construction permit to install a new transmitter and increase power from 1 KW to 1 KW night, 5 KW day.

Second Zone

WJAY—Cleveland Radio Broadcasting Corp., Cleveland, Ohio.—
610 Authority to determine operating power by direct measurement of antenna.

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Exten-
610 sion of special authorization to operate with 1 KW power from 3-1-37 to 9-1-37.

WTAR—WTAR Radio Corporation, Norfolk, Va.—Modification
780 of construction permit (B2-P-1074) for change in power, install directional antenna for night use and move of transmitter, requesting extension of completion date from 3-2-37 to 6-2-37.

WMMN—Monongahela Valley Broadcasting Co., Fairmont, W.
890 Va.—Authority to determine operating power by direct measurement of antenna.

WMMN—Monongahela Valley Broadcasting Co., Fairmont, W.
890 Va.—Construction permit to install a new transmitter and increase power from 500 watts, 1 KW daytime to 1 KW night, 5 KW day. Amended: To change name from A. M. Rowe, Inc., to Monongahela Valley Broadcasting Co.

WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—Modifi-
920 cation of license to increase operating power from 250 watts night, using directional antenna and 500 watts daytime to 1 KW day and night, using directional antenna at night. Amended: To use directional antenna both day and night.

WRAX—WRAX Broadcasting Co., Philadelphia, Pa.—Modifica-
920 tion of license to increase operating power from 250 watts night, using directional antenna and 500 watts daytime to 1 KW day and night, using directional antenna at night. Amended: To use directional antenna both day and night.

WWVA—West Virginia Broadcasting Corp., Wheeling, W. Va.—
1160 Authority to determine operating power by direct measurement of antenna.

WSMK—WSMK, Inc., Dayton, Ohio.—Construction permit to in-
1380 stall a new transmitter, increase power from 200 watts to 250 watts night, 500 watts day, change hours of operation from simultaneous day, specified hours night to unlimited time, move transmitter from Fractional Section No. 8, Twp. 1, Range 7, between Little & Great Miami Rivers (near) Dayton, Ohio, to Town 2, Range 7, MRs. of Madriver Twp., Montgomery County, Ohio, and install directional antenna for night use. Amended: To make antenna changes.

WHK—The Radio Air Service Corp., Cleveland, Ohio.—Modifica-
1390 tion of license to increase power from 1 KW night, 2½ KW day to 1 KW night, 5 KW day.

NEW—Philadelphia Radio Broadcasting Corp., Philadelphia, Pa.—
1570 Construction permit for a new special broadcast station to be operated on **1570 kc.**, 1 KW, unlimited time.

Third Zone

WWL—Loyola University, New Orleans, La.—Construction per-
850 mit to install new equipment, increase power from 10 KW to 50 KW, and change hours of operation from specified hours to unlimited. Amended to omit request for change in hours of operation.

WKY—WKY Radiophone Co., Oklahoma City, Okla.—Modifica-
900 tion of license to change power from 1 KW night, 5 KW day, to 5 KW day and night.

NEW—T. E. Kirksey, Waco, Tex.—Construction permit for a new
930 station to be operated on **1330 kc.**, 500 watts, unlimited time. Amended to change frequency from **1330 kc.** to **930 kc.**, power from 500 watts to 250 watts night, 500 watts day, and specify vertical antenna.

WTAW—Agricultural & Mechanical College of Texas, College Sta-
1120 tion, Tex.—Modification of license to change hours of operation from specified hours to daytime only.

WMFR—Radio Station WMFR, Inc., High Point, N. C.—Modifi-
1200 cation of license to change hours of operation from daytime to specified hours (6 a. m. to 7:30 p. m.), using 100 watts power.

KGHI—Arkansas Broadcasting Co., Little Rock, Ark.—License to
1200 cover construction permit (B3-P-1545) for move of transmitter and installation of new vertical antenna.

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Au-
1200 thority to make changes in automatic frequency control equipment.

WMFN—Attala Broadcasting Corp., Grenada, Miss.—Voluntary
1210 assignment of construction permit (B3-P-829) from Attala Broadcasting Corporation to P. K. Ewing.

NEW—Athens Times, Inc., Athens, Ga.—Construction permit for
1210 a new station to be operated on **1210 kc.**, 100 watts night, 250 watts day, unlimited time.

KUOA—KUOA, Inc., Siloam Springs, Ark.—Modification of license
1260 to change frequency from **1260 kc.** to **620 kc.**, power from 2½ KW to 5 KW.

WJNO—Hazlewood, Inc., West Palm Beach, Fla.—Construction
1200 permit to make changes in equipment and increase power from 100 watts to 250 watts.

KVSO—The Ardmoreite Publishing Co., Inc., Ardmore, Okla.—
1210 License to cover construction permit (B3-P-771) for change in hours of operation.

NEW—John C. Hughes, Phenix City, Ala.—Construction permit
1310 for a new station to be operated on **1310 kc.**, 100 watts, daytime. Amended to correct the spelling of Phoenix City, Ala., to Phenix City, Ala.

KOCA—Oil Capital Broadcasting Association (James G. Ulmer,
1370 Pres.), Kilgore, Tex.—License to cover construction permit (B3-P-594) as modified for new station.

NEW—Faith Broadcasting Co., Inc., Wichita Falls, Tex.—Con-
1380 struction permit for a new station to be operated on **1380 kc.**, 1 KW, unlimited time. Amended to make changes in equipment; change power from 1 KW to 1 KW night, 5 KW day; for approval of transmitter site at 4½ miles southwest of Wichita Falls, Tex., and install directional antenna for night use.

KABC—Alamo Broadcasting Co., Inc., San Antonio, Tex.—License
1420 to cover construction permit (B3-P-1399) for new transmitter.

KGFF—KGFF Broadcasting Co., Inc., Shawnee, Okla.—Modifica-
1420 tion of license to change frequency from **1420 kc.** to **1430 kc.,** power from 100 watts night, 250 watts day, to 250 watts day and night.

KNEL—G. L. Burns, Brady, Tex.—Construction permit to make
1500 changes in transmitter, and increase power from 100 watts to 250 watts.

NEW—WSMB, Inc., New Orleans, La.—Construction permit for
1500 a new station to be operated on **1500 kc.,** 100 watts night, 250 watts day, unlimited time.

KOTN—Universal Broadcasting Corp., Pine Bluff, Ark.—Con-
1500 struction permit to install vertical antenna and move studio and transmitter locally.

Fourth Zone

KFEQ—KFEQ, Inc., St. Joseph, Mo.—Modification of license to
680 change hours of operation from daytime to unlimited time, using 2½ KW power.

KELO—Sioux Falls Broadcast Association, Inc., Sioux Falls, S. Dak.
1200 —Modification of construction permit (B4-P-696) for a new station, requesting changes in authorized equipment, for approval of transmitter site at 3 miles west of Sioux Falls, S. Dak., and approval of antenna. Also change studio site from Carpenter Hotel, Sioux Falls, S. Dak., to 319 South Phillips Ave., Sioux Falls, S. Dak.

WCAT—South Dakota State School of Mines, Rapid City, S. Dak.
1200 —License to cover construction permit (B4-P-1188) for new antenna and move of transmitter and studio.

KANS—Charles C. Theis, Wichita, Kans.—Voluntary assignment
1210 of license from Charles C. Theis to The KANS Broadcasting Co.

KOIL—Central States Broadcasting Co., Council Bluffs, Iowa.—
1260 License to cover construction permit (B4-P-1192) for changes in equipment.

WLBC—Donald A. Burton, Muncie, Ind.—Modification of license
1310 to change hours of operation from simultaneous day, share WTRC night, to unlimited.

WTAQ—WHBY, Inc., Green Bay, Wis.—Modification of license
1330 to modify directional antenna.

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—
1360 Construction permit to make changes in transmitting equipment and move transmitter and studio locally.

KABR—Aberdeen Broadcast Co., Aberdeen, S. Dak.—Construction
1420 permit to install a new transmitter, change frequency from **1420 kc.** to **1390 kc.,** and increase power from 100 watts to 1 KW. Amended to change requested power from 1 KW to 500 watts night, 1 KW day; change type of equipment, and install directional antenna for night use.

NEW—Clark Standiford and L. S. Coburn, Fremont, Nebr.—Con-
1420 struction permit for a new station to be operated on **1420 kc.,** 100 watts, unlimited time.

WTMV—Mississippi Valley Broadcasting Co., Inc., East St. Louis,
1500 Ill.—License to cover construction permit (B4-P-1256) as modified for new equipment and increase in power.

Fifth Zone

KSFO—Associated Broadcasters, Inc., San Francisco, Calif.—Con-
560 struction permit to install a new transmitter and vertical antenna, increase power from 1 KW to 1 KW night, 5 KW day, and move transmitter from 1410 Tenth Ave., Oakland, Calif., to Block 490 So. of Second Street, San Francisco, Calif. Amended: To change name of applicant from Columbia Broadcasting System of California, Inc., to The Associated Broadcasters, Inc.

KYOS—Merced Star Publishing Co., Inc., Merced, Calif.—Modi-
1040 fication of license to change frequency from **1040 kc.** to **1280 kc.,** change hours of operation from daytime to unlimited time, using 250 watts. Amended: To change requested frequency from **1280 kc.** to **1260 kc.**

KJBS—Julius Brunton & Sons Co., San Francisco, Calif.—Modifi-
1070 cation of license to change frequency from **1070 kc.** to **1080 kc.**

KRSC—Radio Sales Corporation, Seattle, Wash.—License to cover
1120 construction permit (B5-P-498) as modified for changes in equipment, increase in power, change in hours of operation, and move of transmitter.

KFXM—J. C. & E. W. Lee (Lee Brothers Broadcasting Co.), San
1210 Bernardino, Calif.—Construction permit to install a new transmitter, erect a vertical antenna, increase power from 100 watts to 100 watts night, 250 watts day, and move transmitter locally.

NEW—Earl A. Nielsen, Phoenix, Ariz.—Construction permit for
1210 a new station to be operated on **1210 kc.,** 100 watts, unlimited time.

KWSC—State College of Washington, Pullman, Wash.—License to
1220 cover construction permit (B5-P-956) for changes in equipment and increase in power.

NEW—Roberts-MacNab Co., Arthur L. Roberts, R. B. MacNab,
1420 A. J. Breitbach, General Manager, Bozeman, Mont.—Construction permit for a new station to be operated on **1420 kc.,** 100 watts night, 250 watts day, unlimited time. Amended: To change name from Roberts MacNab Hotel Co. to Roberts-MacNab Co.

KAWM—A. W. Mills, Gallup, New Mex.—Modification of con-
1500 struction permit (B5-P-601) to change authorized transmitter site from West 66 Avenue, Gallup, New Mexico, to 1100 East Aztec Avenue, Gallup, New Mexico and for approval of studio at same site.

NEW—Northwest Research Foundation, Inc., Seattle, Wash.—
1530 Construction permit for a special broadcast station to be operated on **1530 kc.,** 1 KW, unlimited time. Amended: To change from Ward Walker, an individual to Northwest Research Foundation, Inc., a corporation.

NEW—Church of Jesus Christ of Latter Day Saints, Salt Lake County, Utah.—Construction permit for a new international broadcast station to be operated on **6080, 11830, 17780 kc.,** 50 KW. Amended: To change transmitter location to site to be determined County of Salt Lake, Utah.

The National Association of Broadcasters
NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

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WASHINGTON RADIO HIGHLIGHTS

Important happenings in Washington this week of interest to broadcasters include: Bill establishing a government broadcasting station; Bill to investigate chain broadcasting; Bills affecting radio monopoly and operators; Educational Commissioner establishes radio script exchange; Prall praises flood work of broadcasters; Wigglesworth criticizes FCC on House floor; Hearing called on Actor's Bill; FCC Commissioner Stewart issues strong dissent in WOL case; FCC establishes a flood emergency service.

INCREASED TIME RECOMMENDED FOR WNBC

Broadcasting station WNBC, New Britain, Conn., operating on a frequency of 1380 kilocycles applied to the Federal Communications Commission to increase its operation time from daytime to unlimited and to increase its power from 250 watts to 250 watts and 1,000 watts LS.

Examiner Melvin H. Dalberg in Report No. I-350 recommended that the application be granted. He states that there is an obvious need for additional local service in the area proposed to be served. The station proposes to erect a directional antenna and the Examiner states that this would obviate any interference which might otherwise be caused.

RADIO MONOPOLY BILL

Representative Wearin of Iowa has introduced a bill in the House (H. R. 3892) "to amend the Communications Act of 1934 by adding thereto provisions designed to prohibit unified and monopolistic control of broadcasting facilities and printed publications." The bill has been referred to the House Committee on Interstate and Foreign Commerce and will be found on page 1919 of this issue.

EXAMINER REPORTS ON NEW CALIFORNIA STATION

The Golden Empire Broadcasting Company filed an application with the Federal Communications Commission asking for a construction permit for the erection of a new broadcasting station at Marysville, Calif., to use 1140 kilocycles, 250 watts power and daytime operation.

Examiner George H. Hill in Report No. I-351 recommended that the application be granted if the pending application of the Marysville-Yuba Publishers, Inc., for a similar assignment is denied. The Examiner states that there is a need for the services of a new station at Marysville and that the operation of the proposed new station would not cause any objectionable interference. Both applicants applied for the same facilities.

RADIO SCRIPT EXCHANGE

The Office of Education, Department of Interior, has announced that in order to promote better educational radio programs throughout the country it has established an Educational Radio Script Exchange to furnish local groups radio scripts especially appropriate for educational broadcasting.

RADIO OPERATORS BILL

A bill has been introduced in the House (H. R. 3898) by Representative Lea of California providing for the operation of certain radio stations without a licensed operator. The bill, which has been referred to the House Committee on Interstate and Foreign Commerce, will be found on page 1919 of this issue.

NEW MISSOURI STATION RECOMMENDED

The Hannibal Broadcasting Company filed an application with the Federal Communications Commission for a

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construction permit for the erection of a new broadcasting station at Hannibal, Mo., to use 1310 kilocycles, 100 watts and unlimited time on the air. Also the Courier Post Publishing Company filed an application for the erection of a new station at the same place, with the same frequency and time but with 100 watts and 250 watts LS.

Examiner Melvin H. Dalberg in Report No. I-349 recommended that the application of the publishing company be granted and that of the Hannibal Broadcasting Company be denied. The Examiner found that there is a definite need for additional radio service at Hannibal. He states that the Hannibal Company is limited in its financial arrangements and that it does not appear to have a definite operating personnel in prospect. The publishing company, on the other hand, is qualified financially and proposes "to provide well balanced and meritorious programs which would satisfy the needs of the community involved. No objectionable interference would be caused by granting the application, the Examiner states.

PRALL PRAISES RADIO FLOOD WORK

Chairman Prall of the Federal Communications Commission speaking on a nation wide hookup this week gave just praise to the work of broadcasting stations in connection with the flood situation.

CHANGES RECOMMENDED FOR KALB

Broadcasting station KALB, Alexandria, La., filed an application with the Federal Communications Commission asking that its frequency be changed from 1420 to 1210 kilocycles, and that its daytime operation be changed to unlimited time. The station uses 100 watts and did not ask any power change.

Examiner John P. Bramhall in Report No. I-349 recommended that the application be granted "conditioned, however upon compliance with Rule 131." The Examiner states that it has been definitely established that there is a need for additional service in the area proposed to be served. Some slight interference might be caused with KOCA, the Examiner states, but the benefits derived from granting the application would outweigh any interference that might be sustained.

WIGGLESWORTH CRITICIZES FCC

Representative Wigglesworth of Massachusetts severely criticized the Federal Communications Commission on the floor of the House this week during debate on the independent office appropriation bill, which bill contains appropriations for the Commission for the fiscal year 1938.

He asked for an investigation of the Commission and told Representative Connery during his talk that he was in favor of the Connery resolution now pending before the House Rules Committee providing for the appointment of a special House Committee to investigate broadcasting and radio generally.

Mr. Wigglesworth charged monopoly in broadcasting with especial emphasis on the various chains. He stated that this had come about through the manner in which the Commission is construing the Communications Act.

RECOMMENDS DENIAL OF LICENSE MODIFICATION

Broadcasting station WCAP, Asbury Park, N. J., operating on a frequency of 1280 kilocycles and sharing time with stations WTNJ and WCAM, applied to the Federal Communications Commission to increase its power from 500 to 1,000 watts.

Examiner Robert L. Irwin in Report No. I-347 recommended that the application for modification of its license be denied.

HEARING CALLED ON ACTORS BILL

The House of Representatives Committee on Immigration and Naturalization has announced that it will begin hearings on February 17 in connection with the bill of Representative Dickstein of New York (H. R. 30) to protect the artistic and earning opportunities in the United States of American actors, vocal musicians, operatic singers, solo dancers, solo instrumentalists, and orchestral conductors. This is the identical bill which passed the House at the last session of Congress but failed of passage in the Senate.

DISMISSAL WITH PREJUDICE RECOMMENDED

The United States Broadcasting Company filed two applications for construction permits with the Federal Communications Commission. One for a new broadcasting station at Columbus, Ohio, to use 1200 kilocycles, 100 watts, daytime operation and the other at Columbus, Ohio, to use 1310 kilocycles, 100 watts and unlimited time.

When the cases were called for hearing counsel asked that they be dismissed without prejudice. However, a number of respondents were present and objected to this.

Examiner George H. Hill in Report No. I-346 recommended that the applications be dismissed with prejudice.

SECURITIES ACT REGISTRATIONS

The following companies have filed registration statements with the Securities & Exchange Commission under the Securities Act:

Covered Wagon Company, Mt. Clemens, Mich. (2-2775, Form A-2)
Liberty Thrift Foundation, Inc., New York City. (2-2776, Form C-1)
Underwriters Group, Inc., New York City. (2-2777, Form C-1)
Bradford Oil Refining Co., Bradford, Pa. (2-2778, Form A-1)
Park & Tilford, Inc., New York City. (2-2779, Form A-2)
Joliet Heating Corporation, Joliet, Ill. (2-2780, Form A-1)
A. R. Bauman et al., Milwaukee, Wis. (2-2781, Form F-1)
International Match Realization Co., Ltd., Hamilton, Burmuda. (2-2783, Form E-1)
Voting Shares for same. (2-2784, Form F-1)
The Mar-Tex Oil Company, Houston, Texas. (2-2785, Form A-1)
Calo Foods Products, Inc., Oakland, Calif. (2-2786, Form A-2)
Michel L. De Zutter, voting trustee, New York City. (2-2787, Form F-1)
Martin-Parry Corporation, York, Pa. (2-2788, Form A-2)

Securities Investment Co. of St. Louis, St. Louis, Mo. (2-2790, Form A-2)
Randall Company, Cincinnati, Ohio. (2-2792, Form A-2)
Stratoplane Corp., New York City. (2-2793, Form A-1)
Lac-Tek Gold Mines, Ltd., Toronto, Canada. (2-2794, Form A-1)

AUTHORITY TO TRANSFER CONTROL RECOMMENDED

Authority to transfer control of Station WGAR, Cleveland, Ohio, was asked by the WGAR Broadcasting Company, from the Federal Communications Commission.

Examiner Ralph L. Walker in Report No. I-343 recommended that the application be granted "to transfer all of the outstanding stock of the WGAR Broadcasting Company to WJR, The Goodwill Station." The Examiner states that "it appears from the record that the pending application may be granted within the purview of Section 310 of the Communications Act of 1934; that the group of stockholders who now control the WGAR Broadcasting Company also control the proposed transferee, WJR, The Goodwill Station; and that the public interest will be served by consenting to the proposed transfer of control in that the services of the engineering, program and other departments of WJR, the larger station, will be more readily available to WGAR."

NEW TEXAS STATION RECOMMENDED

The Hunt Broadcasting Association filed an application with the Federal Communications Commission asking for a construction permit for the erection of a new broadcasting station at Greenville, Texas, to use 1200 kilocycles, 100 watts and daytime operation.

Examiner George H. Hill in Report No. I-344 recommended that the application be granted. He states that "a definite need is shown to exist in the Greenville area for the operation of the proposed station, and there appears to be adequate local talent to supply the requirements of such a station."

The Examiner states further that "there appears to be no engineering reasons why the proposed station at Greenville, Texas, could not operate on 1200 kilocycles, and the evidence clearly establishes the fact that no interferences would result thereby to the protected service area of any existing station."

RECOMMENDS LICENSE RENEWAL FOR WGPC

H. Wimpy filed an application with the Federal Communications Commission asking for a construction permit for the erection of a broadcasting station at Albany, Ga., to use 1420 kilocycles, 100 watts and 250 watts LS and unlimited time on the air. These are the facilities now used by WGPC, Albany, Ga.

Examiner Melvin H. Dalberg in Report No. I-345 recommended that the Wimpy application be denied and that the license of Station WGPC be renewed. The Examiner found that Wimpy is not financially in a position to construct and operate such a station. The Examiner states further that "no satisfactory showing whatever has been made by the applicant Wimpy to indicate that he would provide programs or service which would comply with the needs of the locality and certainly no sufficient showing of proposed programs or service is made by said applicant which would warrant the deletion of Station WGPC and the granting of his application."

FCC FLOOD EMERGENCY SERVICE

The Federal Communications Commission has issued the following statement in connection with the emergency created by the flood situation in the South:

> In view of the urgent need for prompt emergency communication in the flooded areas and the many requests which are being received for special authority to operate radio stations in a manner not normally provided by the rules and regulations, the Federal Communications Commission has adopted special measures whereby prompt action may be taken with respect to all requests for necessary emergency communication.
>
> There has been established in the office of the Chief Engineer a special organization so that there may be prompt action on all requests for emergency radio operation. Special communication facilities have been provided by telegraph and telephone, for the handling of communications with persons or agencies requesting special facilities to communicate in or with the flooded areas. Continuous contact is also maintained with the Army, Navy, Coast Guard, Red Cross, and other organizations.
>
> An official of the Commission will be on duty continuously during all hours of the day and night to act on all requests for special facilities. He will be located in Room 5353, New Post Office Bldg., Washington, D. C., and may be reached by telegraph or telephone in accordance with the following schedule:
>
> *Any Hour of the Day or Night*
>
> Telephone DISTRICT 1654, BRANCH 85, or simply ask to speak to the official on duty having charge of emergency flood communications.
>
> WASHINGTON, D. C., teletypewriter exchange No. "WASH. D. C. 398".
>
> Any Telegraph Company.
>
> While the Commission desires to cooperate in every way in affording prompt communication service and is prepared to consider and grant special privileges, we wish to invite attention to the fact that the Commission is not an operating agency and, therefore, cannot engage in direct communication with emergency radio stations. We are prepared, however, to aid in any coordination work involving emergency communications in the flooded areas.
>
> The Commission wishes to invite attention to its Rule 23 which authorizes the licensee of any radio station to carry on emergency communication on licensed frequencies with any station of any class during emergency flood conditions in which the normal communication facilities are disrupted. Notice of such operation should be given to the Commission as early as practicable after the establishment of communication.

COMMISSIONER STEWART DISSENTS

Federal Communications Commissioner Stewart this week issued a dissenting opinion in connection with the action of the Commission in the case of Station WOL, Washington, D. C. Mr. Stewart said:

> The Broadcast Division having granted the application in the instant case, Continental Radio Company has petitioned the entire Commission to grant a rehearing under Section 405 of the Communications Act of 1934. For the reasons stated hereafter, I believe the petition for rehearing should be granted.
>
> The action of the Broadcast Division grants the American Broad-

casting Company, licensee of Station WOL, a permit to make changes in equipment, to change frequency from 1310 kc. (a local frequency) to 1230 kc. (a regional frequency) and to increase power from 100 watts to one kilowatt. As the use of the requested frequency and power would be contrary to the mileage separation tables set out in the annual reports of the Commission if a conventional antenna were used, the grant is conditioned upon the use of a directional antenna designed to protect the existing regional stations on 1230 kc. However, the service area of Station WOL will not be protected from interference by the existing stations on that frequency. In consequence, the service of WOL will be limited at night approximately to its 5.0 mv/m line instead of to its 1.0 mv/m line, the usual protection of regional stations. As transmission conditions vary, so will the interference occasioned to the signal of WOL by the other stations on 1230 kc. The result will be dissatisfaction on the part of listeners who will be able to receive WOL at some times and not at others. That dissatisfaction can be expected to result in WOL seeking from the Commission some form of relief which might let the service be more constant for such listeners—relief from a situation which should not have been created in the first instance.

It seems to me that this is not the proper use of a regional frequency. While similar uses have been authorized in a few cases by the Broadcast Division, I believe that the piecemeal breaking down of the standards of the service which regional stations should render is not in the public interest. The criterion is service to the public, not sales of time to advertisers.

Regional frequencies should not be assigned to stations which can not render a regional service. A station operating on a regional assignment with one killowatt power should give the service properly to be expected of a regional station, not a local service masquerading as a regional service in order to persuade advertisers who may consider power as the only factor which determines coverage. If the area expected to be served by regional stations is to be modified so as to permit such mongrel stations, I should prefer to see it done by a change in the standards followed by the Commission, not by building up exceptions to present standards. Then at least there would be equality of opportunity among potential applicants for such assignments, instead of an inequality favoring the applicant who might succeed in breaking down existing standards on a particular frequency.

In granting the application of the American Broadcasting Company, the Broadcast Division has seen fit to reward the present inefficient operation of Station WOL. The record shows that WOL has been operating as a local station with an antenna having an efficiency materially below the Commission's standards of good engineering practice. It further shows that the service the station has been rendering is unsatisfactory in considerable portions of the metropolitan area. It is silent on what service WOL might render with a decent antenna complying at least with the Commission's minimum standards. With the facilities approved in the present case WOL will probably provide a good local service. I think that such good local service should have been required to be by proper use of the station's local assignment rather than by an inefficient use of a regional assignment. In Docket No. 2807, an application by Hearst Radio, Inc., operators of Station WISN, the Commission on October 21, 1936, sustained the Broadcast Division in refusing to grant improved facilities to a licensee because he had not made efficient use of his current assignment. If that decision is sound (and I believe it is), the decision in the instant case is unsound. The parable of the talents might well be placed on the list of required reading for licensees of the Commission. Or, if not the entire parable, then the paraphrase contained in the press release of October 15, 1935, on minimum antenna heights required for broadcast stations pursuant to Rule 131. That release (which, of course, is no more binding than the parable) reads in part as follows:

> "It is the obligation of the licensee of every station to make efficient usage of the assignment granted by the Commission. It is not the intention of the Commission at this time to require all stations with questionable radiating systems to install antennas having the required efficiency, but it is the intention not to grant additional facilities to licensees of broadcast stations unless they are making efficient usage of the assignment already granted."

One reason advanced in the opinion granting the application of the American Broadcasting Company is that under its present assignment Station WOL has been at a disadvantage with respect to obtaining programs of a national network. The record reveals that the other three stations serving Washington are operated as parts of national networks. In Docket No. 3824 (appealed to the full Commission but dismissed on October 21, 1936, for want of jurisdiction when one party took an appeal to the courts) the principal reason advanced by the Broadcast Division for denying an application of Station WIL, St. Louis, for improved facilities was that the station was planning to carry some network programs and thus might not carry as many local programs as it had formerly done. That case is not mentioned in the opinion of the Broadcast Division so we do not know whether the decision in the present case overrules that in Docket No. 3824 or is to be distinguished from it. The two are at least prima facie inconsistent.

In its opinion, the Broadcast Division states that "By the granting of this application there will be made available additional service of a national character and the station will in turn serve to provide a network with many programs originating in the Capital City of the country." As it is a matter of common knowledge that within recent months chain programs have originated in stratosphere balloons and in submarines, I do not understand why it requires a one kilowatt station to originate chain programs "in the Capital City of the country."

There is one other reason why I believe the grant has been improvidently made: the record is by no means convincing, or even persuasive, as to the need for any such additional service as that proposed to be rendered under the application herein granted.

The petition for rehearing should be granted

February 1, 1937

COMMISSION GRANTS NEW STATION

The Federal Communications Commission this week granted a construction permit for the erection of a new broadcasting station at Helena, Mont., to the Peoples Forum of the Air. The station will operate on 1210 kilocycles, 100 watts power and unlimited time.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3039. Primrose House, Inc., cosmetics manufacturer, 400 Madison Ave., **New York City,** is charged in a complaint with violation of the Robinson-Patman Anti-Price Discrimination Act.

The complaint alleges that the respondent company discriminated in favor of certain of its retail purchasers against other purchasers by giving and furnishing certain allowances, services and facilities not accorded to all buyers on proportionately equal terms. The respondent company is also charged with discriminating in price between different purchasers of its products, of like grade and quality, by giving certain purchasers different prices than those quoted to others.

Special services and facilities alleged to have been furnished certain customers included demonstrators, "beauty counsellors," products to be given away, cooperative advertising arrangements, and transportation allowances.

No. 3040. Alleging unfair trade practices in violation of Section 5 of the Federal Trade Commission Act, a complaint has been issued against **Royal Revues, Inc., West Coast Discount Corporation, Ltd.,** and their officers, **L. H.** and **W. C. Hyde,** trading as **Royal Film Studios,** engaged in manufacturing and leasing and renting to business men motion picture films for advertising purposes. The respondents have their place of business at 6644 Santa Monica Boulevard, **Hollywood Calif.**

The respondents, through salesmen, are said to solicit theater operators to exhibit the respondents' films and to solicit business men for the purpose of inducing them to purchase the right to advertise their names and the nature of their businesses on the bottom of the screen when the film is shown.

To persuade prospective advertisers to sign contracts, to which promissory notes are attached, the respondents are alleged to falsely represent, in many instances, that the films furnished will be equal in quality to and the same length as the sample shown by the salesmen; that no other advertiser in the same line of business will be permitted to advertise in connection with the showing of such films, and that other advertisers already have contracted for use of the films.

No. 3041. Use of unfair methods of competition in connection with the sale of pianos is alleged in a complaint issued against **Haddorff Piano Co.,** 1900 Harrison Ave., **Rockford, Ill.**

The company allegedly represents in advertising matter that the piano designated as "Vertichord Grand", which it sells in interstate commerce, is the same as or is comparable to the type of pianos generally known to the trade and public as grand pianos, having the same operating or mechanical features, tonal qualities and other merits.

No. 3042. Charging misrepresentation of the therapeutic value and effectiveness of certain medicinal preparations and appliances for use by women, a complaint has been issued against **Bureau of Hygiene, Inc., Gynex Corporation,** and **Preferred Industries Corporation** and its president, **Benjamin Lindner,** all having places of business at 301 Madison Ave. and 211 East 19th St., **New York City.**

The complaint alleges that the respondents' products will not, in all cases, accomplish the results as advertised, and that in some instances they are injurious.

The respondents allegedly represent that Bureau of Hygiene, Inc., is an organization devoted to scientific research on questions concerning methods of preventing, treating and curing diseases of women, and that it is in no way financially interested in the sale of the various products which it purportedly recommends in advertising matter distributed by the respondents.

No. 3043. Public Service Institute, Inc., 425 DeBaliviere Ave., **St. Louis,** has been served with a complaint alleging unfair competition in the sale of courses of instruction designed to prepare students for United States Civil Service examinations.

Through certain advertising matter circulated by the respondent company, it is alleged to have represented, directly or by implication, that its business is operated on a large scale with a staff of 20 or more qualified instructors; that this staff consists in large part of former Government employees expert in civil service matters; that thousands of its pupils have passed Civil Service examinations and received Government appointments; that enrollment for the respondent company's courses is an enrollment for a Civil Service examination or position, or both, and other similar assertions, all of which, according to the complaint, are misleading.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

Nos. 2410-2439-2444-2448-2455. Four liquor distributing companies with headquarters in **New York, Newark, Detroit** and **Los Angeles** have been ordered to cease and desist from representing that they are distillers of whiskey, gin and other spirituous beverages, when such is not a fact. A case against a fifth liquor company has been ordered closed.

The four companies ordered to cease and desist are: **Reo Distillers, Inc.,** 276 Jelliff Ave., **Newark, N. J.; Federal Distillers Corporation,** 123 West Jefferson Ave., **Detroit; Ostrucon Distilled Products Co., Inc.,** 601 West 26th St., **New York,** and **Imperial Distillers Corporation,** 1615 South Los Angeles St., **Los Angeles.**

Under the orders to cease and desist, the respondent corporations are prohibited from representing, through use of the word "distillers" or "distilled" in their corporate names, on labels, or otherwise, that they are distillers of spirituous beverages; that they manufacture such products through the process of distillation, or that they own or operate distilleries, unless they actually do own or operate such places.

No. 2451. Kelly Brewing & Malting Co., trading as **Rosecrest Distillers,** 188 Twenty-first Ave., **Paterson, N. J.,** liquor rectifier and wholesaler, has been ordered to cease and desist from representing that it is a distiller of whiskey, gin and other spirituous beverages, when such is not a fact.

Under the order, the respondent corporation is prohibited from representing, through use of the word "distillers" in its corporate name, on labels, or otherwise, that it is a distiller of spirituous beverages, that it manufactures such products through the process of distillation, or that it owns or operates a distillery, unless it actually does own or operate such a place.

No. 3022. Sun Radio Service & Supply Corporation, 938 F St., N. W., **Washington, D. C.,** has been ordered to discontinue representing through use of the letters "RCA", or by any other means, that the radio receiving sets and radio tubes and supplies it sells are manufactured by the Radio Corporation of America or any of its subsidiaries.

The order to cease and desist also prohibits the respondent corporation from advertising that its radio tubes are "new metal tubes", unless they are the products known to the trade and purchasing public as metal tubes in which the technical elements are sealed in a vacuum in steel.

FTC CLOSES CASE

No. 2971. The Federal Trade Commission has ordered its case closed against **Chocolate Products Co., Inc.,** Amber & Westmoreland Sts., **Philadelphia,** charged with unfair competition through use of lottery methods in the sale of candy.

Closing of the case was based on information that the respondent company has not engaged in business since October 4, 1936; that its physical assets have been dismantled and sold, and that it appears the respondent company is not likely to resume the violations of law alleged in the complaint issued November 6, 1936.

The case was closed without prejudice to the Commission's right to reopen it and resume prosecution should future circumstances warrant.

FEDERAL COMMUNICATIONS COMMISSION ACTION

HEARING CALENDAR

The following broadcast hearings are scheduled at the Commission during the week beginning Monday, February 8:

Monday, February 8

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Chauncey W. Hammond, Oakland, Calif.—C. P., **1280 kc.,** 1 KW, unlimited time.

NEW—Harold M. Finlay and Mrs. Eloise Finlay, La Grande, Ore. —C. P., **1420 kc.,** 100 watts, 250 watts LS, unlimited time.

Tuesday, February 9

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—The Metropolis Co., Jacksonville, Fla.—C. P., **1290 kc.,** 250 watts, unlimited time.

KARK—Arkansas Radio & Equipment Co., Little Rock, Ark.—Modification of C. P., **890 kc.,** 1 KW, unlimited time. Present assignment: **890 kc.,** 500 watts, 1 KW LS, unlimited time.

Wednesday, February 10

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Cadillac Broadcasting Co., a Michigan corporation, Dearborn, Mich.—C. P., **1140 kc.,** 500 watts, daytime.

NEW—West Texas Broadcasting Co., Wichita Falls, Tex.—C. P., **1380 kc.,** 1 KW, unlimited time.

NEW—Wichita Broadcasting Co., Wichita Falls, Tex.—C. P., **620 kc.,** 250 watts, 1 KW LS, unlimited time.

KFPL—C. C. Baxter, Dublin, Tex.—Voluntary assignment of license to WFTX, Inc.; **1310 kc.,** 100 watts, 100 watts LS (C. P., 100 watts, 250 watts LS), unlimited time.

KFPL—WFTX, Inc., Wichita Falls, Tex.—C. P., **1500 kc.,** 100 watts, 250 watts LS, unlimited time. Present assignment: **1310 kc.,** 100 watts, 250 watts LS, unlimited time.

Thursday, February 11

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. I-310:

NEW—Telegraph Herald, Dubuque, Iowa.—C. P., **1340 kc.,** 500 watts, daytime.

WKBB—Sanders Brothers Radio Station, Dubuque, Iowa.—C. P., to move. **1500 kc.,** 100 watts, 250 watts LS, unlimited time.

Examiner's Report No. I-313.

NEW—Glenn Van Auken, Indianapolis, Ind.—C. P., **1050 kc.,** 1 KW, daytime.

Examiner's Report No. I-315:

WSBT—The South Bend Tribune, South Bend, Ind.—C. P., **1010 kc.**, 1 KW, unlimited time. Present assignment: **1360 kc.**, 500 watts, share-WGES.

WEMP—Milwaukee Broadcasting Co., Milwaukee, Wis.—C. P., **1010 kc.**, 250 watts, 500 watts LS, unlimited time. Present assignment: **1310 kc.**, 100 watts, daytime.

Examiner's Report No. I-316:

NEW—Dr. F. P. Cerniglia, Monroe, Louisiana.—C. P., **1500 kc.**, 100 watts, unlimited time.

Friday, February 12

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Harold Thomas, Pittsfield, Mass.—C. P., **1310 kc.**, 100 watts, 250 watts LS, unlimited time.

WMBD—Peoria Broadcasting Co., Peoria, Ill.—C. P., **1440 kc.**, 1 KW, 5 KW LS, unlimited time. Present assignment: **1440 kc.**, 500 watts, 1 KW LS, unlimited time.

APPLICATIONS GRANTED

NEW—Columbia Broadcasting System, Inc., Mobile (New York, N. Y.).—Granted C. P. for new relay broadcast station to operate on **1646, 2090, 2190** and **2830 kc.**, 50 watts, under the provisions of Rules 1000, 1001 (b) and 1002; unlimited time.

NEW—Arthur Malcolm McGregor and Dorothy Charlotte McGregor, Mobile (Bloomington, Ill.).—Granted C. P. for new experimental relay broadcast station to operate on an experimental basis under provisions of Rules 1000, 1001 (b) and 1003 (e); frequencies **31100, 34600, 37600, 40600 kc.**, on an experimental basis and subject to change without prior notice or hearing; 10 watts, unlimited time.

NEW—The Peoples Forum of the Air, Helena, Mont.—Granted C. P. for new broadcast station at Helena, Mont., to operate on **1210 kc.**, 100 watts, unlimited time. Exact transmitter site to be determined with Commission's approval.

KNEL—G. L. Burns, Brady, Tex.—Granted C. P. to make changes in present equipment and increase day power from 100 watts to 250 watts.

W8XKJ—Radio Air Service Corp., Mobile (Cleveland, Ohio).—Granted license to cover C. P. to operate on frequencies **38900, 39100, 39300, 39500 kc.**, 100 watts, on an experimental basis and subject to change without prior notice or hearing.

KGHI—Arkansas Broadcasting Co., Little Rock, Ark.—Granted license to cover C. P. to operate on **1200 kc.**, 100 watts night, 250 watts LS, unlimited time.

KVSO—The Ardmoreite Publishing Co., Inc., Ardmore, Okla.—Granted license to cover C. P. to operate on **1210 kc.**, 100 watts, unlimited time.

WCAT—South Dakota State School of Mines, Rapid City, S. Dak.—Granted license to cover C. P. to operate on **1200 kc.**, 100 watts, 1:30 p. m. to 2:30 p. m. daily, CST.

WJAY—The Cleveland Radio Broadcasting Corp., Cleveland, Ohio.—Granted license to cover C. P. to operate on **610 kc.**, 500 watts, daytime only. Also granted authority to determine operating power by direct measurement of antenna input in compliance with Rule 137.

KOIL—Central States Broadcasting Co., Council Bluffs, Iowa.—Granted license to cover C. P. to operate on **1260 kc.**, 1 KW night, 2½ KW day, unlimited time.

KRSC—Radio Sales Corp., Seattle, Wash.—Granted license to cover C. P. as modified to operate on **1120 kc.**, 250 watts, unlimited time.

WTAR—WTAR Radio Corp., Norfolk, Va.—Granted modification of C. P. to extend completion date from 3-2-37 to 6-2-37.

W1OXCT—Shepard Broadcasting Service, Inc., Mobile (Boston, Mass.).—Granted modification of license to change name from Shepard Broadcasting Service, Inc., to The Yankee Network, Inc.

W1XAC—Shepard Broadcasting Service, Inc., Mobile (Boston, Mass.).—Granted modification of license to change name from Shepard Broadcasting Service, Inc., to The Yankee Network, Inc.

W1XER—Shepard Broadcasting Service, Inc., Mobile (Boston, Mass.).—Granted modification of license to change name from Shepard Broadcasting Service, Inc., to The Yankee Network, Inc.

WLBC—Donald A. Burton, Muncie, Ind.—Granted modification of license to increase time of operation from simultaneous day, sharing time with Station WTRC night, to unlimited time.

WIOD-WMBF—Isle of Dreams Broadcasting Corp., Miami, Fla.—Granted C. P. for main transmitter site at 600 Biscayne Blvd., Miami, Fla., and for auxiliary transmitter to operate on **1300 kc.**, 250 watts, night-day, for emergency purpose only.

WIOD-WMBF—Isle of Dreams Broadcasting Corp., Miami, Fla.—Granted license to cover C. P. to operate on **1300 kc.**, 1 KW, unlimited time.

KWJJ—KWJJ Broadcast Co., Inc., Portland, Ore.—Granted license to cover C. P. as modified to operate on **1060 kc.**, 500 watts night-day, limited; special authorization, **1040 kc.** Also granted authority to determine operating power by direct measurement of antenna input in compliance with Rule 137.

KABC—Alamo Broadcasting Co., Inc., San Antonio, Tex.—Granted license to cover C. P. to operate on **1420 kc.**, 100 watts night, 250 watts day, unlimited time.

WTMV—Mississippi Valley Broadcasting Co., Inc., East St. Louis, Mo.—Granted license to cover C. P. and modifications thereof to operate on **1500 kc.**, 100 watts night, 250 watts day.

WAML—New Laurel Radio Station, Inc., Laurel, Miss.—Granted license to cover C. P. to operate on **1310 kc.**, 100 watts, unlimited time.

WIRE—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Granted modification of C. P. to make changes in equipment.

WWVA—West Virginia Broadcasting Corp., Wheeling, W. Va.—Granted authority to determine operating power by direct measurement of antenna input in compliance with Rule 137.

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Granted authority to make changes in automatic frequency control equipment.

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Granted extension special experimental authorization to operate with 1 KW power, unlimited time, to 9-1-37.

National Broadcasting Co., Inc., New York, N. Y.—Granted extension of authority to transmit recorded programs to all Canadian broadcast stations under the control of the Canadian Broadcasting Corp. in addition to the four previously specified.

WCOP—Massachusetts Broadcasting Corp., Boston, Mass.—Granted consent to transfer of control of Massachusetts Broadcasting Corp. from Joseph M. Kirby, deceased, by Mary A. Kirby, Adm., to Arde Bulova.

WPAR—Ohio Valley Broadcasting Corp., Parkersburg, W. Va.—Granted consent to the transfer of control of the Ohio Valley Broadcasting Corp. from Harold McWhorter, Marion McDowell and Wayne Van Gilder to The Exponent Co.

KSFO—The Associated Broadcasters, Inc., San Francisco, Calif.—Granted C. P. as amended to move transmitter site from Oakland to San Francisco, Calif., install new equipment and vertical radiator, and increase day power from 1 KW to 5 KW.

SET FOR HEARING

NEW—Food Terminal Broadcasting Co., Cleveland, Ohio.—Application for C. P. for new broadcast station at Cleveland, Ohio, to operate on **1500 kc.**, 100 watts, daytime only. Transmitter site to be determined with Commission's approval.

NEW—Twin City Broadcasting Corp., Longview, Wash.—Application for C. P. for new broadcast station at Longview, Wash., as amended, to operate on **780 kc.**, 250 watts, daytime only.

KABR—Aberdeen Broadcast Co., Aberdeen, S. Dak.—Application as amended for C. P. to install new equipment and directional antenna for nighttime operation; change frequency from **1420 kc.** to **1390 kc.**; increase power from 100 watts, unlimited, to 500 watts night, 1 KW day, unlimited.

WTAQ—WHBY, Inc., Green Bay, Wis.—Application as amended for C. P. to install new equipment, increase day power from 1 KW to 5 KW, employing directional antenna.

NEW—Leonard A. Versluis, Grand Rapids, Mich.—Application for C. P. for new broadcast station at Grand Rapids, Mich., to operate on **830 kc.**, 500 watts, daytime only.

KGNF—Great Plains Broadcasting Co., North Platte, Nebr.—Application for modification of license to increase time of operation from 1 KW, daytime only, to 1 KW, specified hours.

NEW—The Ohio Broadcasting Co., Steubenville, Ohio.—Application for C. P. for new broadcast station at Steubenville, Ohio, to operate on **780 kc.**, 250 watts, daytime only; transmitter and studio sites to be determined with Commission's approval.

NEW—The Ohio Broadcasting Co., Marion, Ohio.—Application for C. P. for new broadcast station at Marion, Ohio, to operate on **880 kc.**, 250 watts, daytime only; transmitter and studio sites to be determined with Commission's approval.

NEW—The Ohio Broadcasting Co., East Liverpool, Ohio.—Application for C. P. for new broadcast station at East Liverpool, Ohio, to operate on **1350 kc.**, 250 watts, daytime only; transmitter and studio sites to be determined with Commission's approval.

NEW—The Ohio Broadcasting Co., Salem, Ohio.—Application for C. P. for new broadcast station at Salem, Ohio, to operate on **1420 kc.**, 100 watts, daytime only; transmitter and studio sites to be determined with Commission's approval.

WREN—The Wren Broadcasting Co., Inc., Lawrence, Kans.—Application for Commission's consent to the transfer of control of The Wren Broadcasting Co., Inc., from the present stockholders to The Kansas City Star Co.

ORAL ARGUMENTS

KGGC—Ex. Rep. I-104: Robert J. Craig, d/b as The Golden Gate Broadcasting Co., San Francisco, Calif.—Granted oral argument to be held April 1, 1937.

NEW—Ex. Rep. I-324: John S. Allen & G. W. Covington, Jr., Montgomery, Ala.—Granted oral argument to be held April 1, 1937.

NEW—Ex. Rep. I-327: Smith, Keller & Cole, San Diego, Calif.—Granted oral argument to be held April 1, 1937.

MISCELLANEOUS

KALE—KALE, Inc., Portland, Oreg.—Granted modification of license to increase hours of operation from specified hours to unlimited, in conformity with the action of the Broadcast Division of November 17, 1936, inasmuch as the applicant has complied with the proviso contained therein.

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Granted petition to intervene in hearing on the application of the Cadillac Broadcasting Company, for C. P. to erect a new broadcast station at Dearborn, Mich., to operate on **1140 kc.**, 500 watts, daytime only.

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—Order of October 20, 1936, granting application for increase in time of operation from specified hours on station's present frequency **1250 kc.**, set aside and application designated for hearing generally upon issues to be drawn by the Law Department, including those raised in the supplemental protest of WMIN as to the possible sale of the frequency.

WLB—University of Minnesota, Minneapolis, Minn.—Order of October 20, 1936, granting application for change in frequency from **1250 kc.** to **760 kc.**, increase in power from 1 KW to 5 KW daytime and share time with WCAL was set aside and application designated for hearing on conditions outlined in WTCN decision.

WCAL—St. Olaf College, Northfield, Minn.—Order of October 20, 1936, granting application to change frequency from **1250 kc.** to **760 kc.**, increase power to 5 KW day and share time with WLB, was set aside and application designated for hearing on conditions outlined in WTCN decision.

NEW—Lawrence K. Miller, Pittsfield, Mass.—Granted petition to intervene at hearing of application of Harold Thomas for C. P. for new broadcast station at Pittsfield to operate on **1310 kc.**, 100 watts night, 250 watts day, unlimited time.

WCOC—Mississippi Broadcasting Co., Inc., Meridian, Miss.—Granted extension to February 12, 1937, of working date of Rule 132.

WLBL—State of Wisconsin, Department of Agriculture and Markets, Stevens Point, Wis.—Granted extension of the working date of Rule 132 for a period of six months from November 12, 1936, to May 12, 1937.

NEW—West Texas Broadcasting Co., Wichita Falls, Texas.—Denied petition asking postponement of hearings upon pending application for broadcasting facilities in Wichita Falls, Texas, Dockets 4218, 4348, 4355 and 4356.

WSBC—WSBC, Inc., Chicago, Ill.—Reconsidered and granted application to increase day power from 100 watts to 250 watts.

NEW—Allen T. Simmons, Mansfield, Ohio.—Granted petition to intervene in the hearing on the application of Frazier Reams for C. P. for new broadcast station at Mansfield, Ohio, to operate on **1370 kc.**, 100 watts daytime only.

WJBO—Baton Rouge Broadcasting Co., Inc., Baton Rouge, La.—Denied petition asking Commission to postpone effective date—January 26, 1937—of decision granting application to change frequency from **1420 kc.** to **1120 kc.** and increase power from 100 watts to 500 watts and to operate specified hours.

W. Hanes Lancaster and J. W. Birdwell, d/b as Johnson City Broadcasting Co., Johnson City, Tenn.—Decided to reopen hearing on application for a new radio station at Johnson City, Tenn., to obtain additional data on financial standing. Hearing to be held at John Sevier Hotel, 10 a. m. March 8, 1937.

W8XAN—The Sparks-Withington Co., Jackson, Mich.—Directed that the license of W8XAN, expiring 3 a. m. EST, February 1, 1937, be extended upon a temporary basis only for the period ending in no event later than 3 a. m. EST, March 1, 1937, pending receipt and/or action on application for renewal of license.

KJR—Fisher's Blend Station, Inc. (Lessee), Seattle, Wash.—Directed that the license of KJR, expiring 3 a. m. EST, February 1, 1937, be extended upon a temporary basis only for the period ending in no event later than 3 a. m. EST, March 1, 1937, pending receipt and/or action on application for renewal of license.

KFXR—Plaza Court Broadcasting Co., Oklahoma City, Okla.—Denied motion to reconsider and grant application for the Commission's consent to the assignment of license for KFXR from the Exchange Avenue Baptist Church to Plaza Court Broadcasting Co. The application for assignment of license has been set for hearing.

NEW—Lenawee Broadcasting Co., Adrian, Mich.—Dismissed with prejudice application for C. P. for new broadcast station at Adrian to operate on **1440 kc.**, 250 watts daytime only.

The Broadcast Division directed that hearings be held in Washington, D. C., as scheduled on the following applications:

KTHS—Hot Springs Chamber of Commerce, Hot Springs National Park, Ark.—Application for authority to assign license of KTHS to Radio Enterprise, Inc., and application for C. P. to install new transmitter and directional antenna for night use, change frequency from **1040 kc.** to **1060 kc.**; change time of operation from S-KRLD to unlimited, and move transmitter to McAlmont, Ark., and studio to Little Rock, Ark. Application for C. P. has been set for hearing before the Broadcast Division.

NEW—Radio Enterprise, Inc., El Dorado, Ark.—Application for C. P. for new station at Hot Springs, Ark., to operate on **1310 kc.**, 100 watts daytime only. Hearing is scheduled for February 23, 1937, before an examiner.

NEW—Associated Arkansas Newspapers, Inc., Hot Springs, Ark.—Application for C. P. for new station at Hot Springs, Ark., to operate on **1310 kc.**, 100 watts day only. Hearing is scheduled for February 23, 1937, before an examiner.

SPECIAL TEMPORARY AUTHORIZATIONS

KRRO—Voice of Longview, Longview, Texas.—Granted special temporary authority to operate from local sunset (6:30 p. m.) to 9 p. m. CST, on Sundays, March 7, 14, 21 and 28, 1937, in order to broadcast services of the Kelly Memorial Methodist Church of Longview.

WSYB—Philip Weiss, t/s Philip Weiss Music Company, Rutland, Vt.—Granted special temporary authority to operate from 9 p. m. to 11 p. m. EST, Friday, February 5, 1937, in order to broadcast a concert by the Green Mountain Symphony Orchestra.

KUMA—Albert M. Schermann, Yuma, Ariz.—Granted special temporary authority to operate from 10 p. m. to 11:30 p. m. MST, February 9, 16 and 23, 1937, in order to broadcast wrestling and boxing bouts.

KABG—Ben S. McGlashan, Aboard Yacht "El Perrito"—Granted special temporary authority to operate ship transmitter WDFL aboard Yacht El Perrito, as a relay broadcast station on 75 watt frequencies **1622, 2058, 2150** and **2790 kc.**, to broadcast Midwinter Regatta, for a period not to exceed 30 days.

KFDY—South Dakota State College, Brookings, S. D.—Granted special temporary authority to operate from 7 p. m. to 9:30 p. m. CST, Friday, February 5, and Monday, February 8, 1937, in order to broadcast programs of district Parent Teacher Association and basketball games.

WTHT—The Hartford Times, Inc., Hartford, Conn.—Granted special temporary authority to operate from local sunset (5:30 p. m.) to 11 p. m. EST, Thursday, February 4, 1937, in order to broadcast by remote control from the Hotel Bond an address hy Dr. Alexander Ruthvan, president of the University of Michigan.

KSFO—The Associated Broadcasters, Inc., San Francisco, Calif.—Granted special temporary authority to operate a mohile 100 watt transmitter on **560 kc.,** between hours of 1 a. m. and 6 a. m. PST, for period heginning February 8, 1937, and ending in no event later than February 14, 1937, in order to make transmitter site survey.

WSPR—Quincy A. Brackett, Lewis B. Breed, Edmund A. Laport, co-partners, d/b as Connecticut Valley Broadcasting Co., Springfield, Mass.—Granted special temporary authority to operate from 11 p. m., February 9, to 1:30 a. m., February 10, 1937, in order to broadcast a theater benefit for Red Cross Flood Relief.

WTRC—The Truth Publishing Co., Inc., Elkhart, Ind.—Granted special temporary authority to operate simultaneously with WLBC from 7:30 p. m. to 10 p. m. CST, Wednesday, February 3, 1937, in order to hroadcast the Notre Dame-Purdue hasketball game from South Bend, Ind.

APPLICATIONS DISMISSED

The following applications heretofore set for hearing were dismissed at the request of the applicants:

NEW—Daily News Corp., St. Paul, Minn.—Application for C. P., **580 kc.,** 1 KW, daytime.

WBNO—Coliseum Place Baptist Church, New Orleans, La.—Voluntary assignment of license to Pelican State Broadcasting Co.; **1200 kc.,** 100 watts, shares-WJBW.

WADA—Wilton E. Hall, Anderson, S. C.—Modification of C. P., **630 kc.,** 1 KW, unlimited.

KFKA—Mid-Western Radio Corp., Greeley, Colo.—Modification of license, **1450 kc.,** 500 watts, 1 KW, LS, unlimited.

RATIFICATIONS

WSGN—Birmingham News Co., Birmingham, Ala.—Granted extension of program test period 30 days from January 23, 1937.

WIOD—Isle of Dreams Broadcasting Corp., Miami, Fla.—Granted extension of program test period 30 days from January 29, 1937.

KTSM—Tri-State Broadcasting Co., Inc., El Paso, Texas.—Granted extension of equipment test period 10 days from January 25, 1937.

WOKB—Agricultural Broadcasting Co., Chicago, Ill.—Granted authority to operate WOKB broadcast state police and amateur frequencies to transmit emergency messages pertaining to flood for duration of emergency.

WBPA—National Life and Accident Co., Inc., Nashville, Tenn.—Granted authority to operate WBPA on equipment tests January 24 in connection with flood conditions.

WSAI—Crosley Radio Corp., Cincinnati, Ohio.—Granted authority to use formerly licensed transmitter located at Maud Road, near Mason, Ohio, during period of emergency until present licensed transmitter can resume operation but not to exceed 30 days.

WHIO—Miami Valley Broadcasting Corp., Dayton, Ohio.—Granted authority to operate 5 KW non-directional for emergency messages only while communicating to isolated flood area in Southern Ohio, provided in accordance with Rule 23; period not to exceed 10 days.

WTJS—Sun Publishing Co., Inc., Jackson, Tenn.—Granted authority to operate 250 watts night while transmitting emergency messages only.

KLRA-KGHY—Arkansas Broadcasting Co., Little Rock, Ark.—Granted authority to operate with 2500 watts KLRA, and KGHY with 250 watts night while transmitting emergency messages.

WSMK—WSMK, Inc., Dayton, Ohio.—Granted special temporary authority to operate WSMK simultaneously with KQV during nighttime hours in order to broadcast Red Cross appeal to raise funds for flood area, during period of emergency only.

KMOX—Columbia Broadcasting System, Inc., New York, N. Y.—Granted authority to relay broadcast station on **2830 kc.** in hoat in flood area for purpose of handling emergency relief messages and broadcast to CBS and KMOX during period February 1 to 6, 1937 inclusive.

WIEK—Columbia Broadcasting System, Inc., New York, N. Y.—Granted authortiy to use WIEK relay broadcast in flood area for emergency messages only.

WBAM-WBAN—Bamberger Broadcasting Co., Newark, N. J.—Granted authority to use WBAM and WBAN frequency group A for handling emergency messages only.

WEW—St. Louis University, St. Louis, Mo.—Granted authority to broadcast during any hours in accordance with Rule 23 for purpose of handling emergency messages only.

WWL—Loyola University, New Orleans, La.—Granted authority to operate for emergency communication service under Rule 23.

WKBV—Knox Radio Corp., Richmond, Ind.—Granted special temporary authority to operate unlimited time for period not to exceed 10 days to assist organizations in flood relief.

National Broadcasting Co., Inc.—Granted special temporary authority to rehroadcast over NBC networks program material which may he received by special receiving stations at presently undetermined strategic locations in the Ohio River flood area from amateur stations strategically located describing details of disaster for the henefit of the general listening public during the period beginning January 23 and ending in no event later than January 29, 1937.

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Granted special temporary authority to operate unlimited time every night for period not to exceed 10 days until Red Cross Drive is over.

KAAV—United Air Lines Transport Corp., Washington, D. C.—Granted special temporary authority to use and operate regularly licensed aircraft transmitter KHAQY aboard United Airlines Transport Corp. plane as a relay broadcast station, in connection with a emergency conditions in flood area beginning approximately at 10 a. m. January 26, 1937.

KPDN—R. C. Hoiles, Pampa, Tex.—Granted special temporary authority to operate unlimited time for period of 10 days beginning January 27 in order to hroadcast appeals for help in the flood stricken areas.

WAIA—WBNS, Inc., Columhus, Ohio.—Granted special temporary authority to operate a relay hroadcast station beginning January 27 and ending in no event later than February 5, 1937, on frequencies **1646, 2090, 2190, 2830 kc.,** 175 watts, Collins equipment Type 30 FXC in a truck, for communication in flood area.

WSAZ—WSAZ, Inc., Huntington, W. Va.—Granted authority to operate additional hours provided strict compliance with Rule 23.

WAAU—Columbia Broadcasting System, Inc., New York, N. Y.—Granted special temporary authority to operate a mobile relay broadcast station for duration of flood, in order to broadcast flood conditions on frequencies **1646, 2090, 2190, 2830 kc.,** 50 watts.

WKZO—WKZO, Inc., Kalamazoo, Mich.—Granted special temporary authority to operate unlimited time for the duration of the flood crisis, in order to join the intercity network organized by WHAS, Louisville, Ky.

WSPA—Virgil V. Evans, t/a the Voice of South Carolina, Spartanburg, S. C.—Granted special temporary authority to operate from local sunset (5:45 p. m. January, 6:15 p. m. February), EST until 10 p. m., EST, for period of 10 days, using 500 watts power, in order to assist local chapter Red Cross in securing money and clothing for relief of flood sufferers.

WQBC—Delta Broadcasting Co., Inc., Vickshurg, Miss.—Granted special temporary authority to operate unlimited time for period of 10 days in order to rehroadcast flood relief messages and flood bulletins as waters move down Mississippi River.

WKEU—Radio Station WKEU, Griffin, Ga.—Granted special temporary authority to operate unlimited time for a period of 10 days beginning January 27, 1937, in order to aid in local Red Cross Relief Drive.

W5RFH—R. A. Seivers, Radio Chairman, American Legion, Greenville, Miss.—Granted authority to Eugene Boyer, licensee of W5BFH amateur station, to operate same station on any frequency not assigned to government service listed in Rule 229 as amended, to transmit emergency messages only during flood period in strict compliance Rule 25.

W9XPV-W9XPN—WDZ Broadcasting Co., Tuscola, Ill.—Granted authority to operate as licensed for period 30 days from January 23 to February 21 for relay broadcast from train between Villagrove and Tuscola, Ill.

WGBD-WJLF—WBNS, Inc., Columbus, Ohio.—Granted authority to operate as licensed for period of 10 days from date for emergency use in connection with flood in vicinity of Portsmouth, Ohio.

W10XFR—National Broadcasting Co., New York.—Granted authority to operate as licensed from January 31 to February 5, inclusive, connection program Inquiring Reporter.

WIEX-WMFS—National Broadcasting Co., New York.—Granted authority to operate as licensed January 28 to February 6, inclusive, relay broadcast connection flood relief program.

W8XIQ-W8XIR—WGAR Broadcasting Co., Cleveland, Ohio.—Granted authority to operate as licensed for period of 10 days beginning this date for emergency use in flood area.

WIEK-W10XGJ—Columbia Broadcasting System, Inc., New York City.—Granted authority to operate as licensed January 28 in connection with National Aviation Show.

W6XKL-KADB-KIFO—Nichols & Warinner, Inc., Long Beach, Calif.—Granted authority to operate stations as licensed, period 15 days from January 21 to February 4, provided Commission is advised by telegram sent before broadcast, the requirements of Rule 1002. Nature of program to be settlement of maritime strike, vicinity San Pedro harbor. Renewal of this authority may be requested before expiration of 15-day period.

WHBE—Onondaga Radio Broadcasting Corp., Syracuse, N. Y.—Granted authority to operate as licensed, period not to exceed 10 days, relay broadcast Red Cross relief duty at Scott Field.

W3XEM-W3XEL—WFIL Broadcasting Co., Philadelphia, Pa.—Granted authority to operate as licensed, period of 10 days, relay broadcast for relief work during flood at Louisville.

W4XBT-WAAK-W4XBZ—Radio Station WSCC, Charlotte, N. C.—Granted authority to operate as licensed for period 1 week from date, connection Red Cross drive.

KARK—Arkansas Radio & Equipment Co., Little Rock, Ark.—Granted authority KARK to operate with 1 KW night to transmit emergency messages only for duration of flood emergency in accordance with Rule 23.

WREC—WREC, Inc., Memphis, Tenn.—Granted authority rebroadcast by WREC of amateur station W5BKD of material aiding emergency flood relief work as set forth in Rule 23.

KARK—Arkansas Radio & Equipment Co., Little Rock, Ark.—Granted authority use old KARK transmitter, located at 212 Center St., accordance with terms of license dated August 29, 1936, in event flood waters render new transmitter inoperative, for period not to exceed 30 days, in accordance Rule 23.

WAVE—WAVE, Inc., Louisville, Ky.—Granted authority rebroadcasting by WAVE of amateur station W9PYH material aiding emergency flood relief work as set forth in Rule 23.

WHEC—Asso. Radiocasting Corp., Columbus, Ohio.—Granted authority operate additional time provided compliance Rule 23.

WCKY—L. B. Wilson, Inc., Covington, Ky.—Granted authority emergency use of portable relay station using call letters WAEY on **2190 kc.** and **2830 kc.**, 10 watts, for emergency relay broadcast service only, accordance with Rule 23.

WREC—WREC, Inc., Memphis, Tenn.—Granted authority for emergency use of 2 portable relay broadcast stations using call letters WAYW and WAEX, on 2 frequencies, listed in Rule 1003, causing least interference, and to rebroadcast amateur stations' material aiding in flood emergency work.

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Granted authority transmit emergency messages pertaining to flood for duration of emergency.

KALE—KALE, Inc., Portland, Ore.—Granted extension special temporary authority to operate for period beginning January 30, 1937, and ending in no event later than February 22, 1937, pending issuance of modification of license.

W8XNA-W8XNB—Loyola University, New Orleans, La.—Granted special temporary authority to operate 2 portable relay broadcast stations beginning 1-31-37 and ending in no event later than 1-14-37, on frequencies **31100, 34600, 37600, 40600 kc.**, power of 2 watts and 7 watts, for use in connection with formal opening of Bonne Carre spillway, flood descriptions and events surrounding Mardi Gras parade.

WKAR—Michigan State College, East Lansing, Mich.—Granted special temporary authority to rebroadcast Naval Observatory time signals over WKAR, provided compliance with requirements of Naval Observatory station, for period beginning 3 a. m., CST, February 1, 1937, and ending in no event later than 3 a. m., CST, August 1, 1937.

The Broadcast Division granted the petition of Tri-State Broadcasting Co. requesting postponement of the effective date of the decision on the application of Dorrance D. Roderick, El Paso, Texas, for construction permit, Docket No. 3858, until January 21, 1937.

The Broadcast Division granted the petition of WHB Broadcasting Company (WHB), Kansas City, Mo., and directed that the effective date of its order of November 17, 1936, be extended to February 21, 1937 (Docket No. 3808).

The Broadcast Division granted the petition of Indianapolis Broadcasting, Inc., requesting authority to intervene in the proceedings upon the application of Curtis Radiocasting Corp., Indianapolis, Ind., for new broadcast station, Docket No. 4323.

KFVS—Oscar C. Hirsch, Cape Girardeau, Mo.—Granted authority to use amateur phone equipment for relay broadcast on group A frequencies for period January 30 to February 6, inclusive; use call letters W9XRI.

WAPO—W. A. Patterson, Chattanooga, Tenn.—Granted authority to operate during night hours on January 30 to February 3, inclusive, to broadcast programs directly related to Red Cross and relief work only.

APPLICATIONS RECEIVED

First Zone

WBZ—Westinghouse Electric & Manufacturing Co., Boston, Mass.
990 —Construction permit to install a new transmitter and directional antenna for day and night use, increase power from 50 KW to 500 KW and move transmitter from Dover Road, Millis Township, Mass., to Provincetown, Mass.

NEW—Watertown Broadcasting Corp., Watertown, N. Y.—Con-
1420 struction permit for a new station to be operated on **1270 kc.**, 250 watts, daytime. Amended: To change frequency from **1270 kc.** to **1420 kc.**, power from 250 watts to 100 watts night, 250 watts daytime, and change hours of operation from daytime to unlimited time.

W3XAK—National Broadcasting Co., Bound Brook, N. J.—License to operate station as a facsimile broadcast (experimental) station on **2016 kc.**, unlimited time, to be located at River Road, Bound Brook, N. J. (Request of applicant.)

NEW—National Broadcasting Co., Inc., Bellmore, N. Y.—License to operate the transmitter formerly licensed to W2XBS as a facsimile broadcast (experimental) station on **2016 kc.**, 500 watts, unlimited time. (Request of applicant.)

NEW—Knickerbocker Broadcasting Co., Inc., Flushing, N. Y.—Construction permit for a new high frequency broadcast station to be operated on **31600, 35600, 38600, 41000 kc.**, 100 watts, unlimited time.

W2XIN—Standard Cahill Co., Inc., Mobile—Modification of license to change name from Standard Cahill Co., Inc., to WBNX Broadcasting Co., Inc.

Second Zone

NEW—Arlington Radio Service, Inc., Arlington, Va.—Construction
850 permit for a new station to be operated on **850 kc.**, 250 watts, daytime.

WJAC—WJAC, Inc., Johnstown, Pa.—License to cover construc-
1310 tion permit (B2-P-871) for changes in equipment, increase in power and move of transmitter.

WSAN—WSAN, Inc., Allentown, Pa.—License to cover construc-
1440 tion permit (B2-P-1380) as modified for new transmitter and antenna and move of transmitter.

WCBA—B. Bryan Musselman, Allentown, Pa.—License to cover
1440 construction permit (B2-P-1380) as modified for new transmitter and antenna and move of transmitter.

WCBA—B. Bryan Musselman, Allentown, Pa.—Voluntary assign-
1440 ment of license from B. Bryan Musselman to WSAN, Inc.

WSAN—WSAN, Inc., Allentown, Pa.—Voluntary assignment of
1440 license from WSAN, Inc., to WSAN, Inc.

NEW—Philadelphia Radio Broadcasting Co., Philadelphia, Pa.—
1570 Construction permit for a new special broadcast station to be operated on **1570 kc.**, 1 KW, unlimited time. Amended: To change name from Philadelphia Radio Broadcasting Corp. to Philadelphia Radio Broadcasting Company.

NEW—Summit Radio Corp., Akron, Ohio.—Construction permit
1530 for a special broadcast station to be operated on **1530 kc.**, 1 KW, unlimited time. Amended: To give studio site as 106 S. Main Street, Akron, Ohio.

NEW—Allen T. Simmons, Vicinity of Akron, Ohio.—Construction permit for a new high frequency relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 100 watts, unlimited time.

W8XIQ—The WGAR Broadcasting Co., Mobile—Construction permit to make changes in equipment and increase power 35 watts to 100 watts.

Third Zone

NEW—El Paso Broadcasting Co., El Paso, Texas.—Construction
940 permit for a new station to be operated on **940 kc.**, 1 KW, unlimited time. Amended: To give transmitter site as 2,250 feet south of Spruce St., on line of Boone St., extended southward, El Paso, Texas.

NEW—W. W. Luce, Fort Lauderdale, Fla.—Construction permit
1050 for a new station to be operated on **1050 kc.**, 1 KW, limited time.

KOCA—Oil Capital Broadcasting Assn. (James G. Ulmer, Presi-
1210 dent), Kilgore, Texas.—License to cover construction permit (B3-P-594) as modified for a new station. Amended: Equipment.

WAML—New Laurel Radio Station, Inc., Laurel, Miss.—License
1310 to cover construction permit (B3-P-1244) for new transmitter and move of transmitter.

WKEU—Radio Station WKEU, Griffin, Ga.—Modification of li-
1310 cense to change frequency from **1500 kc.** to **1310 kc.** and hours of operation from daytime to unlimited using 100 watts power.

KTEM—Bell Broadcasting Co., Temple, Texas.—Construction per-
1370 mit to make changes in equipment, change hours of operation from daytime to unlimited and power from 100 watts to 100 watts night, 250 watts daytime.

KMAC—W. W. McAllister, San Antonio, Texas—License to cover
1370 construction permit (B3-P-1343) for new transmitter and vertical antenna, increase in power and move of transmitter.

WBNO—Coliseum Place Baptist Church, New Orleans, La.—Con-
1500 struction permit to install a new transmitter and vertical antenna change frequency from **1200 kc.** to **1500 kc.**, power from 100 watts to 100 watts night, 250 watts daytime, hours of operation from share-WJBW to unlimited, and move studio and transmitter locally. Amended: To change requested frequency from **1500 kc.** to **1420 kc.**

WBNO—The Coliseum Place Baptist Church, New Orleans, La.—
1500 Voluntary assignment of license from The Coliseum Place Baptist Church to WBNO, Inc.

KGKB—East Texas Broadcasting Co., Tyler, Texas.—License to
1500 cover construction permit (B3-P-1485) for changes in equipment, increase in power and change in hours of operation.

NEW—A. H. Belo Corporation, Grapevine, Texas.—Construction permit for a new high frequency broadcast station to be operated on **31600, 35600, 38600, 41000 kc.**, 100 watts, unlimited time.

NEW—Southeastern Broadcasting Co., Inc., Macon, Ga.—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 27900 kc.**, 30 watts. (Obsolete form.)

Fourth Zone

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Construction
560 permit to make changes in directional antenna.

KGLO—Mason City Globe Gazette Co., Mason City, Iowa.—
1210 License to cover construction permit (B4-P-789) as modified for a new station.

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—
1250 Modification of license to change power from 1 KW night, 5 KW day, to 5 KW day and night.

KROC—Southern Minnesota Broadcasting Co., Rochester, Minn.—
1310 Authority to transfer control of corporation from First Trust Co. of St. Paul and G. P. Castner, as Special Administrators of the estate of L. J. Shields, deceased; Florence E. Brown and Emmet Butler as Trustees under the last will and testament of Frank M. Brown, deceased; Florence E. Brown as Guardian of the estate of James L. Brown, a minor; and Stanley Hubbard, to Gregory Gentling. Amended to add name of National Battery Broadcasting Co. to that of transferors.

WBOW—Banks of Wabash, Inc., Terre Haute, Ind.—Construction
1310 permit to make changes in equipment, install directional antenna for night use, change frequency from **1310 kc.** to **1290 kc.**, power from 100 watts, 250 watts day, to 500 watts, 1 KW day, and move transmitter locally.

WTRC—The Truth Publishing Co., Inc., Elkhart, Ind.—Modifica-
1310 tion of license to change hours of operation from simultaneous daytime, share WLBC night, to unlimited time.

KWOS—Tribune Printing Co., Jefferson City, Mo.—License to
1310 cover construction permit (B4-P-1023) as modified for a new station.

WGL—Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—Con-
1370 struction permit to install a new antenna and move transmitter and studio from 213 W. Main Street to 925 S. Harrison Street, Fort Wayne, Ind. Amended to change name from Westinghouse Electric & Manufacturing Co. to Westinghouse Radio Stations, Inc.

KOBH—Black Hills Broadcast Co. (Robert Lee Dean, Executive
1370 President), Rapid City, S. Dak.—Voluntary assignment of license from Black Hills Broadcast Co. (Robert Lee Dean, Executive President) to Black Hills Broadcast Company of Rapid City.

WIRE—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Modi-
1400 fication of construction permit for changes in equipment and increase in power, requesting further changes in equipment and extension of commencement and completion dates 30 and 90 days.

KSO—Iowa Broadcasting Co., Des Moines, Iowa.—License to cover
1430 construction permit (B4-P-996) as modified for changes in equipment and increase in power.

NEW—Economy Cash Hardware, E. E. Dodson, Prop., State of Missouri.—Construction permit for a new experimental broadcast station to be operated on **56000 kc. and up**, 200 watts, unlimited time. (Obsolete form.)

NEW—Oscar C. Hirsch, tr/as Hirsch Battery & Radio Co., Mobile. —Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 15 watts, unlimited time. (Obsolete form.)

NEW—Oscar C. Hirsch, tr/as Hirsch Battery & Radio Co., Mobile. —Construction permit for a new relay broadcast station to be operated on **1606, 2022, 2102, 2758 kc.**, 50 watts, unlimited time. (Obsolete form.)

W9XAP—National Broadcasting Co., Inc., Addison, Ill.—License to operate station as a facsimile broadcast (experimental) station on **2016 kc.**, 2½ KW, unlimited time. (Request of applicant.)

NEW—Central States Broadcasting Co., Omaha, Nebr.—Construction permit for a new high frequency broadcast station to be operated on **31600, 35600, 38600, 41000 kc.**, 100 watts, unlimited time.

NEW—Iowa Broadcasting Co., Des Moines, Iowa.—Construction permit for a high frequency broadcast station to be operated on **26550 kc.**, 100 watts, unlimited time.

Fifth Zone

NEW—Clarence A. Berger and Saul S. Freeman, Coeur D'Alene,
1200 Idaho.—Construction permit for a new station to be operated on **1200 kc.**, 100 watts, daytime. Amended to change from an individual to a partnership by adding name of Saul S. Freeman.

KGFJ—Ben S. McGlashan, Los Angeles, Calif.—Construction per-
1200 mit to install new equipment, change frequency from **1200 kc.** to **1170 kc.**, and change power from 100 watts to 250 watts night, 500 watts daytime. Amended to give transmitter site as site to be determined, Los Angeles, Calif.

KVEC—Christina M. Jacobson, tr/as The Valley Electric Co.,
1200 San Luis Obispo, Calif.—Modification of construction permit (B5-P-718) as modified for a new station, requesting move of transmitter from 1.285 miles south from center of San Luis Obispo, to 1.5 miles northwest from center of San Luis Obispo, Calif., and extend commencement and completion dates.

NEW—John D. Fields, Inc., Las Vegas, Nev.—Construction per-
1370 mit for a new station to be operated on **1370 kc.**, 100 watts, unlimited time. Amended to make changes in transmitting equipment and antenna.

KBPS—Benson Polytechnic School, Portland, Ore.—Construction
1420 permit to make changes in equipment.

NEW—Frontier Broadcasting Co., Cheyenne, Wyo.—Construction
1420 permit for a new station to be operated on **1420 kc.**, 100 watts night, 250 watts day, unlimited time. Amended to change from a partnership, Wm. C. Grove and S. H. Patterson, to a corporation, Frontier Broadcasting Co.

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Construc-
1500 tion permit to move transmitter from 20 Second Street, Wenatchee, Wash., to north end Miller Street, Wenatchee, Wash., and erect a vertical antenna.

W7XBD—Oregonian Publishing Co., Portland, Oreg.—Modification of construction permit for extension of commencement date from 9-15-36 to 2-15-37 and completion date from 2-15-37 to 8-15-37.

NEW—Dr. A. H. Schermann, Mobile—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 10 watts. (Obsolete form.)

NEW—The KLZ Broadcasting Co., Denver, Colo.—Construction permit for a new high frequency broadcast station to be operated on **31600, 35600, 38600, 41000 kc.**, 100 watts, unlimited time.

NEW—Earle C. Anthony, Inc., Mt. Wilson, Calif.—Construction permit for a new high frequency broadcast station to be operated on **26550 kc.**, 100 watts, unlimited time.

Puerto Rican Zone

NEW—Ralph Perez Perry, Guayama, Puerto Rico.—Construction
630 permit for a new station to be operated on **630 kc.**, 250 watts, unlimited time.

PROPOSES NEW FEDERAL BROADCASTING STATION

Representative Cellar of New York on Wednesday introduced a bill in the House for a federally controlled Pan-American broadcasting station. In connection with this, Mr. Cellar made the following statement:

I have this day offered a bill authorizing the Navy Department to construct and maintain a government radio broadcasting station to be called the Pan American Radio Station, with such power and equipment as will enable such station effectively to transmit programs to all parts of the world, and particularly, to countries of the Western hemisphere, with sufficient signal strength to permit programs to be rebroadcast in all countries of the Pan-American Union.

The United States Commissioner of Education is instructed to provide programs of national and international interest. There is to be appropriated $750,000 for the construction of such station, and furthermore, an annual appropriation of $100,000 a year for operation and maintenance

The plan and purpose of such legislation has had the approval and encouragement of responsible officials of the Department of State, Department of the Interior, Department of Agriculture, Federal Communications Commission, National Committee on Education by Radio and the Pan-American Union. Also, such project has already had the approval specifically of President Roosevelt, Secretary of State Hull and Secretary of the Navy Swanson. It grows out of the radio resolution adopted January, 1932, at Montevideo, by the Seventh International Conference of the North, Central and South American countries forming the twenty-one sister Republics of the Pan-American Union.

Each American nation participating at the Conference agreed to set up short wave broadcasting stations and to broadcast such programs as to cement bonds of friendship and cultural understanding between the peoples of the twenty-one countries of the Pan-American Union.

The radio spectrum by international comity has been divided into a definite number of bands of frequencies. Within each frequency band, only a certain number of short wave broadcasting stations can function. In all the world, there are no more unassigned or "empty" channels for new short wave broadcasting stations—except one; that is the channel pre-empted at the Montevideo Conference for exclusive use of Pan-American Republics.

President Roosevelt, in pursuance of such preemption, and in accord with our sister nations, issued Executive Order No. 6472, dated December 2, 1933, making available for the United States Government, the following frequencies: 6120 kc, 9550 kc, 11730 kc, 15130 kc, and 2150 kc.

In pursuance of such Executive Order, a station was to be set up in Washington, D. C., under the joint control and auspices of the State Department and Navy Department. The station was never set up. Many obstacles were thrown across the path of this much needed reform, by misguided and selfish persons. It is feared that this would be the entering wedge into governmental control of Radio. That is ridiculous.

I am a firm believer in private initiative. I do not want to slam the door in the face of the efficiency, enterprise and resourcefulness of private ownership. Our radio system, despite certain besetting evils of commercialism, is yet the greatest in the world, thanks to private control. But one Pan-American short wave station, set up in pursuance of the Treaty, in an unassigned channel, on a non-competitive basis, will not in the slightest militate against private initiative. It will not lead to government monopoly.

These persons and entities must now cease their opposition, else they will get their fingers burned. Because of the pressure against carrying out the President's Executive Order, I have introduced my bill. However, I specifically provide for cooperation of private stations in the maintenance and operation of the Pan-American Broadcasting Station.

The United States Commissioner of Education, with the approval of an advisory council consisting of the Secretary of State, the Director General of the Pan-American Union, the Chairman of the Federal Communications Commission, and such other governmental officials as the President may select, may at certain periods and under well defined conditions, allow said Pan-American Station to be used by a private company, provided there will be no profit and no advertising, and the programs are exclusively in the public interest.

Every nation in the world has a broadcasting station, except the United States. Every nation but our own can defend itself over the air against foreign and unfriendly attacks. For example, the Fascist and Communist Governments are growing bolder every day in their proselyting activities. National boundaries mean nothing. The sovereignty of no nation is respected. Surely some antidote is necessary.

There are two million short wave receiving sets in this country and the number is mounting daily by leaps and bounds. Such increasing short wave receptivity might well command a Federal station.

Such a Federal controlled station could be used (1) to create good will between this and other nations, (2) to eradicate international misunderstandings, and (3) to develop two-way trade between the United States and other nations by propagandizing for our own products, indicating to foreigners the worthwhileness of our goods and encouraging importations of our goods. In this way, we will further the purposes of the Administration in increasing foreign trade by supplementing the activities of Secretary of State Hull and the President through the reciprocal trade treaties.

The types of programs available might well be the following:

A. For Pan American Use:

(1) The concerts given at the Pan American Union at regular intervals, together with other events of inter-American character which are held at the Union, such as Pan American Conferences, addresses delivered on the occasion of the observance of Pan American Day and other similar events.

(2) Important events in which high officials of the Government participate; for instance, the message of the President at the opening session of Congress, and other addresses that may be delivered by The President and by other high officials of the Government.

(3) Concerts by some of the great musical organizations of the United States; for example, the New York Philharmonic, the Boston Symphony and the Philadelphia Orchestra.

(4) Programs of music by North American composers as played regularly by the Service Bands in Washington; the United States Army Band, the Navy Band and the Marine Band.

(5) Outstanding productions of the theater, such as the Metropolitan Opera Company, the Chicago Civic Opera.

B. For National and Pan American Service:

(1) Addresses by The President
(2) " " Members of the Cabinet
(3) " " Congressional Leaders
(4) " " Heads of Commission, Departments, Bureaus, etc.
(5) Account and interpretation of various governmental activities.
(6) National Events
    (a) Opening of Congress and other important sessions.
    (b) Fourth of July Ceremonies
    (c) Ceremonies at Arlington
    (d) Account of Army Inspections and Drills
    (e) " " Navy " and Maneuvers
    (f) Graduation Ceremonies at Naval Academy at Annapolis and Military Academy at West Point

(g) Dedications
(h) Conferences: National and International
(i) National athletic events

C. For National Service:

(1) Aims, functions, and policies of Government, current Governmental activities—Congress—Officials in action—the new arms of government—debates and discussions about current governmental problems—interpretation and obeyance of laws.

(2) Economics and government—health and social welfare—education and culture—recreation—history of the country and its institutions—patriotism—national resources—industrial development—labor.

(3) Home economics—farm and home periods—crop reports—road conditions—weather reports—storm warnings—Public and National Parks—law enforcement—safety of life—fire prevention—preservation of forests.

(4) The rationalization of public life by the development of a new type of statesman and a new type of voter.

D. For Education:

The material under this headings applies to both Pan American and National broadcasts.

Under a rather large scope this includes:

Vocational guidance
Literature
Music
Arts
Drama
Geography
History
Civics
Nature Study
Languages (Spanish and English reciprocal lectures)

Proper use of Radio will affect the process and scope of Education with results quite as revolutionary as followed the invention of the printing press.

By applying this new instrumentality of communications to Education, costs may be reduced and quality improved.

Emanuel Celler,
Rep. 10th New York District.

AN ACT

Authorizing the Secretary of the Navy to construct and maintain a government radio broadcasting station; authorizing the United States Commissioner of Education to provide programs of national and international interest; making necessary appropriations for the construction, maintenance, and operation of the station and production of programs therefor; and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

Section 1: That the Secretary of the Navy be, and he is hereby, authorized and instructed to construct a radio broadcasting station of such power, and using such equipment as will effectively transmit programs to all parts of the United States and from this country to other countries of the Western Hemisphere upon high frequencies assigned by the President and allocated to broadcasting, with sufficient signal strength to permit the same to be rebroadcast in those countries. The said station shall be located in the vicinity of Washington, D. C., the exact location of said station to be selected by the Secretary of the Navy. The station shall be known as the "Pan American Radio Station."

Sec. 2: There is authorized to be appropriated the sum of Seven Hundred Thousand Dollars ($700,000) out of any money in the Treasury not otherwise appropriated, for the construction of the Pan American Radio Station, including buildings, land, studio equipment, lines, and all apparatus and equipment incident to the effective operation thereof.

Sec. 3: There is hereby authorized to be appropriated the sum of Fifty Thousand Dollars ($50,000) annually out of any money in the Treasury not otherwise appropriated, to be expended by the Secretary of the Navy for the operation and maintenance of the Pan American Radio Station. The Secretary of the Navy is charged with all duties incident to the proper operation and maintenance of the said station.

Sec. 4: The United States Commissioner of Education shall be in charge of all programs for the Pan American Radio Station. He shall provide and/or arrange for programs, which will render a distinct national and/or international service and which will promote a better understanding among the Republics of the American Continent and will be of educational and cultural value.

The general policies to be followed governing the operation of the Pan American Radio Station shall be determined by an advisory council consisting of the Secretary of State, the Director General of the Pan American Union, the Chairman of the Federal Communications Commission, the United States Commissioner of Education, or such alternates as they may designate, and such other Government officials as the President may select. Provided, The total membership of said advisory council shall not exceed nine persons.

The programs broadcast by the Pan American Radio Station may be rebroadcast by any station the emissions of which are intended to be received by the general public. No commercial advertising shall be permitted in the programs transmitted by the Pan American Radio Station.

Sec. 5: For the production of radio programs, including rental of technical facilities, there is hereby authorized to be appropriated for the Office of Education, Department of the Interior, such sum as may be necessary annually, said appropriation to be paid out of any money in the Treasury not otherwise appropriated.

Sec. 6: The United States Commissioner of Education, with the approval of the advisory council, shall, in his discretion, permit well qualified, privately owned commercial radio companies, actually operating efficient stations, to use, without charge, said Pan American radio station and its facilities, during such times and period and under such terms and conditions as to said Commissioner with the approval of said council may seem just and proper, having in mind always that the Pan American radio station is a governmentally controlled facility, provided:

(1) Such privilege to such private company is exercised without profit to said company;
(2) The programs contributed by said privately owned company are suitably controlled and censored by said Commissioner of Education;
(3) Said privilege to such privately owned company may be withdrawn at any time without notice by said Commissioner of Education;
(4) Such programs shall neither directly, indirectly, or remotely, involve the broadcasting of any advertising, and shall be exclusively in the public interest;
(5) Any use of the facilities of such Pan American radio station as aforesaid to such privately owned company does not interfere with or militate against the general purposes of this Act.

CONNERY RADIO INVESTIGATION RESOLUTION

H. Res. 92

IN THE HOUSE OF REPRESENTATIVES

January 28, 1937

Mr. Connery submitted the following resolution; which was referred to the Committee on Rules and ordered to be printed

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RESOLUTION

Whereas the Congress, in creating the Federal Radio Commission and in enacting the Communications Act of 1934, expressly reserves to the people of the United States control of all radio frequencies; and

Whereas, despite the restriction through the leasing of, the purchase of, the affiliating of, the operation of, or, through the possession of contracts giving to a select few the exclusive right to use the more desirable time of these radio-broadcasting stations, there is reason to believe that contrary to the intent and the spirit, as well as the language of laws in force, one or more monopolies exist in radio broadcasting, which radio-broadcasting monopolies are believed to be profiting illegally at the expense and to the detriment of the people through the monopolistic control and operation of all clear channel and other highly desirable radio-broadcasting stations, such as the Columbia Broadcasting System, the National Broadcasting Company, and the Mutual Broadcasting System, or other existing groups; and

WHEREAS it is believed that neither public interest, convenience, or necessity is served by permitting virtual radio-broadcasting monopolies to control this property which has been reserved to the control of the American people; and

WHEREAS it is contrary to public policy, convenience, or necessity, to allow any private groups to monopolize the use of a property reserved to and for the people: Therefore be it

Resolved, That a committee of seven Members of the House of Representatives shall be appointed by the Speaker, which committee is hereby directed to inquire into and investigate the allegations and charges that a monopoly or monopolies exist in radio broadcasting alleged to be held by the Columbia Broadcasting System, National Broadcasting Company, Mutual Broadcasting System, or others; be it further

Resolved, That the said committee shall make a thorough and exhaustive investigation of all charges and allegations of the existence of a monopoly or monopolies in radio broadcasting and the effect which such monopoly or monopolies may have on the character of radio programs, and rates charged advertisers, and generally the effect of such monopoly or monopolies on the public, and said committee shall report in whole or in part at any time to the House of Representatives during the Seventy-fifth Congress, together with such recommendations for legislation or otherwise as it deems advisable; and be it further

Resolved, That said committee or any subcommittee thereof is authorized to sit and act during the present Congress at such times and places within the United States whether or not the House is sitting, has recessed, or adjourned, to hold such hearings; to require the attendance of such witnesses and the production of such books, papers, and documents by subpena or otherwise and take such testimony as it deems necessary with respect to such monopoly or monopolies and the management and operation of any company or companies being so investigated. Subpenas shall be issued under the signature of the chairman of said committee or any member designated by him, and shall be served by any person designated by them or either of them. The chairman of the committee or any member thereof may administer oaths to witnesses. Every person who, having been summoned as a witness by authority of said committee, or subcommittee thereof, willfully makes default, or who, having appeared, refuses to answer any questions pertinent to the matter herein authorized to be investigated, shall be held to the penalties provided in sections 102, 103, and 104 of the Revised Statutes of the United States, as amended (U. S. C., title 2, secs. 192, 193, and 194).

WEARIN RADIO MONOPOLY BILL

H. R. 3892

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 1937

MR. WEARIN introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce and ordered to be printed

A BILL

To amend the Communications Act of 1934 by adding thereto provisions designed to prohibit unified and monopolistic control of broadcasting facilities and printed publications, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Act of Congress designated by the statutory title "Communications Act of 1934", approved June 19, 1934, be, and the same is hereby, amended by adding thereto a new section to immediately follow section 314 of said Act, said new section to be as follows:

"SEC. 314. (a) It is hereby declared to be against public interest to permit the creation or the continuance of monopolies in the distribution of general information, news, and editorial comment thereon, through any combination resulting in unified control of newspapers, magazines, or other printed publications, with radio broadcasting, and after the effective date of this Act it shall be unlawful for any licensee, to any extent, directly or indirectly, in its own person or through an agent, holding corporation, affiliated corporation, subsidiary corporation, by stock ownership in a corporation, or otherwise, (1) to be owned, partially owned, managed, or controlled by any person who owns, partially owns, manages, controls, directs, or publishes any newspaper, magazine, or other printed publication circulated or distributed to any extent within the area or zone served by the broadcasting station alloted to such licensee; or (2) to own, partially own, manage, control, direct, or publish any newspaper, magazine, or other printed publication circulated or distributed to any extent within the area or zone alloted to such licensee: *Provided,* That the foregoing provisions of this section shall not apply to and shall not be enforced against any person now holding a license under this Act until the termination of the term of his existing license but shall apply and be enforced against such present licensee immediately upon termination, and without any extension, of the existing term of such license."

LEA RADIO OPERATORS BILL

H. R. 3898

IN THE HOUSE OF REPRESENTATIVES

JANUARY 28, 1937

MR. LEA introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce and ordered to be printed

A BILL

To amend section 318 of the Communications Act of 1934.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 318 of the Communications Act of 1934 is hereby amended to read as follows:

"SEC. 319. The actual operation of all transmitting apparatus in any radio station for which a station license is required by this Act shall be carried on only by a person holding an operator's license issued hereunder, and no person shall operate any such apparatus in such station except under and in accordance with an operator's license issued to him by the Commission: *Provided, however,* That the Commission may waive or modify the foregoing provisions of this section for the operation of any station except (1) stations for which licensed operators are required by international agreement, (2) stations for which licensed operators are required for safety purposes, (3) stations engaged in broadcasting, and (4) stations operated as common carriers on frequencies below thirty thousand kilocycles."

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS ★ ★ ★ ★ ★ Vol. 5 - - No. 6
FEB. 5, 1937

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BROADCAST ADVERTISING FOR THE YEAR 1936 AND FOR DECEMBER

Broadcast Advertising In 1936

HIGHLIGHTS OF THE YEAR

Broadcast advertising volume reached a new all time high during 1936. Gross time sales amounted to $107,550,886 as compared to $87,523, 848 in 1935, an increase of 22.9%. Although all portions of the medium registered marked increases, national non-network advertising exhibited the most pronounced gain, rising 41.5%. National network volume rose 19.2%, regional network volume 23.1% and local broadcast advertising 16.0%.

Non-network advertising registered a gain of 27.9% over 1935. Local stations continued the trend of 1934 and 1935 by showing the greatest increase in sales of any class of station. The South Atlantic-South Central Area led all geographical districts by increasing its sales 52.0% over 1935. However, all classes of stations and sections of the country enjoyed considerable increases over 1935 levels.

Although live talent programs represented 47.9% of the total non-network sales during 1936, transcriptions increased to a greater extent than any other type of rendition. Transcriptions during the past year showed a 50.6% gain over 1935.

General gains were experienced in most all broadcast sponsor groups during the year 1936. Only drug and confectionery advertising showed a decline as compared to the previous month. Principal gains were shown in the miscellaneous, soap and kitchen supply, automotive, beverage, tobacco, radio set and financial groups.

TOTAL BROADCAST ADVERTISING

The volume of broadcast advertising over various portions of the medium during 1935 and 1936 is shown in Table I.

TABLE I
TOTAL BROADCAST ADVERTISING

Class of Business	Gross Time Sales 1935	1936
National networks	$50,067,686	$59,671,244
Regional networks	1,110,739	1,367,812
National non-network	17,063,688	24,141,360
Local	19,281,735	22,370,470
Total	$87,523,848	$107,550,886

Total broadcast advertising for the year 1936 exceeded the gross time sales of 1935 by 22.9%. All portions of the medium experienced marked increases over 1935 levels. National non-network advertising showed the greatest gain over last year, rising 41.5%. National network volume rose 19.2%, regional network business 23.1% and local advertising 16.0%.

The marked increase in national non-network advertising caused sales in this portion of the medium to represent 22.4% of the industry's gross revenues during 1936 as compared to 19.5% in 1935, 18.6% in 1934 and 17.5% in 1933. National network advertising accounted for 55.5% of the gross revenue for 1936 as compared to 57.2% in 1935, 58.5% in 1934, and 55.2% in 1933. Regional network advertising represented 1.3% of the total gross time sales as against 1.2% in 1935, 0.9% in 1934, and 0.7% in 1933. Local business comprised 20.8% of the total sales. Advertising of this type accounted for 22.1% of total volume in 1934 and 1935.

COMPARISON WITH OTHER MEDIA

Compared to radio broadcasting's 22.9% rise over the preceding year, national magazine volume rose 16.8%, national farm paper advertising 26.0% and newspaper lineage 9.8%. Advertising volume by major media during the years of 1935 and 1936 is shown in Table II.

TABLE II
ADVERTISING BY MAJOR MEDIA

Advertising Medium	Gross Time and Space Sales 1935	9136
Radio broadcasting	$87,523,848	$107,550,886
National magazines[1]	123,093,289	143,790,669
National farm papers[1]	5,565,059	7,013,154
Newspapers[2]	517,513,000	568,593,000
Total	$733,695,196	$826,947,709

[1] Publishers Information Bureau.
[2] Estimated.

NON-NETWORK BROADCAST ADVERTISING

Total non-network broadcast advertising for the year 1936 experienced a gain of 27.9% over the preceding year. Continuing to show the same trend as exhibited in 1934 and 1935 local station volume increased to a greater extent than any other class of stations during 1936. Gross time sales over this class of stations increased 36.5% over the 1935 level. Clear channel and high-powered regional station volume rose 18.4% over 1935 and regional station volume increased 35.7%.

For the year 1936, gross time sales over clear channel and high-powered regional stations accounted for 42.2% of the total non-network sales. Regional station volume represented 42.4% of the total and local station volume 15.4%. During the year 1935 the composition of non-network sales was as follows: clear channel and high powered regional stations 45.5%; regional stations 40.0%; and local stations 14.5%.

Non-network broadcast advertising by power of station is shown in Table III.

TABLE III
NON-NETWORK BROADCAST ADVERTISING BY POWER OF STATION

Power of Station	*Gross Time Sales* 1935	*Gross Time Sales* 1936
Over 1,000 watts	$16,564,505	$19,617,140
250–1,000 watts	14,523,795	19,713,950
100 watts	5,257,213	7,180,740
Total	$36,345,513	$46,511,830

The south experienced the greatest increase of any section of the country over 1935, non-network advertising in the South Atlantic-South Central Area rising 52.0%. Non-network advertising in the New England-Middle Atlantic Area rose 20.7% over 1935, in the North Central Area 29.6% and in the Pacific and Mountain Area 13.8%.

Sales in the New England-Middle Atlantic Area comprised 23.2% of total non-network sales in 1936, 24.5% in 1935, and 33.2% in 1934. The proportion of sales in the South Atlantic-South Central Area to the total non-network sales jumped from 13.5% in 1934 and 16.6% in 1935 to 19.8% in 1936. The North Central Area comprised 38.9% of the total as compared to 36.4% in 1934 and 38.2% in 1935. Sales in the Pacific and Mountain Area represented 18.1% of the total as against 16.9% in 1934 and 20.7% in 1935.

Non-network broadcast advertising by geographical districts is shown in Table IV.

TABLE IV
NON-NETWORK ADVERTISING BY GEOGRAPHICAL DISTRICTS

Geographical District	*Gross Time Sales* 1935	*Gross Time Sales* 1936
New England-Middle Atlantic Area	$8,945,782	$10,799,850
South Atlantic–South Central Area	6,060,358	9,214,070
North Central Area	13,941,087	18,073,230
Pacific and Mountain Area	7,398,286	8,424,680
Total	$36,345,513	$46,511,830

NON-NETWORK ADVERTISING BY TYPE OF RENDITION

As has been evident throughout the past year, transcriptions showed the greatest gain over 1935 of any type of rendition. Total transcription volume rose 50.6%. Live talent volume rose 26.2%, record volume 9.7% and announcement volume 15.5%. Transcriptions accounted for 24.7% of the total amount of non-network sales, live talent 47.9%, records 2.0% and announcements 25.4%. Last year transcriptions accounted for 20.9%, live talent 48.3%, records 2.3% and announcements 28.5%.

In the national non-network field, transcriptions led other types of rendition, rising 53.2% over 1935. Live talent rose 35.6%, records 6.6% and announcements 35.4%. The proportion of total national non-network advertising represented by the various types of rendition is as follows: transcriptions 37.3%, live talent 45.0%, records 0.5%, and announcements 17.2%. In 1935 the proportion was transcriptions 37.7%, live talent 42.9%, records 0.4%, and announcements 19.0%.

Transcriptions also recorded the greatest gain in the local non-network field, rising 41.7% over the 1935 level. Live talent volume rose 18.5%, records 10.2% and announcements 6.9%. Transcriptions comprised 11.0% of the total local non-network sales, live talent 51.2%, records 3.7%, and announcements 34.1%. In 1935 transcriptions amounted to 9.0%, live talent 50.0%, records 3.8% and announcements 37.2%.

Broadcast advertising by type of rendition is presented in Table V.

TABLE V
NON-NETWORK ADVERTISING BY TYPE OF RENDITION

	Gross Time Sales					
	National Non-network		*Local*		*Total*	
Type of Rendition	*1935*	*1936*	*1935*	*1936*	*1935*	*1936*
Electrical transcriptions	$5,870,614	$8,998,075	$1,743,894	$2,471,845	$7,614,508	$11,469,920
Live talent programs	8,015,119	10,869,120	9,664,411	11,452,540	17,679,530	22,321,660
Records	103,914	110,860	745,157	821,050	849,071	931,910
Announcements	3,074,131	4,163,305	7,128,273	7,625,035	10,202,404	11,788,340
Total	$17,063,778	$24,141,360	$19,281,735	$22,370,470	$36,345,513	$46,511,830

BROADCAST ADVERTISING SPONSORSHIP

With the exception of drug and confectionery advertising which declined 2.4% and 7.9%, respectively, as compared to the preceding year, all forms of broadcast advertising sponsorship showed gains during 1936. The miscellaneous group increased to the greatest extent over 1935 rising 63.8%, due mainly to sponsored political broadcasts. National network advertising in this field increased 153.2% over the 1935 level. Other principal increases over 1935 were soap and kitchen supply advertising 45.6%, automotive 39.5%, beverage advertising 37.4%, tobacco advertising 35.4%, radio set advertising 34.5% and financial advertising 30.6%. Amusements rose 8.8%, accessories, gas and oils 18.6%, clothing 7.5%, cosmetics 12.6%, foodstuffs 17.3%, household equipment 5.4% and department store advertising 11.4%.

Foodstuffs led the sponsor field, accounting for 18.2% of the total broadcast advertising of the year. This has been the case for the last two years although foodstuffs comprised 19.0% of the total last year. The leading sponsor groups are the same as last year but their places have been changed. During the year just passed foodstuffs accounted for 18.2%, miscellaneous 13.8%, cosmetics 12.0%, drugs 9.6%, automobiles 8.1% and accessories 7.3%. In 1935, foodstuffs accounted for 19.0%,

TABLE VI(A)
BROADCAST ADVERTISING BY TYPE OF SPONSORING BUSINESS
(1936)

Type of Sponsoring Business	*National Networks*		*Regional Networks*		*National Non-network*		*Local*		*Total*	
1a. Amusements	—	—	$1,509	.1%	$127,470	.5%	$478,500	2.1%	$607,479	.6%
1–2. Automobiles and accessories:										
1. Automobiles	4,623,743	7.7%	7,070	.5%	2,660,070	11.0%	1,390,735	6.2%	8,681,618	8.1%
2. Accessories, gas and oils	4,754,419	7.9%	252,120	18.5%	1,902,300	7.9%	905,325	4.0%	7,814,164	7.3%
3. Clothing and apparel	370,280	.6%	4,976	.4%	468,060	1.9%	3,065,900	13.7%	3,909,216	3.6%
4–5. Drugs and toilet goods:										
4. Drugs and pharmaceuticals	5,036,317	8.4%	105,443	7.7%	4,500,610	18.6%	719,620	3.2%	10,361,990	9.6%
5. Toilet goods	11,384,111	19.1%	53,155	3.9%	1,220,320	5.1%	241,380	1.1%	12,898,966	12.0%
6–8. Food products:										
6. Foodstuffs	11,211,087	18.8%	359,641	26.3%	5,026,440	20.8%	2,946,020	13.2%	19,543,188	18.2%
7. Beverages	4,469,454	7.5%	113,714	8.3%	717,870	2.9%	1,256,040	5.6%	6,557,078	6.1%
8. Confections	1,281,418	2.2%	27,529	2.0%	378,840	1.6%	82,990	.4%	1,770,777	1.6%
9–10. Household goods:										
9. Household equipment and furnishings	417,799	.7%	54,164	3.9%	858,035	3.6%	2,271,325	10.2%	3,601,323	3.3%
10. Soaps and kitchen supplies	4,174,139	7.0%	61,752	4.5%	1,344,600	5.6%	93,150	.4%	5,673,641	5.3%
11. Insurance and financial	567,123	.9%	12,937	1.0%	243,630	1.0%	913,610	4.1%	1,737,300	1.6%
12. Radios	1,388,846	2.4%	1,328	.1%	266,070	1.1%	231,050	1.0%	1,887,294	1.7%
13. Retail establishments	—	—	9,545	.7%	146,245	.6%	1,880,850	8.4%	2,036,640	1.9%
14. Tobacco products	4,656,641	7.9%	105,610	7.7%	886,080	3.6%	86,755	.4%	5,735,086	5.3%
15. Miscellaneous	5,335,867	8.9%	197,319	14.4%	3,394,720	14.2%	5,807,220	26.0%	14,735,126	13.8%
Total	$59,671,244	100.0%	$1,367,812	100.0%	$24,141,360	100.0%	$22,370,470	100.0%	$107,550,886	100.0%

TABLE VI(B)
BROADCAST ADVERTISING BY TYPE OF SPONSORING BUSINESS
(1935)

					Gross Time Sales					
Type of Sponsoring Business	*National Networks*		*Regional Networks*		*National Non-network*		*Local*		*Total*	
1a. Amusements	—	—	—	—	$53,740	.3%	$504,515	2.6%	$558,255	.6%
1–2. Automobiles and accessories:										
1. Automobiles	$3,466,379	6.9%	$8,174	.7%	1,795,853	10.5%	949,056	4.9%	6,219,462	7.1%
2. Accessories, gas and oils	4,311,909	8.6%	156,937	14.1%	1,152,268	6.6%	966,093	5.0%	6,587,207	7.6%
3. Clothing and apparel	456,743	.9%	54,103	4.9%	367,420	2.2%	2,757,916	14.3%	3,636,182	4.2%
4–5. Drugs and toilet goods:										
4. Drugs and pharmaceuticals	6,145,306	12.3%	76,627	6.9%	3,480,850	20.5%	918,934	4.8%	10,621,717	12.1%
5. Toilet goods	10,294,126	20.6%	33,769	3.0%	851,281	5.0%	276,395	1.4%	11,455,571	13.1%
6–8. Food products:										
6. Foodstuffs	10,456,847	20.9%	272,317	24.5%	3,513,948	20.6%	2,405,326	12.5%	16,648,438	19.0%
7. Beverages	3,016,912	6.0%	31,963	2.9%	658,622	3.9%	1,063,642	5.5%	4,771,139	5.5%
8. Confections	1,317,113	2.6%	48,122	4.3%	431,733	2.5%	126,307	.7%	1,923,275	2.2%
9–10. Household goods:										
9. Household equipment and furnishings	566,610	1.1%	83,212	7.5%	670,221	3.9%	2,096,064	10.9%	3,416,107	3.9%
10. Soaps and kitchen supplies	2,816,578	5.6%	51,246	4.6%	940,083	5.5%	87,743	.5%	3,895,650	4.5%
11. Insurance and financial	442,425	.9%	5,350	.5%	208,429	1.2%	673,867	3.5%	1,330,071	1.5%
12. Radios	1,081,460	2.2%	—	—	129,565	.8%	191,543	1.0%	1,402,568	1.6%
13. Retail establishments	59,119	.1%	860	.1%	109,008	.6%	1,659,122	8.6%	1,828,109	2.1%
14. Tobacco products	3,528,790	7.1%	169,565	15.3%	457,380	2.7%	79,611	.4%	4,235,346	4.8%
15. Miscellaneous	2,107,369	4.2%	118,494	10.7%	2,243,287	13.2%	4,525,601	23.4%	8,994,751	10.2%
Total	$50,067,686	100.0%	$1,110,739	100.0%	$17,063,688	100.0%	$19,281,735	100.0%	$87,523,848	100.0%

cosmetics 13.1%, drugs 12.1%, miscellaneous 10.2%, accessories 7.6% and automobiles 7.1%.

Broadcast advertising in 1935 and 1936 by different product and service groups is found in Tables VI(A) and VI(B).

NATIONAL NETWORK ADVERTISING

National network advertising during 1936 experienced a 19.2% increase over the level of 1935. The greatest increase among the various sponsor groups was the miscellaneous group, which rose 153.2%. Principal increases over 1935 were registered in the soap and kitchen supply group which rose 48.2%, the beverage group which increased 48.1% and the automotive group which was 33.3% ahead of last year. Other increases over 1935 were as follows: accessories 10.2%, cosmetics 10.5%, foodstuffs 7.2%, financial 28.1%, radio sets 28.4% and tobacco products 31.9%. Clothing declined 18.9%, drugs 18.0%, confectionery 2.7% and household equipment 26.2%.

The composition of national network advertising changed little with regard to leading sponsor groups. In 1936, cosmetics with 19.1% of the total, led the field. This group was followed by foodstuffs comprising 18.8% of the total, miscellaneous 8.9%, drugs 8.4% and tobacco products and accessories each with 7.9% of the total. In 1935, the leading sponsor groups with their per cent of the total were foodstuffs 20.9%, cosmetics 20.6%, drugs 12.3%, accessories 8.6%, tobacco 7.1% and automotive advertising 6.9%.

REGIONAL NETWORK ADVERTISING

Regional network advertising was 23.1% ahead of the 1935 total. Many increases and decreases of importance occurred. Beverage advertising increased 255.7%, financial advertising 141.8% and the miscellaneous group 66.5%. Other increases were as follows: accessories 60.6%, cosmetics 57.4%, drugs 37.6%, foodstuffs 32.0%, and soaps and kitchen supplies 20.5%. Automotive decreased 13.5%, clothing 90.8%, confectionery 42.7%, household equipment 34.9% and tobacco products 37.7%. Foodstuffs, accessories, miscellaneous, beverage, drug and tobacco advertising sponsor groups were the leaders in total composition. In 1935, sales were heaviest in the foodstuffs, tobacco, accessories, miscellaneous, household equipment and drug sponsor groups.

NATIONAL NON-NETWORK ADVERTISING

With but one exception, all sponsor groups experienced increases in the national non-network field which was 41.5% ahead of the 1935 total. Confectionery volume decreased 12.2%. The principal increases were in the radio set group which rose 105.3%, tobacco products 93.7%, accessories 65.1% and miscellaneous 51.3%. Other increases were as follows: amusements 137.2%, automotive 48.1%, clothing 27.3%, drugs 29.2%, cosmetics 43.3%, foodstuffs 43.0%, beverages 8.9%, household equipment 28.0%, soap and kitchen supplies 43.0%, financial 16.8%, and department store advertising 34.1%.

Foodstuffs comprised the largest single class of national non-network advertising, accounting for 20.8% of the total for 1936. This group was followed in their order of importance by the drug, miscellaneous, automotive, accessory and soap and kitchen supply groups. This was the exact order of importance in 1935.

LOCAL BROADCAST ADVERTISING

Local broadcast advertising increased 16.0% over 1935. Principal increases were in the automotive, foodstuffs, financial and miscellaneous groups. Increases over 1935 were as follows: automotive 46.5%, clothing 11.1%, foodstuffs 22.4%, beverages 18.1%, household equipment 8.3%, soap and kitchen supplies 6.1%, financial 35.5%, radio set 20.5%, department store 13.3%, tobacco products 8.9%, and miscellaneous 28.3%. Amusements declined 5.1%, accessories 6.3%, drugs 21.6%, cosmetics 12.6% and confectionery 34.2%.

The miscellaneous, clothing, foodstuffs, household equipment, department store and automotive groups were the largest users of local broadcast advertising during 1936. For 1935 this order was miscellaneous, clothing, foodstuffs, household equipment, automotive and beverage advertising.

RETAIL BROADCAST ADVERTISING

Retail broadcast advertising over individual stations during 1936 was 15.6% greater than during 1935. The

TABLE VII
RETAIL BROADCAST ADVERTISING OVER INDIVIDUAL STATIONS

	Gross Time Sales			
Type of Sponsoring Business	1935		1936	
Automobiles and accessories:				
Automobile agencies and used dealers	$991,595	9.3%	$1,422,050	11.5%
Gasoline stations, garages, etc.	638,195	6.0%	472,760	3.8%
Clothing and apparel shops	2,810,962	26.4%	3,257,360	26.5%
Drugs and toilet goods:				
Drug stores	245,428	2.3%	198,245	1.6%
Beauty parlors	108,393	1.0%	102,240	.8%
Food products:				
Grocery stores, meat markets, etc.	587,265	5.5%	667,550	5.4%
Restaurants and eating places	245,506	2.3%	258,150	2.1%
Beverage retailers	42,739	.4%	31,960	.3%
Confectionery stores, etc.	26,459	.3%	30,980	.3%
Household goods:				
Household equipment retailers	652,914	6.1%	747,210	6.1%
Furniture stores	1,045,802	9.9%	1,238,490	10.1%
Hardware stores	220,838	2.0%	214,550	1.8%
Radio retailers	172,219	1.6%	212,570	1.7%
Department and general stores	1,768,990	16.6%	2,029,461	16.5%
Tobacco shops	8,702	.1%	3,090	....
Miscellaneous	1,074,192	10.2%	1,416,290	11.5%
Total	$10,640,199	100.0%	$12,302,956	100.0%

greatest increase was registered in the automobile agencies group which rose 43.4% over the 1935 level. Radio retailers increased 23.4%, furniture stores advanced 18.4% and confectionery stores rose 17.1%. Other increases were as follows: miscellaneous 31.8%, clothing stores 15.9%, department stores 14.7%, household equipment dealers 14.4%, grocery stores 13.6%, and restaurants 5.1%. Gasoline station advertising declined 25.9%, drug stores 19.2%, beauty parlors 5.6%, beverage retailers 25.2%, hardware stores 2.8%, and tobacco shops 64.4%.

Broadcast advertising by retail establishments of various types for the year is set forth in Table VII.

BROADCAST ADVERTISING IN DECEMBER

HIGHLIGHTS OF THE MONTH

Broadcast advertising during December amounted to $11,119,557, a decline of 2.6% as compared to the preceding month but a gain of 28.0% as compared to December 1935. National network volume stayed at approximately the same level, local advertising increased 4.4% while regional network and national non-network business experienced declines. All portions of the medium except the regional networks enjoyed increases in business when compared to last December.

Non-network advertising declined 6.1% from the level of the previous month but was 33.7% ahead of the corresponding month of last year. Local station volume alone showed an increase over November. All sections of the country showed a slight decline in volume of non-network advertising. However, all classes of stations and geographical districts were still well ahead of the level of the corresponding month of last year.

Records were the only type of rendition to show an increase in the non-network field. Announcements declined 10.9%, transcriptions 8.8% and live talent 2.5%. Total transcriptions showed the greatest increase when compared to last December, rising 49.3%. In the local field, transcriptions gained 23.7% over November, other types of rendition showing smaller gains. Record volume alone showed an increase in the national non-network field.

The following principal increases over November were shown in the sponsor groups: national network drugs and pharmaceuticals, confectionery, financial and radio set advertising; national non-network financial advertising; regional network clothing, drug, foodstuffs and beverage advertising; and local drug, confectionery, and tobacco advertising. National network automotive and financial advertising, regional network drug and accessory advertising; national non-network accessory and tobacco advertising and local drug and foodstuffs advertising showed the principal gains over the corresponding month of last year. Retail advertising amounted to $1,410,480, an increase of 8.7% over November and a gain of 23.3% over December 1935.

TOTAL BROADCAST ADVERTISING

Total broadcast advertising for the month of December is found in Table I.

TABLE I

TOTAL BROADCAST ADVERTISING

1936 Gross Time Sales

Class of Business	*November*	*December*	*Cumulative Jan.-Dec.*
National networks...	$6,149,818	$6,185,441	[1]$59,671,244
Regional networks...	122,725	99,416	1,367,812
National non-network	2,873,200	2,461,200	24,141,360
Local..............	2,273,400	2,373,500	22,370,470
Total.........	$11,419,143	$11,119,557	$107,550,886

[1] Yearly Adjusted P.I.B. Totals.

Total broadcast advertising declined 2.6% from the previous month's level. National network volume showed a slight increase of less than 1.0% while local advertising rose 4.4%. Regional network volume experienced the greatest decrease, declining 18.9%. National non-network business decreased 14.3% compared to November.

Only regional network volume showed a decrease when compared to December of last year, declining 21.8%. National network volume increased 25.1%, national non-network business 44.1% and local advertising 24.4%. Total broadcast advertising increased 28.0% over the corresponding month of last year.

COMPARISON WITH OTHER MEDIA

Advertising volume by major media during the month of December is found in Table II.

TABLE II

ADVERTISING BY MAJOR MEDIA

1936 Gross Time and Space Sales

Advertising Medium	*November*	*December*	*Cumulative Jan.-Dec.*
Radio broadcasting...	$11,419,143	$11,119,557	$107,550,886
National magazines [1].	14,781,528	12,264,808	143,790,669
National farm papers [1]	607,976	631,615	7,013,154
Newspapers [2]........	53,362,000	52,867,000	568,593,000
Total.........	$80,170,647	$76,882,980	$826,947,709

[1] Publishers Information Bureau.
[2] Estimated.

National magazine volume decreased 17.0%, a usual seasonal decline. Newspaper advertising during December experienced less than the usual seasonal decline, dropping less than 1.0%. National farm papers registered a gain of 3.8%.

Compared to December 1935, national magazine volume rose 26.7%, national farm paper advertising 39.4% and newspaper lineage 7.5%.

NON-NETWORK ADVERTISING

Total non-network advertising declined 6.1% as compared to November but registered a gain of 33.7% over December of last year. The only increase over November was experienced by the local station group which rose 5.7%. Non-network advertising over clear channel and high-powered regional stations declined 9.4% and the volume of the regional station group dropped 6.3%.

All classes of stations showed marked increases over the corresponding month of last year. Clear channel station volume rose 17.8%, regional station business 46.7% and local station business 50.4%.

Non-network advertising by power of station is found in Table III.

TABLE III
NON-NETWORK ADVERTISING BY POWER OF STATION

Power of Station	*1936 Gross Time Sales* *November*	*December*	*Cumulative Jan.-Dec.*
Over 1,000 watts	$2,191,200	$1,983,600	$19,617,140
250–1,000 watts	2,266,400	2,122,500	19,713,950
100 watts	689,000	728,600	7,180,740
Total	$5,146,600	$4,834,700	$46,511,830

Non-network advertising experienced a general decline in volume in all sections of the country during December. Advertising in the New England-Middle Atlantic Area declined 8.2%, South Atlantic-South Central Area 5.9%, North Central Area 1.3% and the Pacific and Mountain Area 12.6%. However, when compared to the corresponding month of the preceding year, all sections of the country showed increases. The gain in the New England-Middle Atlantic Area was 66.1%, the South Atlantic-South Central Area 27.9%, North Central Area 30.5% and the Pacific and Mountain Area 11.2%. Non-network advertising by geographical districts is found in Table IV.

TABLE IV
NON-NETWORK BROADCAST ADVERTISING BY GEOGRAPHICAL DISTRICTS

Geographical District	*1936 Gross Time Sales* *November*	*December*	*Cumulative Jan.-Dec.*
New England-Middle Atlantic Area	$1,385,400	$1,270,900	$10,799,850
South Atlantic-South Central Area	973,900	915,500	9,214,070
North Central Area	1,879,000	1,854,900	18,073,230
Pacific and Mountain Area	908,300	793,400	8,424,680
Total	$5,146,600	$4,834,700	$46,511,830

NON-NETWORK ADVERTISING BY TYPE OF RENDITION

Record volume alone showed an increase over the level of the previous month, rising 12.7%. Announcement volume declined 10.9%, transcription business 8.8% and live talent business 2.5%. Transcriptions showed the greatest increase when compared to last December, rising 49.3%. Live talent business increased 25.8% over last December, records 17.5%, and announcements 38.4%.

In the national non-network field, transcription volume declined 16.2%, live talent business 5.5% and announcement volume 30.5%. Record business rose 26.9%. Compared to the corresponding month of last year, transcriptions rose 52.2%, live talent business 33.1%, records 42.1% and announcements 64.8%.

Transcriptions led the other types of rendition in the local field. Local transcription volume increased 23.7% over the level of November and 41.2% over the corresponding month of last year. Live talent business remained at approximately the same level as last month but was 19.3% ahead of last December. Records and announcements increased 10.6% and 3.8% over November, respectively, and 14.2% and 28.1%, respectively, over last December.

Non-network advertising by type of rendition is set forth in Table V.

TABLE V
NON-NETWORK BROADCAST ADVERTISING BY TYPE OF RENDITION

	1936 Gross Time Sales						
	National Non-network		*Local*		*Total*		*Cumulative*
Type of Rendition	*November*	*December*	*November*	*December*	*November*	*December*	*Jan.-Dec.*
Electrical transcriptions	$1,043,890	$874,800	$235,260	$291,120	$1,279,150	$1,165,920	$11,469,920
Live talent programs	1,236,490	1,168,200	1,181,730	1,187,890	2,418,220	2,356,090	22,321,660
Records	11,340	14,400	78,060	86,410	89,400	100,810	931,910
Announcements	581,480	403,800	778,350	808,080	1,359,830	1,211,880	11,788,340
Total	$2,873,200	$2,461,200	$2,273,400	$2,373,500	$5,146,600	$4,834,700	$46,511,830

SPONSOR TRENDS IN DECEMBER

Drugs and pharmaceuticals, confectionery, financial and radio set advertising showed the principal gains over last month among the various sponsor groups in the national network field. The accessory, clothing and household equipment groups experienced decreases. All groups except accessory and household equipment advertising showed gains when compared to last December. Automotive, confectionery, financial and radio set advertising showed the principal gains.

With the exception of clothing, drug, foodstuffs, and beverage advertising, all groups declined in the regional field as compared to November. The accessory, drug, beverage, and financial groups increased materially over last December.

Financial advertising experienced the only marked increase in the national non-network field when compared to November while the amusement, automotive, and household equipment groups showed the most marked declines. All groups except automotive showed gains as against the corresponding month of last year.

Gains were general in the local field when compared to last month, drug, confectionery, and tobacco groups showing the greatest gains. The automotive, drug, foodstuffs, and department store groups increased materially over last December.

Broadcast advertising during December by the type of sponsoring business is found in Table VI.

TABLE VI
RADIO BROADCAST ADVERTISING BY TYPE OF SPONSORING BUSINESS
(DECEMBER 1936)

	Gross Time Sales				
Type of Sponsoring Business	*National Networks*	*Regional Networks*	*National Non-network*	*Local*	*Total*
1a. Amusements	—	—	$6,340	$38,330	$44,670
1–2. Automobiles and accessories:					
(1) Automobiles	$577,330	$950	138,330	112,100	828,710
(2) Accessories, gas and oils	367,112	20,520	196,940	73,190	657,762
3. Clothing and apparel	38,937	1,267	51,630	388,790	480,624
4–5. Drugs and toilet goods:					
(4) Drugs and pharmaceuticals	576,500	12,653	535,240	89,170	1,213,563
(5) Toilet goods	1,175,490	4,860	148,730	12,150	1,341,230
6–8. Food products:					
(6) Foodstuffs	1,224,304	28,323	571,880	317,490	2,141,997
(7) Beverages	416,061	8,965	80,490	111,490	617,006
(8) Confections	180,520	1,914	47,930	10,130	240,494
9–10. Household goods:					
(9) Household equipment and furnishings	30,944	2,938	53,740	215,990	303,612
(10) Soap and kitchen supplies	493,222	960	108,060	7,280	609,522
11. Insurance and financial	84,872	1,872	17,580	99,690	204,014
12. Radios	181,017	—	31,780	35,780	248,577
13. Retail establishments	—	1,536	22,160	225,830	249,526
14. Tobacco products	403,628	6,440	132,830	7,690	550,588
15. Miscellaneous	435,504	6,218	317,540	628,400	1,387,662
Total	$6,185,441	$99,416	$2,461,200	$2,373,500	$11,119,557

Detailed information regarding various sponsor groups during the month of December is as follows:

1a. ***Amusements.*** National non-network volume down 55.1% and local advertising up 20.7% as compared to November. Compared to last December, national non-network increased 188.1% and local advertising 33.5%.

1. ***Automotive.*** National network volume same as last month. Regional network volume amounted to $950. National non-network and local business declined 55.6% and 28.7%, respectively. National network volume 51.6% above December 1935. National non-network down 11.5% and local up 49.3%.

2. ***Accessories and gasoline.*** Compared to November, declines as follows: national network 18.8%, regional networks 45.6%, national non-network 30.2%, and local 6.5%. Regional network volume increased 56.3% as compared to the corresponding month of last year. National networks declined 12.8%. National non-network business rose 85.6% and local volume remained the same.

3. ***Clothing.*** National networks declined 30.2% as compared to last month. Regional business tripled, while national non-network and local business rose 4.8% and 11.0%, respectively. National network advertising 1.8% above corresponding month of last year. National non-network business up 23.1% and local 19.4%. Regional business declined 41.7%.

4. ***Drugs and pharmaceuticals.*** Gains over November as follows: national network 23.7%, regional network twofold, national non-network 3.1%, and local 38.7%. Gains compared to last December as follows: national network 9.1%, regional network fourfold, national non-network 18.8%, and local advertising 61.8%.

5. ***Toilet goods.*** National network volume up 1.1%. Regional network business down 38.2%, national non-network 3.2% and local advertising 27.1% compared to November. As against December of the preceding year national network volume increased 21.0% and national non-network business 72.3%. Regional networks dropped 56.3% and local advertising 64.9%.

6. ***Foodstuffs.*** Compared to last month, national networks increased 2.2%, regional networks 38.0%, national non-network 2.1% and local business remained the same.

National network volume increased 27.6% as compared to last December. Regional networks declined 16.3% while national non-network and local business rose 55.4% and 51.4%, respectively.

7. *Beverages.* National network volume 3.2% above November. Regional volume up 30.5% and local 6.7%. National non-network down 10.2%. Compared to last December, national networks rose 29.5%, regional networks 49.0% and national non-network 41.8%. Local advertising declined 6.7%.

8. *Confectionery.* National network advertising 47.0% ahead of November. Regional networks down 12.3% and national non-network down 4.0%. Local advertising increased 50.7%. Compared to last December, national networks rose 48.3%, national non-network 9.3% and local 13.3%. Regional network advertising declined materially.

9. *Household equipment.* Compared to last month, national networks declined 25.1%, regional networks 14.7% and national non-network 36.9%. Local advertising increased 1.9%. National networks declined 9.8% from last December. National non-network and local business increased 26.2% and 17.2%, respectively. Regional network business dropped 47.4%.

10. *Soaps and kitchen supplies.* National network and local advertising 2.4% and 1.1%, respectively, ahead of last month. National non-network advertising declined 31.3% and regional network business materially. Compared to the corresponding month of last year, national networks and national non-network business doubled. Local business declined 38.3%.

11. *Financial and insurance.* Compared to last month, national network volume increased 20.6%, national non-network business 56.4%, and local business 12.8%. Regional network business declined 11.4%. Increases over last December as follows: national network 84.7%, regional network 50.4%, national non-network 68.7%, and local 30.1%.

12. *Radios.* National network volume 46.9% ahead of November. National non-network down 35.5%, local up 8.3%. Gains compared to last December as follows: national networks 42.5%, national non-network 21.1%, and local 27.7%.

13. *Department and general stores.* Regional network advertising 63.7% below last month. National non-network increased 5.1% and local 13.6%. Compared to last December, national non-network increased 24.5% and local advertising 46.3%.

14. *Tobacco products.* Compared to last month, national networks rose 3.2%, national non-network 7.3% and local 33.2%. Regional networks declined 34.3%. National networks 7.2% ahead of last December and national non-network more than tripled. Regional networks and local advertising declined 38.9% and 12.6%, respectively.

15. *Miscellaneous.* Local advertising 4.3% ahead of November. National networks declined 20.9%, regional networks 53.4%, and national non-network advertising 19.7%. Compared to last December, national network volume increased 18.6%, national non-network 45.5% and local advertising 22.5%. Regional network advertising declined 56.3%.

RETAIL BROADCAST ADVERTISING

Retail broadcast advertising over individual stations increased 8.7% over last month contrary to the usual seasonal decline. Principal gains as compared to November as follows: restaurants 22.6%, confectionery stores 101.6%, radio retailers 16.8%, miscellaneous 50.4%, and department stores 12.8%. Principal declines during the month were beauty parlors, 34.5%, automobile agencies, 22.8%, gasoline stations, 29.9%, and beverage retailers 25.0%.

Retail broadcast advertising for December was 23.3% ahead of the same month of last year. Principal gains were as follows: automobile agencies 44.8%, restaurants 32.9%, furniture stores 31.5%, hardware stores 74.5%, radio retailers 57.8%, and department stores 44.1%. Retail broadcast advertising during the month is found in Table VII.

TABLE VII

RETAIL BROADCAST ADVERTISING OVER INDIVIDUAL STATIONS

Type of Sponsoring Business	*1936 Gross Time Sales*	
	November	*December*
Automobiles and accessories:		
Automobiles agencies and used car dealers	$147,310	$113,730
Gasoline stations, garages, etc	40,780	28,570
Clothing and apparel shops	378,370	426,290
Drugs and toilet goods:		
Drug stores	18,420	20,790
Beauty parlors	9,100	5,960
Food products:		
Grocery stores, meat markets, etc	42,420	46,960
Restaurants and eating places	24,720	30,310
Beverage retailers	3,480	2,610
Confectionery stores	1,230	2,480
Household goods:		
Household equipment dealers	77,510	59,880
Furniture stores	129,360	141,680
Hardware stores	22,480	19,780
Radio retailers	30,910	36,110
Department and general stores	219,790	247,990
Tobacco shops	....	....
Miscellaneous	151,140	227,340
Total	$1,297,020	$1,410,480

The National Association of Broadcasters
NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

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WASHINGTON RADIO HIGHLIGHTS

No hearing dates have yet been announced at the Capitol for either the Connery resolution to investigate certain phases of broadcasting or the Cellar bill for a government owned Pan-American broadcasting station; Two new radio bills introduced in Congress, one dealing with liquor advertising through broadcasting and the other an amendment to the Communications Act; FCC grants two new stations, one to a newspaper publisher; FCC says flood emergency over for broadcasters.

LIQUOR ADVERTISING BY RADIO

Senator Capper of Kansas has introduced a bill in the Senate (S. 1369) "to prohibit the transportation in interstate commerce of advertisments of alcoholic beverages." It has been referred to the Senate Committee on Interstate Commerce.

The only section of the bill referring to broadcasting is section 4 which reads as follows:

"It shall be unlawful to broadcast by means of any radio station for which a license is required by any law of the United States, or for any person operating any such station, to permit the broadcasting of any advertisement of alcoholic beverages or the solicitation of an order for alcoholic beverages."

UNEMPLOYMENT INSURANCE—NEW YORK

The Director of Unemployment Insurance for New York has issued an important ruling concerning artists and radio performers. The following text is taken from Prentice-Hall:

(29,559) Artists and radio performers as independent contractors. Unless the facts in a particular case indicate otherwise, instrumentalists, vocalists, actors, commedians, and other artistic talent engaged by advertising agencies or others for specific radio performances, where the sponsor or advertising agency does not have actual or constructive control over the method of the performance of the work of such persons would be considered "Independent persons" rather than employees under the New York State Unemployment Insurance Law. (U. I. D. Letter 1/27/37.)

TWO NEW BROADCASTING STATIONS

During the current week the Federal Communications Commission has granted a construction permit for a new broadcasting station to Harold F. Gross and Edmund C. Shields at Saginaw, Mich., to use 950 kilocycles, 500 watts power and daytime operation.

A grant for a station permit was also made to the News Press Publishing Company, Santa Barbara, Cal., to use 1220 kilocycles, 500 watts unlimited time on the air.

WALSH RADIO BILL

A bill (S. 1353) has been introduced in the Upper House by Senator Walsh of Massachusetts to amend the Communications Act of 1934 in connection with the actual operation of a broadcasting station. The bill has been referred to the Senate Committee on Interstate Commerce and will be found on page 1937 of this issue.

COLONIAL POULTRY FARMS AND PER INQUIRY ACCOUNTS

The Colonial Poultry Farms are seeking to obtain radio time on a per-inquiry basis. In one of their letters they state: "We pay 25 cents each for inquiries, paying weekly or anyway that suits the station. Some of the stations have us sign a contract, at regular rate card rate, but attach a letter with same in which they guarantee inquiries will not cost over 25 cents and in case they come to less than 25 cents, at rate card rate, we are to pay 25 cents. We are now on eight stations and two of them are 5,000 watt stations. We have been using some of them for years and it has always paid out for the stations."

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What are you, as a member, doing to ferret out that small minority who indulge in practices that are responsible for spoiling all the apples in the barrel?

LOUCKS RETAINED AS SPECIAL COUNSEL

The Managing Director, with the approval of the Executive Committee, this week retained Philip G. Loucks of Loucks & Sharfeld, as special counsel to represent the NAB with respect to certain matters growing out of the suit instituted by the United States Government against the American Society of Composers, Authors and Publishers. Specifically this representation involves only those matters which are directly connected with the efforts of the interested parties to stipulate, as far as possible, the facts in the suit.

This case has been pending in the United States District Court for the Southern District of New York since August 30, 1934. The case was called for trial on June 10, 1934, and after proceeding for about one week was recessed with the understanding that interested parties would endeavor to stipulate the facts.

RADIO DAILY

The *Radio Daily,* the radio and television's first own newspaper, made its initial appearance as a nationally circulated trade journal on Tuesday, February 9th. Editorial and business offices are located in the Paramount Building, New York City.

In thus pioneering, the *Radio Daily* parallels the record of its affiliate, the *Film Daily,* now in its nineteenth year.

Jack Alicoate, editor and publisher of *Film Daily,* is is also publisher of the new newspaper which will be published daily except Saturdays, Sundays and holidays. Bureaus will be maintained, it is said, in Washington, Los Angeles, Chicago and European capitals, while staff correspondents will be stationed in principal American cities.

RADIO FLOOD EMERGENCY OVER

In view of the improvement in conditions with reference to the flooded areas and the need for emergency communications, the special 24-hour watch being maintained at the Federal Communications Commission to handle requests for emergency communications has been discontinued. However, the special communication equipment will be retained for immediate use until after the flood has passed into the Gulf of Mexico.

The Commission is sending two Assistant Chief Engineers, namely, A. D. Ring and A. W. Cruse, into the recently flooded areas for the purpose of ascertaining first-hand knowledge of what lessons have been learned during the recent emergency which would be of benefit to the Commission in coordination of effort in the event of future emergency.

While it has been evident that the various Communications agencies in the country have functioned admirably under adverse conditions, it is believed that this recent experience may offer some basis for improved coordination of effort in the future, and the Commission feels that it is its duty to cooperate with other government departments as well as private agencies in effecting a comprehensive plan for the future, based upon practical experience.

The objective of the Commission is to be fully prepared for future emergencies. To this end the Commission is planning a permanent organization which can go into instant action whenever emergencies arise in any part of the country.

The Commission has also cancelled its order of January 26, which directed that no transmissions except those relating to relief work or to other emergencies be made within any of the authorized amateur bands below 4000 kilocycles.

In resuming normal operation, amateurs should make certain before going on the air that routine communications do not interfere with any messages which might still be handled in connection with the emergency flood situation.

The Commission expressed its appreciation for the splendid cooperation and excellent work of all stations and operators during the emergency.

RECOMMENDS AGAINST NEW CALIFORNIA STATION

George Harm filed an application with the Federal Communications Commission asking for a construction permit for the erection of a new broadcasting station at Fresno, Cal., to use 1310 kilocycles, 100 watts power and unlimited time on the air.

Examiner R. H. Hyde in Report No. I-352 recommended that the application be denied. The Examiner did not find that there is need for additional broadcast service in the area proposed to be served and he states that "no facts were presented to indicate that Station KMJ has not or cannot adequately supply the needs of the area proposed to be served."

POWER INCREASE RECOMMENDED FOR WAAB

Broadcasting station WAAB, Boston, Mass., operating on 1410 kilocycles, full time with 500 watts applied to the Federal Communications Commission to increase its power to 1,000 watts in the daytime.

Examiner Robert L. Irwin in Report No. I-355 recommended that the application be granted. He found that there is a need for such additional daytime service in the area proposed to be served as may be effected by the proposed modification. The Examiner states also that "the granting of this application would not cause any objectionable interference to the fair and efficient service of any other licensed station or stations."

GRANT FOR KENTUCKY STATION RECOMMENDED

The Owensboro Broadcasting Company applied to the Federal Communications Commission for a construction permit for the erection of a new broadcasting station at Owensboro, Ky., to use 1500 kilocycles, 100 watts and unlimited time on the air.

Examiner R. H. Hyde in Report No. I-354 recommended that the application be granted. He found that there is a need for a local service in the area proposed to be served and the operation of the proposed station would "not cause any substantial interference to the fair and efficient service of any other station or stations."

RECOMMENDS NEW MASSACHUSETTS STATION

Hildreth & Rogers Company filed an application with the Federal Communications Commission asking for a construction permit for the erection of a new broadcasting station at Lawrence, Mass., to use 680 kilocycles, 1,000 watts power and daytime operation. Also the Old Colony Broadcasting Corporation, asked for a construction permit for a new station at Brockton, Mass., to use the same frequency and time; with 250 watts power.

Examiner Ralph L. Walker in Report No. I-353 recommended that the application of Hildreth & Rogers Company be granted but that of the Old Colony Broadcasting Corporation be denied. The Examiner states that it is impossible to grant both applications. The proposed Lawrence station, he states would not cause any objectionable interference but as to whether the Brockton station would cause interference "the record affords no basis for a conclusion." The Examiner says further that "the city of Lawrence is without consistently satisfactory daytime service from existing stations, whereas several stations afford a signal of sufficient strength to render satisfactory service to residential sections of Brockton outside of the areas of unusually high noise level. As between the two cities, the greater need for daytime service is in Lawrence."

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3044. Charging unfair competition in the sale of rotary clocks and other merchandise, a complaint has been issued against **Joseph H.** and **S. J. Robinson**, 318 West Washington St., **Chicago**, trading as **J. Arthur Warren Co.**

The respondents are alleged to conduct lotteries or place in the hands of others the means of conducting lotteries in the sale of merchandise through a pushcard method in which chances are sold to persons selecting feminine names on a pushcard.

According to the complaint, there are 32 such names and 32 mixed numbers on the card. Persons drawing numbers under 29 pay what the respective numbers call for and those receiving numbers over 29 pay 29 cents. When a card is completely sold, two large seals at the top of the card are opened and the persons who selected names corresponding with those under the seals receive rotary clocks.

No. 3045. Melster Candy Co., Cambridge, Wis., is charged in a complaint with selling candy so packed and assembled that sales to ultimate purchasers are made by means of a lottery involving use of push cards, in violation of Section 5 of the Federal Trade Commission Act.

No. 3046. A complaint has been issued against **Milko Cone & Baking Co., Inc.,** 431 North Lincoln St., **Chicago,** charged with selling ice cream cones so packed and assembled as to involve the use of a lottery scheme when sales are made to ultimate purchasers.

The respondent corporation allegedly places in the cones it manufactures small strips of paper bearing various legends, a few of which inform ultimate purchasers that they will receive a package of gum free. The slips are said to be so placed in the cones that a purchaser cannot ascertain whether or not he is entitled to receive a free package of gum until the cone has been partially consumed.

No. 3047. Selected Kentucky Distillers, Inc., 305 West Broadway, **Louisville, Ky.,** is charged in complaint with falsely representing, through use of the word "Distillers" in its corporate name, on labels, or otherwise, that it manufactures through the process of distillation the alcoholic beverages it sells in interstate commerce. According to the complaint, the respondent corporation is a wholesaler of liquors.

No. 3048. Misrepresentation of the therapeutic value of "Pedodyne," advertised and sold as a bunion treatment, is charged in a complaint issued against **Pedodyne Company, Inc.,** 180 North Wacker Drive, **Chicago,** and its officers, **George J., Rose M.** and **Robert L. Katz.**

False representations allegedly made in the respondents' advertising matter are to the effect that "Pedodyne" will banish, cure and heal bunions, will stop pain and reduce swelling and inflammation caused by bunions, and will give perfect foot comfort and permanent results.

The respondents are alleged to have falsely disparaged the products of competitors by advertising that "Pedodyne" is superior to other bunion treatments and that competing products are of no value.

No. 3049. Alleging unfair competition in the sale of leather luggage, a complaint has been issued against **Samuel Brier,** trading as **Samuel Brier & Co.,** 310 Spruce St., **Philadelphia,** and **Quakertown Luggage Co., Inc., Quakertown, Pa.,** controlled and managed by Brier.

Charging violation of Section 5 of the Federal Trade Commission Act, the complaint alleges that certain designations used by the respondent companies to describe luggage offered for sale tended to mislead buyers into the belief that it was covered with the outside or top layer of the hide when, in fact, the luggage so designated was made from split leather which consists of the cut or layer of the hide remaining after the top grain or surface layer has been removed. Such split leather is of inferior quality and durability to top grain leather and commands a lower price, the complaint points out.

No. 3050. Unlawful trade practices involving use of unfair methods of competition, exclusive dealing contracts and price discrimination are alleged in a complaint issued against **Christmas Club,** 341 Madison Ave., **New York City,** a corporation engaged in the sale of passbooks, account books, advertising literature and other paraphernalia for use by banks and trust companies in conducting Christmas Clubs and other savings systems.

The respondent corporation's practices are said to constitute violations of the Federal Trade Commission Act, the Clayton Act and the Robinson-Patman Anti-Price Discrimination Act.

Under Section 5 of the Federal Trade Commission Act, the respondent corporation is charged with representing, in connection with the sale of its systems, that it is the sole owner of and has exclusive right to use of the phrase "Christmas Club," that such phrase is trade-marked by it, and that no one without its consent or license has the right to use the name "Christmas Club." According to the complaint, these representations are false in that the phrase "Christmas Club" is not owned solely by the respondent corporation, is not trade-marked, and may be used without its consent, permission or license.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

Nos. 2391-2419-2489. Three companies selling and distributing alcoholic beverages have been ordered to discontinue representing that they are distillers, when such is not a fact.

The orders to cease and desist are directed against **Quality Distillers, Inc.,** 824 South Flower St., **Los Angeles; Charles B. Trull,** trading as **West Coast Distilleries Co.,** 658 Howard St., **San Francisco,** and **Mount Rose Distilling Co.,** 2192 East State St., **Trenton, N. J.** These respondents are prohibited from representing, through use of some form of the word "distilling" in their corporate or trade names, on labels, or otherwise, that they are distillers of whiskies, gins, and other spirituous beverages; that they manufacture such products through the process of distillation, or that they own or operate distilleries, unless or until they do own or operate such places.

Nos. 2398-2453-2473. Paramount Distillers, Inc., 3088 West 106th St., **Cleveland,** and **Hercules Products & Distilling Corporation,** 52 Sand St., **Brooklyn,** have been ordered to cease representing through use, respectively, of the words "Distillers" and "Distilling" in their corporate names, on labels, or otherwise, that they are distillers of the whiskies, gins or other spirituous beverages they sell in interstate commerce; that they manufacture such products through the process of distillation, or that they own or operate distilleries, unless and until they do own or operate such places.

The orders except from their provisions gins manufactured by the respondent companies through a process of rectification whereby alcohol, purchased but not produced by them, is redistilled over juniper berries and other aromatics.

Under the third order, the Commission closed its case against **Edward A.** and **Samuel Katz,** trading as **Globe Distilling Co.,** 522 West Garfield St., **Glendale, Calif.,** who had been charged with unfair competition through use of the word "Distilling" in their trade name and in advertising matter.

No. 2496. Loft, Inc., 40th Ave. and 9th St., **Long Island City, N. Y.,** large candy manufacturer, has been ordered to cease and desist from falsely disparaging the candy products of its competitors. The case grew out of the advertising campaign and sales program conducted by that company during 1934 and 1935.

The Commission's order also is directed against Dr. Daniel R. Hodgdon, New York City, who according to the findings, joined with Loft, Inc., in conducting a campaign of false disparagement. It was found that Dr. Hodgdon is not a doctor of medicine, but that he delivered a series of lectures over the radio, which were sponsored by Loft, Inc., and directed against glucose as a candy or food ingredient.

No. 2539. Daniel R. Hodgdon and **National Food Bureau, Inc.,** both of 328 Greenwich St., **New York City,** have been ordered to discontinue making false and misleading representations and disparaging statements in advertising and promoting the sale of peanut oil.

Engaged by a manufacturer of peanut oil to conduct a sales promotional campaign, the respondents, according to the findings, used the radio principally in advertising the product with Hodgdon broadcasting the lectures and addresses.

The order directs the respondents to stop representing that peanut oil or food products made therefrom are superior to or easier to digest than corn oil or cottonseed oil or food made therefrom, and that corn oil or cottonseed oil food products are cheap commodities which are impure, unwholesome and unfit for human consumption.

No. 2624. An order to cease and desist has been issued against **Carlo Van Myers,** formerly of 818 Broadway, **New York City,** requiring him to discontinue certain unfair methods of competition in the sale of men's ready-made clothing in interstate commerce. Myers had been in business under the trade names **North American Clothes Co., National Brand Clothes Co., Sartorial Art Clothes Co.,** and **Society Bond Clothes Co.**

Selling his clothing in various states by means of salesmen, who, according to findings, he obtained through "Salesmen Wanted" advertisements without adequate investigation as to their fitness, honesty, or reliability, the respondent is found to have made various misrepresentations through such salesmen.

Among such representations prohibited in the order to cease and desist, are the following: That the clothing sold is all wool, of fine quality, made-to-measure or tailor-made, or will be of the same material as samples exhibited, unless and until the latter condition is a fact; that two garments are included in the price of one and extra trousers are furnished without extra charge; that prices quoted are special introductory prices or are other than the regular prices, unless they are in fact lower than the regular prices charged.

No. 2721. An order has been entered accepting a stipulation in settlement of a complaint against **R. M. Barnett,** trading as **Home and School Education Society,** Real Estate Trust Building, **Philadelphia,** who had been charged with unfair competition in the sale of an encyclopedia entitled "Source Book," together with a semi-annual loose leaf extension service and memberships in a Perpetual Bureau of Research.

Barnett stipulated that he will desist from representing in advertising matter or through salesmen that "Source Book" is given free to persons who subscribe for the extension service; that the total cost of the book and service is less than the amount actually required to be paid, and that the book has been approved and used by schools and libraries in every state of the Union.

Under the stipulation, Barnett agreed to cease representing that he maintains a research bureau which will give purchasers of "Source Book" information on any question; that he maintains educators, writers and photographers in every part of the world to prepare a review of current events to be published as loose-leaf extensions to such book; that he employs a competent staff to whom are available the expert services of authorities in every branch of education, and that the services of such staff and of the editors of and contributors to "Source Book" are available to purchasers of the book.

No. 2984. An order to cease and desist has been issued against **Israel Zelkind,** 9-13 Winter St., **Worcester, Mass.,** trading as **Lawrence Blanket Mills** and engaged in the sale of blankets in interstate commerce.

Zelkind is directed to discontinue use of the word "woolen" or the words "all wool," alone or in connection with other words, to describe blankets not made of wool, and use of the words "wool" or "woolen" to imply that the articles to which they refer are composed of wool, when this is not a fact. The respondent also is directed not to represent blankets as "fully shrunk," when this is not a fact.

FTC CASES CLOSED

No. 1927. The Federal Trade Commission has cancelled its complaint, issued January 26, against **L. H.** and **W. C. Hyde,** trading as **Royal Film Studios; Royal Revues, Inc.,** and **West Coast Discount Corporation, Ltd.,** because these respondents have signed a stipulation, which has been accepted by the Commission, agreeing to discontinue unfair methods of competition in connection with the renting and leasing of motion picture films for advertising purposes.

According to the stipulation, the respondents, who have their place of business at 6644 Santa Monica Boulevard, Hollywood, Calif., are engaged in the production of entertainment-advertising films for display in motion picture theaters, such films consisting of short acts with merchants' advertisements displayed across the lower part of the screen.

Among the representations which will be discontinued are the following:

That the films will be equal in quality to and the same length as samples shown, unless such are the facts; that the contracts which customers sign can be cancelled after two months, unless this privilege is granted as represented; that no other merchant engaged in the same business as the customer will be placed on the same film with him, unless this restriction is observed; that the price paid by the customer for the film is the entire cost of the service, unless he is informed that additional sums must be paid to the local motion picture exhibitor, and that West Coast Discount Corporation, Ltd., is an innocent purchaser for value of the promissory notes and securities given by subscribers to Royal Film Studios or Royal Revues, Inc.

No. 2336. The Commission has closed its case against **Electric Paint & Varnish Co.,** 8311 Franklin Ave., **Cleveland,** charged with false and misleading representations in the sale of its products in violation of Section 5 of the Federal Trade Commission Act.

The case was ordered closed without prejudice to the Commission's right to reopen it, should future circumstances warrant, and to resume prosecution in accordance with its regular procedure and upon the understanding that closing of this case is based on the record and is not to be regarded as a precedent.

No. 2571. The Commission has also entered an order closing its case against **American Safety Razor Corporation,** 315 Jay St., **Brooklyn,** which had been charged with discriminating in price between different purchasers of its razor blades, in violation of Section 2 of the Clayton Act. The alleged discrimination grew out of the practice of allowing certain purchasers commissions or other discounts because of advertising or promotion service rendered.

No. 2818. The Commission has issued an order closing its case against the **Vogan Candy Corporation,** 329 N. E. Eleventh Ave., **Portland, Ore.,** which was charged with unfair competition in the sale of candy.

Closing of the case was based on information that the respondent company has not engaged in the manufacture and sale of candies since August 19, 1936; that its physical assets have been dismantled and sold, and that it appears likely the company will not resume the violations of law alleged. The case was closed without prejudice to the Commission's right to reopen it should future circumstances warrant.

No. 2927. An order has been entered by the Commission closing its case against **F. A. North Co.,** and others, 1306 Chestnut St., **Philadelphia.** The respondents had been charged with false and misleading representations in connection with the sale of pianos.

The Commission reserved the right to reopen the case and resume prosecution of the complaint in accordance with its regular procedure if the facts should warrant.

FEDERAL COMMUNICATIONS COMMISSION ACTION

HEARING CALENDAR

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, February 15:

Monday, February 15

HEARING BEFORE AN EXAMINER (Broadcast)

NEW—John S. Braun, Waco, Tex.—C. P., **1500 kc.,** 100 watts, daytime.

NEW—The Louisville Times Co., Louisville, Ky.—C. P., **1210 kc.,** 100 watts, unlimited time.

WMEX—The Northern Corporation, Boston, Mass.—C. P., **1470 kc.,** 5 KW, unlimited time.

FURTHER HEARING BEFORE AN EXAMINER

WCOP—Massachusetts Broadcasting Corp., Boston, Mass.—Modification of license, **1130 kc.,** 500 watts, limited time until LS at KSL, Salt Lake City.

Tuesday, February 16

HEARING BEFORE AN EXAMINER (Broadcast)

NEW—Lillian E. Kiefer, Brooklyn, N. Y.—C. P., **1500 kc.,** 100 watts, 100 watts LS, specified hours (requests facilities of WMBQ).

WWRL—Long Island Broadcasting Corp., Woodside, L. I., New York, N. Y.—Modification of license, **1500 kc.,** 100 watts, 250 watts LS, specified hours (requests facilities of WMBQ). Present assignment: **1500 kc.,** 100 watts, 250 watts LS, specified hours.

NEW—Paul J. Gollhofer, Brooklyn, N. Y.—C. P., **1500 kc.,** 100 watts, 100 watts LS, specified hours (requests facilities of WMBQ).

WMBQ—Metropolitan Broadcasting Corp., Brooklyn, N. Y.—Renewal of license, **1500 kc.,** 100 watts, 100 watts LS, specified hours.

WMBQ—Metropolitan Broadcasting Corp., Brooklyn, N. Y.—C. P., **1500 kc.,** 100 watts, 100 watts LS, specified hours.

Wednesday, February 17

HEARING BEFORE AN EXAMINER (Broadcast)

NEW—Sharon Herald Broadcasting Co., Sharon, Pa.—C. P., **780 kc.,** 250 watts, daytime.

NEW—Allen T. Simmons, Mansfield, Ohio.—C. P., **780 kc.,** 1 KW, daytime.

KLPM—John B. Cooley, Minot, N. Dak.—C. P., **1360 kc.,** 1 KW, unlimited time.

NEW—Frazier Reams, Mansfield, Ohio.—C. P., **1370 kc.,** 100 watts, daytime.

Thursday, February 18

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. I-317:

WHAT—Independence Broadcasting Co., Inc., Philadelphia, Pa.—C. P., **1220 kc.,** 1 KW, unlimited time. Present assignment: **1310 kc.,** 100 watts.

Examiner's Report No. I-127:

NEW—Bellingham Publishing Co., Bellingham, Wash.—C. P., **1420 kc.,** 100 watts, unlimited time.

Examiner's Report No. I-283:

NEW—Gomer Thomas, Bellingham, Wash.—C. P., **1420 kc.,** 100 watts, unlimited time.

Examiner's Report No. I-309:

KVOS—KVOS, Inc., Bellingham, Wash.—Renewal of license, **1200 kc.,** 100 watts, unlimited time.

KVOS—KVOS, Inc., Bellingham, Wash.—Transfer of control of corporation; **1200 kc.,** 100 watts, unlimited time.

Friday, February 19

HEARING BEFORE AN EXAMINER (Broadcast)

NEW—Okmulgee Broadcasting Corp., Okmulgee, Okla.—C. P., **1210 kc.,** 100 watts, daytime.

NEW—Times Publishing Co., Okmulgee, Okla.—C. P., **1210 kc.,** 100 watts, daytime.

NEW—The Record Publishing Co., Okmulgee, Okla.—C. P., **1210 kc.,** 100 watts, daytime.

NEW—Richard S. Gozzaldi, d/b as Oak Cliff-Dallas County Broadcasting Co., Dallas, Tex.—C. P., **1500 kc.,** 100 watts, daytime.

NEW—A. L. Chilton, Dallas, Tex.—C. P., **990 kc.,** 1 KW, daytime.

APPLICATIONS GRANTED

WGL—Westinghouse Radio Stations, Inc., Ft. Wayne, Ind.—Granted amended C. P. to move transmitter and studio sites locally, and install vertical radiator.

KOTN—Universal Broadcasting Corp., Pine Bluff, Ark.—Granted C. P. approving transmitter and studio sites, and installation of vertical radiator.

WCBA—B. Bryan Musselman, Allentown, Pa.—Granted license to cover C. P. as modified; **1440 kc.,** 500 watts night and day, sharing with WSAN.

WSAN—WSAN, Inc., Allentown, Pa.—Granted license to cover C. P. as modified; **1440 kc.,** 500 watts night and day, sharing with WCBA.

KFRU—KFRU, Inc., Columbia, Mo.—Granted license to cover C. P.; **630 kc.,** 500 watts night, 1 KW day, share with WGBF, simultaneous day WGBF.

KOCA—Oil Capital Broadcasting Assn., Kilgore, Tex.—Granted license to cover C. P. as modified; **1210 kc.,** 100 watts, unlimited.

KWSC—State College of Washington, Pullman, Wash.—Granted license to cover C. P.; **1220 kc.,** 1 KW night, 5 KW day, sharing KTW.

KGLO—Mason City Globe Gazette Co., Mason City, Iowa.—Granted license to cover C. P. as modified; **1210 kc.,** 100 watts, unlimited.

KWOS—Tribune Printing Co., Jefferson City, Mo.—Granted license to cover C. P. as modified; **1310 kc.,** 100 watts, daytime only.

KSO—Iowa Broadcasting Co., Des Moines, Iowa.—Granted license to cover C. P. as modified; **1430 kc.,** 500 watts night, 2½ KW day, unlimited.

KAWM—A. W. Mills, Gallup, N. Mex.—Granted modification of C. P. approving transmitter and studio at 1100 E. Aztec Ave.

WJZ—National Broadcasting Co., Inc., New York City.—Granted modification of license to reduce operating power of auxiliary transmitter from 30 KW to 25 KW, and granted renewal of license of auxiliary transmitter for the period 2-1-37 to 8-1-37.

WMMN—Monongahela Valley Broadcasting Co., Fairmont, W. Va.—Granted authority to determine operating power by direct measurement of antenna input.

WAIR—C. G. Hill, Geo. D. Walker, Susan H. Walker, Winston-Salem, N. C.—Granted modification of C. P. approving transmitter site at N. Cherry St. Extension; change authorized equipment, and installation of vertical radiator.

W7XBD—Oregonian Publishing Co., Portland, Ore.—Granted modification of C. P. extending commencement date to February 15 and completion date to August 15, 1937.

W3XJ—McNary & Chambers, near College Park, Md.—Granted license to cover C. P., frequency **1060 kc.,** A3 and special emission, 100 watts, 12 midnight to 6 a. m.

W2XIN—Standard Cahill Co., Inc., Mobile (New York City)—Granted modification of license to change name to WBNX Broadcasting Co., Inc.

NEW—National Broadcasting Co., Inc., New York City, Portable Mobile.—Granted license for new experimental broadcast station, frequencies **1614, 3492.5, 4797.5, 6425, 8655, 12862.5, 17310, 25700, 26000, 27100, 31100, 34600, 37600, 40600, 86000-400000** and **401000 kc.,** 25 watts.

SET FOR HEARING

NEW—Abraham Plotkin, Chicago, Ill.—Application for C. P. for new station; **1570 kc.,** 1 KW, unlimited.

NEW—James R. Doss, Jr., Mobile, Ala.—C. P. for new station to operate on **1500 kc.,** 100 watts, daytime only, exact transmitter site to be determined with Commission's approval.

NEW—Staunton Broadcasting Co., Inc., Staunton, Va.—Application for C. P. amended to request **1500 kc.,** 250 watts, daytime only, exact location to be determined subject to Commission's approval.

KIDO—Frank L. Hill and C. G. Phillips, d/b as Boise Broadcast Station, Boise, Idaho.—Application for C. P. for changes in equipment; increase in power to 5 KW. To be heard before the Broadcast Division.

WMBH—Joplin Broadcasting Co., Joplin, Mo.—Application for C. P. amended to request move of transmitter and studio sites locally; install new equipment and directional antenna system for nighttime operation; change frequency from **1420 kc.** to **1380 kc.,** power from 100 watts night, 250 watts day, unlimited, to 500 watts, unlimited.

KGKO—Wichita Falls Broadcasting Co., Fort Worth, Tex.—Application for modification of C. P. approving transmitter location near Ft. Worth; install new equipment and directional antenna for nighttime use; increase night power from 250 watts to 1 KW, day power from 1 KW to 5 KW.

KJBS—Julius Brunton & Sons Co., San Francisco, Calif.—Application for modification of license to change frequency from **1070 kc.** to **1080 kc.**

KFEQ—K F E Q, Inc., St. Joseph, Mo.—Application for modification of license to increase hours of operation from daytime only to unlimited. Present authority: **680 kc.,** 2½ KW daytime only. To be heard by the Broadcast Division.

WMFR—Radio Station WMFR, Inc., High Point, N. C.—Application for modification of license to increase hours of operation from daytime to specified hours, 6 a. m. to 7:30 p. m. Now operates on **1200 kc.,** 100 watts, daytime only.

WIOD-WMBF—Isle of Dreams Broadcasting Corp., Miami, Fla.—Application for modification of license to change frequency from **1300 kc.** to **610 kc.**

WKY—WKY Radiophone Co., Oklahoma City, Okla.—Application for modification of license to increase night power from 1 KW to 5 KW. To be heard before the Broadcast Division. (Now operates on **900 kc.,** 1 KW night, 5 KW day, unlimited.)

KGFF—KGFF Broadcasting Co., Inc., Shawnee, Okla.—Application for modification of license to change frequency from **1420 kc.** to **1430 kc.;** increase power from 100 watts night, 250 watts day, unlimited, to 250 watts, unlimited.

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Application for modification of license to increase night power from 1 KW to 5 KW. To be heard before the Broadcast Division.

KYOS—Merced Star Publishing Co., Inc., Merced, Calif.—Application for modification of license to change frequency from **1040 kc.** to **1260 kc.;** increase hours of operation to unlimited.

NEW—Earle Yates, Las Cruces, N. Mex.—Application for C. P. amended to request **930 kc.,** 500 watts, daytime only; exact transmitter site to be determined with Commission approval.

SPECIAL AUTHORIZATIONS

WAAF—Drovers Journal Pub. Co., Chicago, Ill.—Granted special temporary authorization to broadcast a special DX program from 3 a. m. to 4 a. m., CST, February 21, 1937.

WCAT—South Dakota State School of Mines, Rapid City, S. Dak.—Granted special temporary authorization to operate from 8:45 to 10:15 p. m., CST, February 12, 22, 23 and March 1, 1937, in order to broadcast basketball games.

WKOK—Sunbury Broadcasting Corp., Sunbury, Pa.—Granted extension of special temporary authority to operate a 50-watt portable test transmitter between the hours of 1 a. m. and 6 a. m., EST, for the period February 11 to February 25, 1937, in order to obtain suitable location for transmitter.

WDEV—Charles B. Adams, Administrator of estate of Harry G. Whitehill, Waterbury, Vt.—Granted extension of special temporary authority for Chas. E. Adams, Administrator of the estate of Harry C. Whitehill to operate station WDEV instead of Mary M. Whitehill (deceased) Executrix of the estate of Harry C. Whitehill, pending receipt and/or action of application for assignment of him as the duly authorized administrator, but for the period beginning March 1 and ending no later than September 1, 1937.

KGDY—Voice of South Dakota, Huron, S. Dak.—Granted special temporary authority to remain silent for a period of 30 days conditionally, for the purpose of rebuilding transmitter to comply with Rule 132.

KALB—Alexandria Broadcasting Co., Alexandria, La.—Granted special temporary authority to operate from 6 to 7 p. m., CST, February 12 to 22, 1937, inclusive, in order to broadcast programs in observance of National Defense Week.

KQV—KQV Broadcasting Co., Pittsburgh, Pa.—Granted special temporary authority to operate simultaneously with station WSMK from 12 midnight, February 11, to 2:30 a. m., February 12, 1937, in order to broadcast CBS Red Cross Flood Relief Program.

WPG—City of Atlantic City, Atlantic City, N. J.—Granted special temporary authority to operate from 12 midnight to 2:30 a. m., EST, February 11, in order to carry benefit CBS, NBC and Mutual network program on behalf of Red Cross flood relief.

KEX—Oregonian Publishing Co., Portland, Ore.—Granted special temporary authority to operate simultaneously with KOB from 7:30 to 8 p. m., PST, Friday, February 12, in order to broadcast Lincoln Day address by Chester Rowell, Editor of the *San Francisco Chronicle.*

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing were dismissed at request of applicants:

NEW—Wise Broadcasting Co., St. Paul, Minn.—C. P., **630 kc.,** 250 watts, unlimited (facilities of KGDE).

KSLM—Oregon Radio, Inc., Salem, Ore.—C. P., **1240 kc.,** 250 watts, unlimited.

NEW—Aberdeen News Co., Aberdeen, S. Dak.—C. P., **1390 kc.,** 1 KW, unlimited.

APPLICATION DENIED

The following application, heretofore set for hearing, was denied as in cases of default for failure to file an appearance and statement of facts in accordance with Rule 104.6(c):

NEW—J. D. Keating, Harvey Wells, L. J. Keating, Joe M. Meyer, and L. C. Keating, d/b as Vancouver Broadcasting Co., Vancouver, Wash.—C. P., **1500 kc.,** 100 watts, daytime.

RATIFICATIONS

The Broadcast Division ratified the following actions authorized on the dates shown:

WOPI—R. H. Smith, Bristol, Tenn.—Granted authority to use 250 watts output on **1500 kc.** for handling emergency communications only.

KLCN—Station KLCN, Blytheville, Ark.—Granted authority to operate with 250 watts power for transmission of emergency flood and relief communications only.

WREC—WREC, Inc., Memphis, Tenn.—Granted authority to operate by terms of Rule 23 to use 5 KW power and operate nondirectional antenna at night while transmitting emergency messages only.

NEW—Nichols & Warinner, Long Beach, Calif.—Granted authority to use stations W6XKL and KIFO as licensed extension period 15 days beginning February 5 to 20 provided Commission is advised by telegram sent before each broadcast, the requirements of Rule 1002. Program in re settlement of Maritime strike in vicinity of San Pedro Harbor.

W10XFR-W10XFQ—National Broadcasting Co., Inc., New York. —Granted authority to operate as licensed on February 8 to 15 to broadcast inquiring reporter, San Francisco, Calif.

W10XAI-W10XDX—National Broadcasting Co., Inc., New York. —Granted authority to operate as licensed on February 6 to broadcast description Wanamaker Mile Race.

WKRC—WKRC, Inc., Cincinnati, Ohio.—Granted extension equipment test period 10 days from February 2, however, no tests permitted 4:20 a. m. to 4:40 a. m., EST, February 8, due to Commission monitoring schedule.

KABG-W6XKF-W6XLN-W10XGK—Ben S. McGlashan, Los Angeles, Calif.—Granted authority to operate as licensed for period of 30 days from Feb. 4 for relaybroadcast Midwinter Regatta.

WJDX—Lamar Life Insurance Co., Jackson, Miss.—Granted authority to use 2500 watts night while actually handling emergency messages only in accordance with Rule 23.

W9XPV-W9XPN—WDZ Broadcasting Co., Tuscola, Ill.—Granted authority to operate as licensed daily except Tuesdays during February, 1937, for relaybroadcast from Douglas County Schools Farms WPA projects.

WJEP—Stromberg-Carlson Tel. Mfg. Co., Rochester, N. Y.—Granted authority to operate as licensed February 22 to March 3 relaybroadcast Safety Campaign program.

KWKH—International Broadcasting Co., Shreveport, La.—Granted authority to operate KWKH with non-directional antenna while actually transmitting emergency messages in accordance with Rule 23 and the use of KILB and KABH for emergency message service only throughout emergency.

WRR—City of Dallas, Dallas, Tex.—Granted extension of special temporary authority to suspend tests on station KVPA's transmitter used by WRR as an auxiliary transmitter, as required by Sec. D of Rule 148, for period January 30 to Feb. 28, pending necessary changes to comply with Rule 132. (Conditional Clause), Effective as of January 30, 1937.

WSPR—Connecticut Valley Broadcasting Co., Springfield, Mass.—Granted special temporary authority to operate from 11 p. m., February 8, to 1:30 a. m., February 9, 1937 (instead of February 9 and 10 as authorized in grant of February 2), in order to broadcast a theater benefit for Red Cross Flood Relief.

WAAX—Crosley Radio Corp., Cincinnati, Ohio.—Granted special temporary authority to operate relaybroadcast station on frequencies **1622, 2058, 2150** and **2790 kc.**, 50 watts, for period February 5 to February 11, to feed WMC and/or WLW within radius of 200 miles of Memphis, Tenn.

WHAZ—Renssalaer Polytechnic Institute, Troy, N. Y.—Granted special temporary authority to operate during daytime hours until 4:30 p. m., EST, for the period February 8 to February 12, with power of 500 watts.

WMFF—Plattsburg Broadcasting Corp., Plattsburg, N. Y.—Granted special temporary authority to operate from 5:30 p. m. to 10:30 p. m., EST, February 9, 12, 13, 19 and 20, 1937, (using 100 watts) to broadcast special sporting events from Lake Placid and a special Kiwanis Luncheon at Plattsburg.

KAAS—Transcontinental & Western Air, Inc., Washington, D. C.—Granted special temporary authority to operate regularly licensed aircraft transmitter KHART aboard Douglas Type plane, as a relay broadcast station on one day from February 6 to 10, inclusive, on the frequencies **2790 kc.** and/or **2150 kc.**, plane flying over Los Angeles, in connection with demonstration of a special shielded loop antenna developed and to be broadcast over CBS national hookup.

The Broadcast Division granted the petition of Pape Broadcasting Corp., (WALA) Mobile, Ala., to intervene in the proceedings upon the application of H. O. Davis, Mobile, Ala., for C. P. Docket No. 4298.

The Broadcast Division granted the petition of Liner's Broadcasting Station, Inc. (KMLB), to intervene in the proceedings upon the application of Southland Industries, Inc. (WOAI), San Antonio, Tex., for C. P. Docket No. 4165.

The Broadcast Division granted the petition of T. E. Kirksey, Waco, Tex, to intervent in the proceedings upon the application of John S. Braun, for C. P. for new station at Waco, Docket No. 3934.

The Broadcast Division waived Rule 105.20 and granted the petition of Arkansas Broadcasting Co., Hot Springs, Ark., to intervene in the proceedings upon the application of Arkansas Radio & Equipment Co., Inc. (KARK) for Mod. of C. P. Docket 4263.

The Broadcast Division granted the petition of The Outlet Company, Providence, R. I., to intervene in the proceedings upon the application of Bay State Broadcasting Corp. for new station at Providence, R. I. Docket 4128.

The Broadcast Division granted the petition of John B. Cooley (KLPM) for permission to amend his application for C. P. to increase power, so as to specify 500 watts power at night instead of 1 KW. Docket 4211.

The Broadcast Division granted the petition of W. P. Stuart and directed that the effective date of its order of December 1, 1936, in granting and denying respectively, the applications of Southwest Broadcasting Co., Prescott, Ariz., for C. P., Docket 3797, and W. P. Stuart, Prescott, Ariz., for C. P. Docket 3906, be extended to Feb. 15, 1937.

The Broadcast Division denied the motion and supplemental motion of Woodman of the World Life Ins. Assn., respondent, for postponement of Oral Argument upon the application of WKZO, Inc., Docket 2412, now scheduled for February 4, 1937.

ACTION ON EXAMINERS' REPORTS

NEW—Ex. Rep. No. 1-269: W. T. Knight, Jr., Savannah, Ga.—Denied C. P. for new broadcast station to operate on **1310 kc.**, 100 watts, unlimited time (site to be determined, subject to Commission's approval). Examiner M. H. Dalberg sustained.

NEW—Jack E. Brantley, Mrs. Jack E. Brantley, and Jack E. Brantley, Jr., Savannah, Ga.—Denied C. P. for new broadcast station to operate on **1310 kc.**, 100 watts, unlimited time (site to be determined subject to Commission's approval). Examiner Dalberg sustained. Order effective March 23, 1937.

NEW—Ex. Rep. 1-289: Saginaw Broadcasting Co., Saginaw, Mich. —Denied C. P. for new broadcast station to operate on **1200 kc.**, 100 watts night, 250 watts day, specified hours (site to be determined). Examiner M. H. Dalberg reversed.

NEW—Harold F. Gross and Edmund C. Shields, Saginaw, Mich.—Granted C. P. for new broadcast station to operate on **950 kc.**, 500 watts, daytime (site to be determined, subject to Commission's approval). Examiner Dalberg reversed. Order effective March 16, 1937.

NEW—Ex. Rep. 1-291: The Niagara Falls Gazette Publishing Co., Niagara Falls, N. Y.—Denied C. P. for new broadcast station to operate on **630 kc.**, 250 watts, daytime (site to be determined, subject to Commission's approval). Examiner M. H. Dalberg sustained.

NEW—Power City Broadcasting Corp., Niagara Falls, N. Y.—Denied C. P. (Commissioner Prall dissenting) for new broadcast station to operate on **630 kc.**, 250 watts, daytime (site to be determined). Examiner Dalberg reversed. Order effective March 23, 1937.

NEW—Ex. Rep. 1-295: Metro Broadcasting Co. (A. Tornek and R. Lillie), Los Angeles, Calif.—Denied C. P. for new broadcast station to operate on **820 kc.**, 250 watts, limited time with WHAS, Louisville, Ky. Examiner P. W. Seward sustained. Order effective March 23, 1937.

NEW—Ex. Rep. 1-312: The News Press Publishing Co., Santa Barbara, Calif.—Granted C. P. (Commissioner Case dissenting) for new broadcast station to operate on **1220 kc.**, 500 watts, unlimited time (site to be determined, subject to Commission's approval). Examiner George H. Hill sustained. Order effective March 16, 1937.

KICA—Ex. Rep. 1-328: Western Broadcasters, Inc., Clovis, N. Mex. —Granted modification of license to change hours of operation; **1370 kc.**, 100 watts. Order effective March 16, 1937.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KEPY, Spokane, Wash.; KGHL, Billings, Mont; KGW, Portland, Ore.; KLX Oakland, Cal.; KMJ, Fresno, Cal.; KOMO, Seattle, Wash.; KPOF, Denver, Colo.; KPRC, Houston, Tex.; KSAC, Manhattan, Kans; KTAR, Phoenix, Ariz.; KTSA, San Antonio; WMJB, Greensburg Pa.; WIBW, Topeka, Kans.; WILL, Urbana, Ill.; WIND, Gary, Ind.; WKRC, Cincinnati, Ohio; WMAL, Washington, D. C.; and auxiliary; WNAX and auxiliary, Yankton, S. Dak.

MISCELLANEOUS

Monongahela Valley Broadcasting Co., Fairmont, W. Va.—Granted petition for acceptance of answer in re proceedings upon application of KARK, Little Rock, Ark., for modification of C. P. scheduled to be heard February 9, 1937. This application was for increase in power from 500 watts night, 1 KW LS, to 1 KW day and night.

WDAY—WDAY, Inc., Fargo, N. Dak.; KOIN—KOIN, Inc., Portland, Ore.; WAVE—WAVE, Inc., Louisville, Ky.; WCSH—Congress Square Hotel Co., Portland, Me.; WAAT—Bremer Broadcasting Co., Jersey City, N. J.—Denied joint petition asking hearing upon application of World Publishing Co., Tulsa, Okla., for C. P. for new radio broadcasting station to operate on **940 kc.**, 1 KW night, 5 KW LS, unlimited time, be postponed, and that all pending applications for new or additional assignments on **940 kc.** be consolidated for hearing.

Earl Weir, St. Petersburg, Fla.—Denied petition asking Broadcast Division to reconsider its action in remanding to dockets application for new radio station for further action. The application is for a new station to operate on **1370 kc.**, 100 watts, unlimited time.

Waterloo Times-Tribune, Waterloo, Iowa.—Granted petition to intervene at hearing of application of W. H. Hartman Co. (Docket 4340) for a new broadcast station at Waterloo, Iowa, to operate on **1420 kc.**, 100 watts, unlimited time.

WOKO—WOKO, Inc., Albany, N. Y.—Granted petition to intervene in hearing of application of Troy Broadcasting Co. for permit to erect a new radio broadcasting station at Troy, N. Y., to operate on **950 kc.**, 1 KW, daytime, scheduled to be heard on March 16, 1936.

ORAL ARGUMENT GRANTED

NEW—Ex. Rep. 1-334: Clarence C. Dill, Washington, D. C.—Granted oral argument to be held April 1, 1937.

PETITION DENIED

The Commission denied the petition of the Winston-Salem Journal Company for a rehearing in the matter of the application of C. G. Hill, George D. Walker, and Susan H. Walker, to erect a new 250-watt broadcasting station at Winston-Salem, N. C., to operate on **1250 kc.**, daytime (Ex. Rep. 1-217), which was granted by the Broadcast Division on September 29, 1936.

Judge Sykes voted to remand the case to the Dockets for rehearing.

PERMIT EXTENDED

The Commission in a general session extended the effective date of a construction permit issued to Dorrance D. Roderick, El Paso, Texas, from January 21, to 3 a. m. February 25. This is an authorization to construct and operate a new broadcast station in El Paso on the frequency **1500 kc.**, 100 watts, unlimited time.

APPLICATIONS RECEIVED

First Zone

580 WTAG—Worcester Telegram Publishing Co., Inc., Worcester, Mass.—License to cover construction permit (B1-P-1153) for directional antenna, move of transmitter and increase in power.

620 NEW—Colonial Broadcasting Co., Morristown, N. J.—Construction permit for a new station to be operated on **620 kc.**, 1 KW, unlimited time. Directional antenna for night use.

1200 WNRI—S. George Webb, Newport, R. I.—Voluntary assignment of construction permit (1-P-B-2815) as modified, from S. George Webb to WNRI, Incorporated.

1240 NEW—Citizens Broadcasting Corp., Schenectady, N. Y.—Construction permit for a new station to be operated on **1240 kc.**, 1 KW night, 5 KW day, unlimited time. Amended: Re- antenna.

1500 WCNW—Arthur Faske, Brooklyn, N. Y.—Modification of construction permit (B1-P-1145) for antenna changes and move of transmitter locally, requesting authority to extend commencement and completion dates.

W3XJ—McNary and Chambers, Near College Park, Md.—License to cover construction permit for a new experimental broadcast station.

NEW—General Electric Co., Albany, N. Y.—Construction permit for a new high frequency broadcast station to be operated on **31600, 35600, 38600, 41000 kc.**, 150 watts.

NEW—Stromberg-Carlson Telephone Manufacturing Co., Mobile—Construction permit for a new relay broadcast station to be operated on **1606, 2022, 2102, 2758 kc.**, 100 watts, variable hours of operation.

Second Zone

1210 NEW—S. O. & P. C. Ward, d/b as Louisville Broadcasting Co., Louisville, Ky.—Construction permit for a new station to be operated on **1210 kc.**, 250 watts, daytime.

Third Zone

590 NEW—The Birmingham News Co., Birmingham, Ala.—Construction permit for a new station to be operated on **590 kc.**, 500 watts night, 1 KW daytime, unlimited time. Amended: To change power from 500 watts night, 1 KW day to 1 KW day and night.

1200 KADA—C. C. Morris, Ada, Okla.—Modification of license to move studio from Highway 48.1 Mi. North of Ada, Oklahoma, to 115½ S. Rennie Street, Ada, Oklahoma.

1310 KRRV—Red River Valley Broadcasting Corp., Sherman, Texas.—License to cover construction permit (B3-P-1526) for changes in equipment and increase in day power.

1420 NEW—F. W. Porton, Miami, Fla.—Construction permit for a new station to be operated on **1420 kc.**, 100 watts, unlimited time.

1500 NEW—WDSU, Incorporated, New Orleans, La.—Construction permit for a new station to be operated on **1500 kc.**, 100 watts night, 250 watts day, unlimited time.

W3XAU—WCAU Broadcasting Co., Newtown Square, Pa.—Modification of license to include the frequency of **15290 kc.**

WSMA—WSMB, Incorporated, Mobile—License to cover construction permit for a new relay broadcast station.

WSMC—WSMB, Incorporated, Mobile—License to cover construction permit for a new relay broadcast station.

NEW—Loyola University, New Orleans, La.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 7 watts, unlimited time.

NEW—Loyola University, New Orleans, La.—Construction permit for a new relay station to be operated on **31100, 34600, 37600, 40600 kc.**, 2 watts, unlimited time.

Fourth Zone

1240 KLPM—John B. Cooley, Minot, N. Dak.—Construction permit to make changes in equipment, install vertical antenna, change frequency from **1240 kc.** to **1360 kc.**, change power from 250 watts to 1 KW day and night, change time from specified hours to unlimited and move transmitter locally. Amended: To change power to 500 watts, 1 KW day.

1370 KOBH—Black Hills Broadcast Co. (Robert Lee Dean), Rapid City, S. Dak.—Construction permit to increase power from 100 watts to 100 watts night, 250 watts daytime and install new transmitter. Also make changes in antenna. (Filed in name of Black Hills Broadcast Co. of Rapid City.)

1370 KCMO—KCMO Broadcasting Co., Kansas City, Mo.—Construction permit to change frequency from **1370** to **1450 kc.**, install a new transmitter, increase power from 100 watts to 1 KW, install directional antenna for night use and move transmitter from Commerce Trust Bldg., 10th & Walnut Sts., Kansas City, Missouri, to 5200 E. 11th Street, Kansas City, Missouri.

XXX—Columbia Broadcasting System, Inc., Chicago, Ill.—Extension of authority to transmit programs to stations CFRB, Toronto and CKAC, Montreal and to stations of the Canadian Radio Commission or its successor.

Fifth Zone

1200 NEW—Dan B. Shields, Provo, Utah.—Construction permit for a new station to be operated on **1200 kc.**, 100 watts, unlimited time.

WALSH RADIO OPERATORS BILL

S. 1353

IN THE SENATE OF THE UNITED STATES

February 1 (calendar day, February 3), 1937

Mr. Walsh introduced the following bill; which was read twice and referred to the Committee on Interstate Commerce

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A BILL

To amend section 318 of the Communications Act of 1934.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 318 of the Communications Act of 1934 is hereby amended to read as follows:

"Sec. 318. The actual operation of all transmitting apparatus in any radio station for which a station license is required by this Act shall be carried on only by a person holding an operator's license issued hereunder, and no person shall operate any such apparatus in such station except under and in accordance with an operator's license issued to him by the Commission: *Provided, however,* That the Commission may waive or modify the foregoing provisions of this section for the operation of any station except (1) stations for which licensed operators are required by international agreement, (2) stations for which licensed operators are required for safety purposes, (3) stations engaged in broadcasting, and (4) stations operated as common carriers on frequencies below thirty thousand kilocycles."

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS ★ ★ ★ ★ ★ Vol. 5 - - No. 8
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WASHINGTON RADIO HIGHLIGHTS

FCC answers questions of Senator Wheeler * * * * Hampson Gary, FCC General Counsel, says Commission now has no authority to prevent newspapers from owning broadcast stations * * * * Suggests such legislation would be constitutional * * * * Commission informs Wheeler in detail of stations owned by newspapers and chains and controlled by both interests * * * * Possibility that freedom of the press might be involved * * * * As result of answer Senator Wheeler has announced that he will introduce a bill to prevent newspapers from obtaining more stations and possibly make them give up those they already own * * * * Craney (KGIR) addresses open letter to the Congress of the United States * * * * Makes answer to ASCAP and proposes an amendment to the Copyright Act of 1909 * * * * Amendment would clear copyright at the source, place full responsibility on persons originating performances including manufacturers of electrical transcriptions * * * * Hearing held on Dickstein Bill (H. R. 30) before House Committee on Immigration and Naturalization to protect artistic and earning opportunities for actors, etc. * * * * Senator Copeland makes favorable report from his Committee on Commerce on Pure Food and Drug Bill (S. 5) with few amendments * * * * Representative Culkin of New York introduces another bill to prevent alcoholic beverage advertising over radio.

FCC ANSWERS WHEELER

The Federal Communications Commission has sent its answer to Senator Burton Wheeler, of Montana, chairman of the Senate Committee on Interstate Commerce in connection with certain questions which he propounded dealing with newspaper ownership of broadcasting stations and network ownership of stations.

As the result of the Commission's answer Senator Wheeler has announced that he will introduce a bill making it unlawful for newspapers to own broadcasting stations. He contends that the effort of the bill will be to prevent monopoly of radio channels for public information.

Included in the answer of the Commission is an opinion of Hampson Gary, general counsel, as to whether the Commission now has power to prevent a newspaper from owning a broadcasting station and expressing his opinion as to whether such legislation can be enacted.

Mr. Gary's complete answer to the Senator on the subject of the ownership of broadcasting stations by newspapers is as follows:

January 25, 1937.

Memorandum to the Commission:

Opinion of the General Counsel

In response to request of the Chairman of the Commission.

I.

Has the Commission authority, at the present time, to deny an application of a newspaper for radio facilities, on the ground that it is against public policy.

The question presented is whether the Commission may deny an application of a newspaper for a license on the ground that it is against "public policy". The specific standard, or guide, provided by Congress in the Communications Act of 1934 is whether or not the granting of an application for license is "in the public interest, convenience or necessity". It must be determined at the outset, therefore, whether there is a difference between the term "public policy" and the standard of "public interest, convenience and necessity". We think the two may be distinguished. "Public policy" has been defined as:

> "that principle of law which holds that no one can lawfully do that which has a tendency to be injurious to the public or against the public good."

(*Spalding* v. *Maillet*, 188 P. 377; *Georgia Fruit Exchange* v. *Turnipseed*, 62 So. 542.)

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In the sense of the definition given, it might be said that "public policy" is synonymous with "public interest". However, as was said in *Weeks* v. *New York Life Insurance Company,* 122 S. E. 586:

> "Public policy imports something that is uncertain, fluctuating, varying with the changing economic needs, social customs and moral aspirations of the people. A state has no public policy cognizable by the courts which is not derivable by clear implication from established law as found in its Constitution, statutes, and judicial decisions."

Again, in *Georgia Fruit Exchange* v. *Turnipseed, supra,* p. 544, the court said:

> "Public policy is broader than the mere terms of the statute or statutes and embraces their general purpose and spirit."

See also *Smith* v. *San Francisco & M. P. R. Co.,* 47 Pacific 582, 589, where the phrase is defined as follows:

> "Public policy is a term of vague and uncertain meaning, which it pertains to the law-making body to define, and courts are apt to encroach on the domain of that branch of government if they characterize a transaction as invalid because it is contrary to public policy, unless the transaction contravenes some positive statute or some well-established rule of law. * * *"

As was pointed out in *Rast* v. *Van Deman & Lewis,* 240 U. S. 342, 357:

> "It is the *duty* and *function* of the legislature to discern and correct evils, and by evils we do not mean some definite injury but obstacles to a greater public welfare." (Italics supplied.)

This case is cited many times in other decisions, and we believe it is authority for the conclusion that a determination of "public policy" is the *function* of the legislature. Although it may be stated that the Federal Communications Commission is an arm of the Congress, or the agent of that legislative body, yet it is equally true that the Commission possesses only those powers specifically delegated to it by statute. (*Federal Radio Commission* v. *Nelson Bros. Bond & Mortgage Co.,* 289 U. S. 295.)

From the above it would appear that "public policy" is a broader and in some respects, a different term than "public interest," and that the determination of "public policy" is a function of Congress.

Since the Congress has delegated to the Commission the power to determine whether a grant of an application in any case will serve the "public interest" this is the only standard the Commission can apply, and our inquiry is limited to whether such standard furnishes authority to deny applications from newspapers. We do not mean to infer from the above that the Commission, in applying the standard of "public interest, convenience or necessity" to a given set of facts, may not consider as a factor that the applicant before it owns or controls a newspaper.

The Supreme Court, in *Federal Radio Commission* v. *Nelson Bros. Bond and Mortgage Company, supra,* has defined the standard and indicated some of the limitations upon the power of the Commission:

> "In granting licenses the Commission is required to act 'as public convenience, interest or necessity requires.' This criterion is not to be interpreted as setting up a standard so indefinite as to confer an unlimited power. Compare *N. Y. Central Securities Co.* v. *United States,* 287 U. S. 12, 24. The requirement is to be interpreted by its context, by the nature of radio transmission and reception, by the scope, character and quality of services, and, where an equitable adjustment between States is in view, by the relative advantages in service which will be enjoyed by the public through the distribution of facilities."

See also the following language in *N. Y. Central Securities Co.* v. *United States,* 287 U. S. 24:

> "Appellant insists that the delegation of authority to the Commission is invalid because the stated criterion is uncertain. That criterion is the 'public interest.' It is a mistaken assumption that this is a mere general reference to public welfare without any standard to guide determinations. The purpose of the Act, the requirements it imposes, and the context of the provision in question show the contrary."

It should be observed that the application of this standard by the Commission is subject to judicial review under Section 402(b) of the Act. Upon appeal from decisions of the Commission the court will examine the decision for the purpose of determining whether the Commission has stayed within the power thus delegated and therefore its decision was not arbitrary or capricious.

> "A finding without substantial evidence to support it—an arbitrary or capricious finding—does violence to the law. It is without the sanction of the authority conferred. And an inquiry into the facts before the Commission, in order to ascertain whether its findings are thus vitiated, belongs to the judicial province and does not trench upon, or involve the exercise of, administrative authority." *Nelson Bros. case, supra,* p. 277.

In my opinion, therefore, the Commission does not have the authority, under the existing law and in the absence of an expression of public policy on the subject by the Congress, to deny an application to a newspaper owner for radio facilities solely upon the ground that the granting of such an application would be against public policy. It is clear, however, that the Commission has the duty of examining the facts in each particular case to determine whether the granting of an application will serve "public interest, convenience or necessity". One fact among others to be considered by the Commission, is the business connections of the applicant, newspaper or other, and in my opinion the Commission has the power to refuse a license to a newspaper owner if upon all the facts before it in a given case the Commission is unable to find that the granting of such an application would serve public interest, convenience, or necessity.

II.

Whether legislation could be passed denying the right of newspapers to obtain broadcasting licenses in the future and requiring them to divest themselves of existing rights in broadcast stations within a reasonable time.

It is well settled that all radio broadcasting is within the regulatory power of Congress under the Commerce clause of the Constitution (*American Bond & Mortgage Company* v. *United States,* 52 F. (2d) 318; *Federal Radio Commission* v. *Nelson Bros. Bond & Mortgage Co.,* 289 U. S. 267). This power is "supreme and plenary" (*Minnesota Rate Cases,* 281 U. S. 362, 398); is "complete in itself, and may be exercised to its utmost extent, and acknowledges no limitations, *other than those prescribed in the Constitution.*" (*Gibbons* v. *Ogden,* 9 Wheat. 1, 196.) And the power to regulate includes the power to prohibit (*The Lottery Cases,* 188 U. S. 321).

It should be determined at the outset whether there exist any constitutional limitations upon the power of Congress to regulate interstate and foreign commerce. It would appear that if such limitations exist they may be found in the First or Fifth Amendments to the Constitution.

The portions of the First Amendment which need be examined in connection with the legislation proposed are as follows: "Congress shall make no law * * * abridging the freedom of speech, or of the press * * *." It is submitted that legislation such as that proposed would constitute no abridgment of freedom of speech or of the press since ownership or control of a radio broadcast station is not essential to the right to speak or the dissemination of news, and the owning or controlling of a broadcast station as a business has nothing to do with the freedom of speech or of the press as such, because the newspaper would still have the same right to communicate by printing or broadcasting, which is enjoyed by any other person or class.

This is demonstrated by the following language from the case of *Trinity Methodist Church, South,* v. *Federal Radio Commission,* 62 Fed. (2d) 850, 853, in which the court affirmed a decision of the Commission refusing to renew the applicant's broadcast license:

> "This is neither censorship nor previous restraint, *nor is it a whittling away of the rights guaranteed by the First Amendment, or an impairment of their free exercise.* Appellant may continue to indulge his strictures upon the characters of men in public office. He may just as freely as ever criticize religious practices of which he does not approve. * * * but he may not, as we think, *demand, of right, the continued use of an instrumentality of commerce for such purposes, or any other, except in subordination to all reasonable rules and regulations Congress, acting through the Commission, may prescribe.*" (Italics supplied.)

Moreover, the freedom of the press is not abridged by a reasonable regulation of commerce promulgated by the Congress under constitutional authority for the protection of all the people, including the press.

In *Toledo Newspaper Co.* v. *U. S.,* U. S. 402, 419, Chief Justice White, speaking for the Court, dismissed the argument that a law providing for the punishment of contempts of court which obstructed justice was an interference with freedom of the press, in the following language:

> "We might well pass the proposition by because to state it is to answer it, since it involves in its very statement the contention that *the freedom of the press* is the freedom to do wrong with immunity and *implies the right to frustrate and defeat the discharge of those governmental duties upon the performance of which the freedom of all, including that of the press, depends.*" (Italics supplied.)

Chief Justice Fuller, in the case entitled *In Re: Rapier,* 143 U. S. 110, 134, said:

> "We cannot regard the right to operate a lottery as a fundamental right infringed by the legislation in question; *nor are we able to see that Congress can be held, in its enactment, to have abridged the freedom of the press. The circulation of newspapers is not prohibited, but the government declines itself to become an agent in the circulation of printed matter which it regards as injurious to the people.* The freedom of *communication* is not abridged within the intent and meaning of the constitutional provision unless Congress is absolutely destitute of any discretion as to what shall or shall not be carried in the mails, and compelled arbitrarily to assist in the dissemination of matters *condemned by its judgment, through the governmental agencies which it controls.*" (Italics supplied.)

Inasmuch as the granting of a license to operate a broadcast station does not give the licensee any vested property right (*American Bond & Mortgage Company* v. *United States,* 52 F. (2d) 318), (Sections 304 and 309(b) of the Communications Act of 1934) and since broadcast licenses must be renewed every six months, each application for renewal thereof being considered *de novo,* the right to hold or acquire property does not appear to be involved. For the same reasons the constitutional question presented in considering the power of Congress to deny newspapers the right to acquire broadcast stations in the future is not different from that presented as to its power to require them to divest themselves of the control of such stations within a reasonable time.

That protection of a person or class of persons to equality under the law exists under the Fifth Amendment is clearly indicated in the line of decisions noted herein: In the case of *U. S.* v. *Yount,* 267 F. 861, the court said, in discussing the power of Congress to "classify" as incidental to its power to regulate commerce:

> "The 'due process of law' by which Congress is limited in the Fifth Amendment and the states by the Fourteenth Amendment is equivalent to the 'law of the land' and is intended to protect the citizen against arbitrary action, and secure *to all persons equal and impartial justice under the law* (italics supplied). Davidson v. New Orleans, 96 U. S. 97, 24 L. ed. 616; Missouri Pacific Ry. v. Humes, 115 U. S. 512, 6 Sup. Ct. 110, 29 L. ed. 463.
>
> "It seems reasonably clear that the 'due process of law' provision of the Fifth Amendment is broad enough in its scope and purpose to include the 'equal protection of the laws' which no state may deny to any person under the provisions of the Fourteenth Amendment. Leeper v. Texas, 139 U. S. 462, 11 Sup. Ct. 577, 35 L. ed. 225; Giozza v. Tiernan, 148 U. S. 657, 13 Sup. Ct. 721, 37 L. ed. 599."

In *Nebbia* v. *U. S.*, 291 U. S. 502, the court observed (page 536):

> "It is clear that there is no closed class or category of businesses affected with a public interest, and the function of courts in the application of the Fifth and Fourteenth Amendments is to determine in each case whether circumstances vindicate the challenged regulation as a reasonable exertion of governmental authority or condemn it as arbitrary or discriminatory. Chas. Wolff Packing Co. v. Court of Industrial Relations, 262 U. S. 522, 535, 67 L. ed. 1103, 1108, 43 S. Ct. 630, 27 A.L.R. 1280."

In stating that "classification is allowable under the provisions of the constitution" the court in the case of *U. S.* v. *Yount, supra,* cited the case of *Gulf Colorado & Santa Fe Railway* v. *Ellis,* 165 U. S. 150. In this latter case the court said, at page 165, that the classification "must always rest upon some difference which bears a reasonable and just relationship to the act in respect to which the classification is proposed and can never be made arbitrarily and without any such basis."

The above cases indicate that classification is a necessary adjunct to the power to regulate. Since the proposed legislation would be a regulation of interstate commerce, and since it would discriminate against a class, the precise question involved is *whether the power of Congress to make such a regulation is limited by the due process clause.*

It would appear well settled that Congress, in the exercise of its power to regulate interstate commerce, may interfere indirectly with private rights which otherwise might be protected by the due process clause. In *Knox* v. *Lee* (Legal Tender Cases), 79 U. S. 457, it is said:

> "That provision (due process clause) has always been understood as referring only to a direct appropriation and not to consequential injuries resulting from the exercise of lawful power. It has never been supposed to have any bearing upon or to inhibit laws that indirectly work harm or loss to individuals."

See also *United States* v. *Joint Traffic Ass'n.,* 171 U. S. 505; *Addyston Pipe & Steel Co.* v. *United States,* 175 U. S. 211; *Union Bridge Co.* v. *United States,* 204 U. S. 365; *Willoughby on Constitutional Law,* 2nd Ed., Sections 1225, 1227, Vol. 3 pp. 1857, 1861.

The criterion which must be applied is whether the legislative action has a reasonable relation to a purpose which is within Congressional authority. This principle is enunciated in the case of *Lewis Publishing Company* v. *Morgan,* 229 U. S. 288, wherein the legality of certain conditions imposed by Congress on the eligibility to use the second class mails was attacked on the ground that it violated both the First and Fifth Amendments. The court held that Congress by establishing "second class" postal matter was giving effect to a policy of favoring a wide spread circulation of newspapers, periodicals, etc., "in the interest of dissemination of current intelligence". The criterion applied by the Court in considering the validity of the legislation is indicated by the following excerpt, page 314, of the opinion:

> "The question therefore is only this, Are the conditions which were exacted incidental to the power exerted of conferring on the publishers of newspapers, periodicals, etc., the privileges of the second class classification or are they so beyond the scope of the exercise of that power as to cause the conditions to be repugnant to the Constitution? We say this is the question since necessarily if the power exists to legislate by discriminating in favor of publishers, the right to exercise that power, carries with

> it the authority to do those things which are incidental to the power itself or which are plainly necessary to make effective the principal authority when exerted. In other words, from this point of view, the illuminating rule announced in McCulloch v. Maryland and Gibbons v. Ogden, governs here as it does in every other case where an exertion of power under the Constitution comes under consideration. The ultimate and narrow question therefore is, are the requirements of the provision in question incidental to the purpose intended to be secured by the second class classification?"

The court sustained the conditions as being "incidental and necessary to the complete fruition of the public policy lying at the foundation of the privileges accorded".

Thus, it may be seen that if the proposed legislation denying newspaper owners the right to own or control a broadcast station has a reasonable relationship to a purpose which Congress has the power under the commerce clause to accomplish, then the incidental or indirect interference with personal liberty is not repugnant to the First or Fifth Amendments.

Furthermore, this test which the courts may apply as to whether *there is a reasonable relationship between the purpose and the means used to accomplish it,* must be clearly distinguished from the question as to the *wisdom of the end sought to be accomplished, or the policy adopted by Congress, power over which is vested solely within the legislative branch of the Government.*

In the *Lottery Case, supra,* this principle was stated as follows:

> "In determining the character of the regulations to be adopted, Congress has a large discretion which is not to be controlled by the courts simply because in their opinion such regulations may not be the best or most effective that could be employed."

This principle is even more clearly stated in the case of *Northern Securities Co.* v. *United States,* 193 U. S. 197, which involves legislation of much the same class as that under consideration. The law in question was the provision of the Sherman Anti-Trust Act which prohibited "every combination," etc., in "restraint of trade". The fact that the purpose of the act was to prevent restraints of trade brought it within the power delegated to Congress under the Commerce clause, but the objection was made that it interfered with the "liberty" to contract which is guaranteed by the Fifth Amendment. The Court said:

> "The means employed in respect of the combinations forbidden by the Anti-Trust Act, and which Congress deemed germane to the end to be accomplished, was to prescribe as a rule for *interstate and international commerce* (not for domestic commerce) that it should not be vexed by combinations, conspiracies or monopolies which restrain commerce by destroying or restricting competition. We say that Congress has prescribed such a rule, because in all the prior cases in this court the Anti-Trust Act has been construed as forbidding any combination which by its necessary operation destroys or restricts free competition among those engaged in interstate commerce; in other words, that to destroy or restrict free competition in interstate commerce was to restrain such commerce. Now, can this court say that such a rule is prohibited by the Constitution or is not one that Congress could appropriately prescribe when exerting its power under the commerce clause of the Constitution? Whether the free operation of the normal laws of competition is a wise and wholesome rule for trade and commerce is an economic question which this court need not consider or determine. Undoubtedly, there are those who think that the general business interests and prosperity of the country will be best promoted if the rule of competition is not applied. But there are others who believe that such a rule is more necessary in these days of enormous wealth than it ever was in any former period of our history. Be all this as it may, Congress has, in effect, recognized the rule of free competition by declaring illegal every combination or conspiracy in restraint of interstate and international commerce. As in the judgment of Congress the public convenience and the general welfare will be best subserved when the natural laws of competition are left undisturbed by those engaged in interstate commerce, and as Congress has embodied that rule in a statute, that must be, for all, the end of the matter, if this is to remain a government of laws, and not of men." (Pp. 337-338.)

It would appear from these cases that if Congress sees fit to declare a policy to be followed in the regulation of interstate commerce (broadcasting) and provides that in order to carry out that policy, no newspaper shall operate a broadcasting station, the Courts will not question the wisdom of the policy, but will consider such legislation *only* for the purpose of determining whether the prohibition has a reasonable relation to, or is a reasonable means of accomplishing an end which is within the regulatory power of Congress.

Factors which would militate against holding arbitrary or unreasonable the regulation of interstate commerce as herein proposed are the actual facts and usages attendant upon joint ownership and operation of a broadcast station and a newspaper.

It is submitted that these factors should not be examined for the purpose of passing on the wisdom of the legislation but only for the purpose of determining whether an unreasonable or arbitrary classification has been made. *Chicago, B. & Q. R. R. Co.* v. *McGuire,* 219 U. S. 549. In that case the court said at page 569:

> "* * * The scope of judicial inquiry in deciding the question of *power* is not to be confused with the scope of legislative considerations in dealing with the matter of *policy.* Whether the enactment is wise or unwise, whether it is based on sound economic theory, whether it is the best means to achieve the desired result, whether, in short, the legislative discretion within its prescribed limits should be exercised in a particular manner, are matters for the judgment of the legislature, and the earnest conflict of serious opinion does not suffice to bring them within the range of judicial cognizance."

It is conceivable that situations might arise where the mutual control of a newspaper and a broadcast station would have no effect upon the operation of the station in the public welfare. If this be true, would an act barring *every* newspaper from owning or operating a broadcast station exceed the end to be accomplished? This question arose in connection with the Anti-Trust Act, supra, which prohibited *"every"* contract in restraint of trade. Prior to the Standard Oil case, 221 U. S. 1, the Supreme Court consistently held that when Congress said *"every"* it laid down a *policy* which the Court could not question, and the act, so interpreted, was held to be constitutional (*Addyston Pipe & Steel Co.* v. *United States,* 175 U. S. 211; *Northern Securities Co.* v. *United States,* supra). In the Standard Oil case, 221 U. S. 1, the Court established the well-known "Rule of Reason" which was applied in that and later cases. The different interpretation of the Anti-Trust Act, however, appears to have been based upon what the Court considered to be the common law concept of the term "restraint of trade" as used in the Act. The Court said:

> "* * * It is certain that those terms ('restraint of trade' and 'monopoly') at least in their rudimentary meaning, took their origin in the common law, and were also familiar in the law of this country prior to and at the time of the adoption of the act in question.
>
> "We shall endeavor, then, first to seek their meaning, * * * by making a very brief reference to the elementary and indisputable conceptions of both the English and American law on the subject prior to the passage of the Anti-Trust Act."

While the interpretation placed upon the Act in the Standard Oil case, *supra,* might be said to weaken the former decisions as to the constitutionality of the Act as originally construed, it did not constitute a reversal of the former cases as to such constitutionality; but rendered a consideration of the question unnecessary.

Other analogous legislation is contained in Section 1, Paragraph 8 of the Interstate Commerce Act commonly known as the "Commodities Clause" which provides that:

> "From and after May 1, 1908, it shall be unlawful for any railroad company to transport from any state, * * * any article or commodity, other than timber and the manufactured products thereof, manufactured, mined, or produced by it, or under its authority, or which it may own in whole or in part, or in which it may have any interest, direct or indirect, except such articles or commodities as may be necessary and intended for its use in the conduct of its business as a common carrier."

This clause was held constitutional by the Supreme Court of the United States in the cases of *U. S.* v. *Delaware & Hudson Co.,* 213 U. S. 366 and *Delaware L. & W. R. R. Co.* v. *U. S.,* 231 U. S. 363.

In the former case the Government sought to enjoin five railroads from shipping coal over their lines. Some of these corporations owned and worked mines and transported over their own rails in interstate commerce the coals so mined either for their own account *or for the account of those who had acquired title to the coal prior to the beginning of the transportation.* As to this last group, the Government contended that the Act prohibited the carrying of any coal with which the line was formerly connected regardless of present ownership. One of the main defenses the companies claimed, on the other hand, was that the Act was unconstitutional because it deprived them of property without Due Process. The court pointed out that the broad interpretation contended for by the government would raise serious constitutional questions; that where an act is susceptible of two interpretations one of which would be constitutional and the other not, the construction upholding the validity of the law should be applied; and, therefore, construed the Act as applying only where there was an actual and a present connection between the company and the commodity. It was then concluded:

> "We think it unneccessary to consider at length the contentions based upon the due process clause of the Fifth Amendment. * * * When, however, mere forms of statement are put aside and the real scope of the argument at bar is grasped, we think it becomes clear that in substance and effect the argument really asserts that the clause as construed by the Government is not a regulation of commerce, since it transcends the limits of regulation and embraces absolute prohibitions, which, it is insisted, could not be exerted in virtue of the authority to regulate. The whole support upon which the propositions and the arguments rest hence disappear as a result of the construction which we have given the

> statute. Through abundance of caution we repeat that our ruling here made is confined to the question before us. Because, therefore, in pointing out and applying to the statute the true rule of construction, we have indicated the grave constitutional questions which would be presented if we departed from that rule, we must not be considered as having decided those questions. We have not entered into their consideration, as it was unnecessary for us to do so."

The Delaware L. & W. case, *supra,* involved a question as to whether a shipment of hay to be used in feeding mules in mines owned by the defendant railroad was a violation of the Commodities Act. The railroad challenged the constitutionality of the Act and contended inter alia that, "It is a matter of complete indifference to the public * * * whether or not the railroad company does or does not engage in such transportation, so long as it continues lawfully to own and operate its mines, and the Commodities Clause in prohibiting such transportation has no reasonable relationship to the accomplishment and any legitimate public object, but is arbitrary, unreasonable and unnecessary and violates the Fifth Amendment." The court in holding that the Act did have a reasonable relationship to the regulation of interstate commerce said:

> "But the courts are not concerned with the question as to whether, in a particular case, there had been any discrimination against shippers or harm to other dealers. The statute is general and applies not only to those particular instances in which the carrier did use its power to the prejudice of the shipper, but to all shipments which, however, innocent in themselves, come within the scope and probability of the evil to be prevented."

In making an analogy between these two cases and the question under consideration, the *Delaware and Hudson* case might be advanced as authority for the contention that a statute denying the right of *all* newspapers to operate radio stations would be unconstitutional as applied to an extreme situation; for instance, in a case where the owner of a Farmers' Weekly in Minnesota applied for a license to operate a station in Washington, D. C.

However, the above quoted language from the *Delaware L. & W.* case is authority for the conclusion that if there is a reasonable relationship between the prohibition of mutual control of radio facilities and newspapers the courts would not be concerned with the question as to whether in a particular case such mutual ownership was actually detrimental to the operation of the station.

While the above mentioned authorities relative to legislation similar to that contemplated serve to establish the criterion which would be applied in testing the validity of the proposed statute, it is submitted that they afford no basis for a positive conclusion as to its constitutionality.

Section 11 of the Panama Canal Act of August 24, 1912, 37 Stat. 560 made it unlawful for any railroad or other carrier to own, operate, etc., "any common carrier by water operating through the Panama Canal or elsewhere with which such railroad or other carrier does or might compete for traffic or any vessel carrying freight or passengers on such water route or elsewhere with which such railroad or other carrier competes or might compete." This Act further provided that the Interstate Commerce Commission should determine the extent or possibility of competition. A date was specified on which all common ownership should cease, but it was also provided that the Commission should determine whether any "such existing specified service" was being operated in the public interest, etc., and empowered it to grant extensions to those which were challenged to such consideration upon the merits of the individual case. The constitutionality of this legislation has not been successfully challenged to date. See *Lehigh Valley Railroad Co. v. U. S.* (Dist. Ct. E. Dist. Pa., May 12, 1916, 234 F. 682).

Legislation similar to the type contemplated herein is found in Sections 310(a) and 311 of the Communications Act of 1934 wherein the Commission is directed to refuse to grant a license to an enumerated class of persons, among them being aliens, representatives of foreign governments, foreign corporations, etc., and also any person found guilty of unlawful monopoly, as defined therein.

The proposed legislation would impose a prohibition against a class, i. e., newspaper owners, and, in that respect, would be analogous to Section 310(a) of the present act which contains a similar prohibition against aliens.

Senator Wheeler inquires:

> "Whether, if the Commission has not such authority at the present time, legislation could be passed denying the right for all newspapers to acquire radio stations in the future and requiring all newspapers within a reasonable time to divest themselves of the ownership and control of such stations."

A careful review of the decisions of the Supreme Court with respect to existing legislation which appears to be analogous or similar to that here suggested and those decisions with respect to the regulation of interstate commerce by the Congress and matters bearing a reasonable relation thereto, impel me to a conclusion that the constitutionality of an act of Congress denying the right to all newspaper owners as such to obtain broadcast licenses in the future and requiring all newspapers to divest themselves of such ownership or control within a reasonable time, is not free from doubt, and, therefore, I think the inquiry does not permit of a categorical answer.

However, let me add, it is established that all radio broadcasting is interstate commerce; that, under the

Constitution, the Congress has the power to regulate interstate and foreign commerce; that the criterion to be applied is whether the proposed legislation has a reasonable relation to a purpose which is within constitutional authority; and, that the power to regulate interstate and foreign commerce is limited only by the provisions of the Constitution itself.

I am of the opinion that the mutual ownership and control of newspapers and broadcast stations bears a reasonable relation to and has an effect upon interstate commerce, and therefore, if the Congress enacted a law of the purport suggested, it should meet the constitutional requirements.

Respectfully,

(Signed) HAMPSON GARY.
HAMPSON GARY,
General Counsel.

COPYRIGHT AMENDMENT PROPOSED BY CRANEY

Ed Craney (KGIR, Butte) in an open letter to Congress makes reply to a letter received from the General Manager of the ASCAP and proposes an amendment to the Copyright Act of 1909.

Mr. Craney would change the law so as to—

1. Place the responsibility for the public performance of music on the person originating the performance;

2. Make it necessary for Authors, Composers, and Publishers to identify the use they make of material in the public domain;

3. Leave the question of damages to the discretion of the court, and

4. Prevent assignees from collecting damages unless their assignments are recorded according to law.

The text of the Bill offered by Mr. Craney follows:

A BILL

To amend the Act entitled "An Act to Amend and Consolidate the Acts respecting Copyright", approved March 4, 1909, as amended, and for other purposes.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That Section 6 of Act entitled "An Act to Amend and Consolidate the Acts respecting Copyright", approved March 4, 1909, as amended, is hereby amended by striking out the period (.) at the end thereof and inserting in lieu thereof the following: ", Provided, that the application for registration, and the printed notices of copyright on the work shall specify under which version or versions of works copyright is claimed".

Sec. 2. (a) Section 25 of such Act is amended by adding after Subsection (b) the following new Subsection:

"(c) To pay to the copyright proprietor, in the case of an infringement by radio broadcasting, such damages as to the court shall appear to be just, provided, that the responsibility and liability for the use of copyrighted material in broadcasting on two or more stations simultaneously shall rest solely with the station originating the performance, and provided further, that the responsibility and liability for the use of copyrighted material in electrical transcriptions and other forms of recordings made exclusively for broadcasting purposes shall rest solely with the maker of such electrical transcriptions and other forms of recordings and his agents for distribution thereof to broadcasters."

(b) Subsections (c), (d) and (e) of Section 25 of such Act are hereby amended to read Subsections (d), (e) and (f), respectively.

Sec. 3. Section 44 of such Act is hereby amended by striking out the period (.) at the end thereof and inserting in lieu thereof, the following: ", and such default shall be a defense against any legal proceeding brought by the assignee as a result of use made of the copyrighted material subsequent to the date of assignment".

COMMISSION GRANTS NEW STATION

The Federal Communications Commission this week granted a construction permit for the erection of a new broadcasting station at Albert Lea, Minn., to the Albert Lea Broadcasting Corporation.

The new station will operate on 1200 kilocycles 100 watts and daytime only. The order is effective March 23.

CULKIN RADIO ADVERTISING BILL

A bill was introduced in the House this week by Representative Culkin of New York (H. R. 4738) "to prohibit the transportation in interstate commerce of advertisements of alcoholic beverages." The bill has been referred to the House Committee on Interstate and Foreign Commerce.

The paragraph dealing with broadcasting in this bill is as follows:

"Sec. 4. It shall be unlawful to broadcast by means of any radio station for which a license is required by any law of the United States, or for any person operating any such station, to permit the broadcasting of any advertisement of alcoholic beverages or the solicitation of an order for alcoholic beverages."

PURE FOOD BILL REPORTED

Senator Copeland of New York this week reported from his Committee on Commerce the pure food and drug bill (S. 5) with a few amendments over the bill as it was originally introduced at the present session and printed in full in NAB Reports. There is no essential change in the advertising features. In reporting the bill out Senator Copeland has the following to say about the advertising situation:

"There has been controversy as to whether the Food and Drug Administration or the Federal Trade Commission should enforce the bill's provisions on advertising. On the premise that advertisements of foods, drugs, and cosmetics are nothing more than extensions of the labeling, this bill proposes that the control be vested in the Food and Drug Administration which enforces the provisions on adulteration and labeling. But, it does not have the effect of depriving the Federal Trade Commission of its jurisdiction to proceed against false advertising in such form as to make it an unfair method of competition. The bill specifically provides that it shall not be construed as impairing or diminishing the powers of the Federal Trade Commission.

"The bill simply provides that the district courts of the United States shall have the power to grant temporary and permanent injunctions against the dissemination of any advertisement which contains—

"any representation regarding any food, drug, device, or cosmetic or the ingredients thereof, or the substances therein, or the identity, strength, quality, purity, quantity, origin, source, harmlessness, or safety thereof, or the nutritional, dietary, curative, therapeutic, preventive, diagnostic, or beneficial effects thereof, or the safety or efficiency of the dosage, frequency, or duration of use pertaining thereto, which is false or misleading in any material particular."

BALDWIN ATTENDS MEETING

James W. Baldwin, managing director of NAB, attended the meeting of the Ohio State Broadcasters Association being held today in Cincinnati.

BROADCAST MEASUREMENTS

The Federal Communications Commission has announced that during the month of January 619 broadcasting stations were measured, with 58 not measured.

Of the number measured 492 had a maximum deviation within 0-10 cycles; 107 within 11-25 cycles; 17 within 26-50 cycles, and 3 over 50 cycles.

CHANGE OF OWNERSHIP RECOMMENDED

The Beverly Hills Broadcasting Corporation, licensee of Station KMPC, Beverly Hills, Calif., applied to the Federal Communications Commission to transfer all of the capital stock from the present holder, Pacific Southwest Discount Corporation, to George A. Richards.

Examiner Ralph L. Walker, in Report No. I-356, recommended that the application be granted. The Examiner states that "the record discloses that the proposed transferee is in all respects qualified to own and operate a broadcast station and hence is likewise qualified to own all of the stock of the licensee corporation. Consideration of all of the facts leads to the conclusion that if the present application is granted Station KMPC will serve public interest as well or better than it does at the present time."

SECURITIES ACT REGISTRATIONS

The following companies have filed registration statements with the Securities & Exchange Commission under the Securities Act:

Pre-Cambrian Investments, Limited, Toronto, Canada. (2-2797, Form A-1)
Crouch-Bolas Aircraft Corporation, Providence, R. I. (2-2798, Form A-1)
Kennedy's, Inc., Boston, Mass. (2-2799, Form A-1)
B. E. Hepler, et al., Trustees of Rio Grande Valley Gas Company, Jersey City, N. J. (2-2800, Form F-1)
Investors Fund of America, Incorporated, New York City. (2-2802, Form A-1)
The Casco Products Corporation, Bridgeport, Conn. (2-2803, Form A-2)
Bondholders Committee for Republic of Colombia Dollar Bonds, New York City. (2-2804, Form D-1)
Independence Fund of North America, Inc., New York City. (2-2806, Form C-1)
Pennsylvania Water Company, Wilkinsburg, Pa. (2-2808, Form A-2)
National Brush Company, Aurora, Ill. (2-2809, Form A-2)
American Discount Company of Georgia, Atlanta, Ga. (2-2811, Form A-2)
United Goldfields Company, Reno, Nev. (2-2812, Form A-1)
Wyatt Metal & Boiler Works, Dallas, Tex. (2-2813, Form A-1)
Tokheim Oil Tank and Pump Company, Fort Wayne, Ind. (2-2816, Form A-2)
Simplicity Pattern Co., Inc., New York City. (2-2817, Form A-2)
The Superior Oil Company, Los Angeles, Calif. (2-2818, Form A-2)
National Investors Corporation, New York City. (2-2819, Form E-1)
Pennsylvania-Central Airlines Corporation, Pittsburg, Pa. (2-2820, Form A-1)
Knudsen Creamery Co., of California, Los Angeles, Calif. (2-2822, Form A-1)
Producers Corporation, Chicago, Ill. (2-2824, Form A-1)
Rochester Button Company, Rochester, N. Y. (2-2825, Form A-2)
Divco-Twin Truck Company, Detroit, Mich. (2-2826, Form A-2)
Mid-West Rubber Reclaiming Company, St. Louis, Mo. (2-2827, Form A-2)
Utah Radio Products Company, Chicago, Ill. (2-2828, Form A-1)
The Carpenter Steel Company, Reading, Pa. (2-2829, Form A-2)
The Pharis Tire and Rubber Company, Newark, Ohio. (2-2830, Form A-2)

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3051. A complaint has been issued against **Lanteen Laboratories, Inc.,** 900 North Franklin St., **Chicago,** alleging unfair competition in the sale in interstate commerce of medicinal preparations and appliances for so-called feminine hygiene and other uses.

Other respondents named are **Lanteen Medical Laboratories, Inc.**, 900 North Franklin St., **Chicago; Medical Bureaus of Information**, 734 State Lake Building and 190 North State St., **Chicago**, 804 Industrial Bank Building, **Detroit**, and 161 Wisconsin Ave., **Milwaukee**; and **Rufus Riddlesbarger**, 1224 Pratt Boulevard, **Chicago**, an official of the two Lanteen companies.

Medical Bureaus of Information is said to be operated by Lanteen Medical Laboratories, Inc., to advertise and distribute information regarding the products of Lanteen Medical Laboratories, Inc., and Lanteen Laboratories, Inc.

In this advertising matter, the respondents' products are alleged to have been represented, directly and by implication, as safe, competent and effective cures and preventatives.

No. 3052. Unfair competition in the sale of women's hand bags is alleged in a complaint issued against **Morris White Mfg. Co., Inc., New York** and **Bridgeport, Conn.**, and **Stylecraft Leather Goods Co., Inc., New York** and **Scranton, Pa.** Both companies are under a single ownership and management and have their offices at 362 Fifth Avenue, **New York.**

Representations of the respondents are alleged to have misled purchasers into believing that certain articles were patented and that others were made of glove leather, when these were not the facts.

Nos. 3053-3054. Two Chicago firms, one dealing in rotary clocks and other merchandise, and the other selling hosiery, are named respondents in complaints alleging unfair competition through use of lottery methods in connection with the sale of their products.

One complaint charges that **National Manufacturers Distributing Co.**, 1420 South Halsted St., **Chicago**, distributes to its representatives sales outfits accompanied by pushcards bearing feminine names, and that the purchaser of a chance who selects a name corresponding to that concealed elsewhere on the card is given a rotary clock as a premium. According to the complaint, the pushcard contains disks concealing numbers, and bears printed instructions informing customers that "Nos. 1 to 29 pay what you draw. Over 29 pay only 29 cents." Under such a sales plan, the complaint alleges, the fact as to whether a customer pays from 1 to 29 cents for a clock and whether he receives nothing for the amount paid is determined wholly by lot or chance.

The respondent in the other complaint, **W. A. Leith**, trading as **Style Silk Co.**, 529 South Franklin St., **Chicago**, is alleged to use substantially the same pushcard method in the sale of silk hosiery, except that some of the numbers on the card he distributes are "free" draws, the cost of a chance ranges from 1 to 15 cents, and the premium awarded is one or more pairs of hosiery.

No. 3055. Van-Tage Medicine Company, Inc., 1265 North Vermont Ave., **Los Angeles**, and its president, **G. H. Mosby**, are charged in a complaint with misrepresenting the therapeutic value of a medicinal preparation designated "Van-Tage".

In advertising matter and in radio broadcasts, the respondents are alleged to have falsely represented, among other things, that their preparation will throw off the poisons that foster stomach trouble and will permit the kidneys and liver to function properly; that within ten minutes it will stop gas and pains and will relieve backaches and bladder irritation; that it will give complete relief from indigestion, shortness of breath and dyspepsia; that it will relieve the causative factors of rheumatism and neuritis, and will clear up skin eruptions caused by impurities in the organs. According to the complaint, "Van-Tage" is not a satisfactory or competent remedy, cure or treatment for any of these conditions or ailments.

No. 3056. A **Sioux City, Iowa**, candy firm is charged in a complaint with unfair competition through sale of its products by means of a lottery. The respondents are **Winifred Sorenson** and **Edward Beales**, trading as **Sorenson-Beales Candy Co.**

Employing the push-card method of selling, the respondents are alleged to have placed in the hands of others the means of conducting lotteries in the sale of the respondents' products.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

Nos. 2688-2747. Orders to cease and desist have been issued requiring two candy companies selling their products in interstate commerce to discontinue lottery methods in such sale. The respondents, **York Caramel Co.**, College Ave. and Oak Lane, **York, Pa.**, and **George Close Co.**, 243 Broadway, **Cambridge, Mass.**, were found to have violated Section 5 of the Federal Trade Commission Act.

The orders direct the respondents to stop distributing to jobbers and wholesalers candy so packed and assembled that its sales to the public are to be made or may be made by means of a lottery, gaming device, or gift enterprise.

No. 2780. Under an order entered, **Charles R. Luce**, trading as **Luce & Co.**, 350 Mercer St., **Jersey City, N. J.**, is directed to desist from selling candy so packed and assembled that sales to ultimate purchasers are to be made, or may be made, by means of a lottery, gaming device, or gift enterprise.

The respondent is prohibited from assembling in the same assortment of candy pieces of uniform size and shape having centers of different color, together with small packages of candy which are to be given as prizes to purchasers procuring a piece of candy with a center of a particular color. The order also bars him from furnishing, either with assortments of candy or separately, display cards bearing legends informing purchasers that the candy is being sold to the public by lot or chance.

FTC CASES SETTLED

No. 2502. The Federal Trade Commission has dismissed its complaint against **Sterling Products, Inc.**, 170 Varick St., **New York City**, manufacturing and selling, among other things, Phillips' Dental Magnesia and Danderine Hair Dressing.

The complaint alleged that Sterling Products, Inc., in violation of Section 7 of the Clayton Act, had acquired the capital stock of a competitor, The R. L. Watkins Co., Inc., New York City, manufacturer of Dr. Lyon's Tooth Powder and Glostora, a hair dressing.

The complaint was dismissed for the reason that the evidence showed that purchase by the respondent corporation of the capital stock of the competing company did not result in a substantial lessening of competition or restraint of trade.

No. 2879. The Commission has issued an order settling its case against **The Nacor Medicine Co.**, 405 State Life Building, **Indianapolis**, by acceptance of a stipulation.

Under a complaint issued by the Commission in July, 1936, this company was charged with several misrepresentations, including the assertion that "Nacor" and "Nacor Kaps" were effective remedies or cures for asthma.

The stipulation was accepted for the purpose of closing without prejudice the pending proceeding and avoiding the expense of trial. The Commission reserved the right to reopen the case and resume prosecution should the facts warrant.

Under its stipulation, the respondent company agrees to assume all responsibility for testimonials it publishes and agrees not to print testimonials containing representations that its medicine is anything other than a relief from the paroxysms of asthma and that it is a cure for tuberculosis, colds, or bronchitis.

No. 2922. Motion of **Group Sales Corporation**, 215 West 39th St., **New York City**, to set aside the findings as to the facts and conclusion and order to cease and desist entered against it January 23, 1937, has been granted by the Commission. The Commission's complaint against the respondent corporation charges unfair methods of competition in connection with the sale of silk and rayon piece goods.

The Commission further ordered that the respondent corporation's stipulation as to the facts and motion to withdraw its answer and substitute answer, dated December 15, 1936, be stricken from the record, that the original answer, dated October 2, 1936, be reinstated into the record and the case proceed to trial in accordance with the Commission's regular procedure.

FEDERAL COMMUNICATIONS COMMISSION ACTION

HEARING CALENDAR

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, February 22.

Tuesday, February 23

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Radio Enterprises, Inc., Hot Springs, Ark.—C. P., **1310 kc.**, 100 watts, daytime.

NEW—Associated Arkansas Newspapers, Inc., Hot Springs, Ark.—C. P., **1310 kc.**, 100 watts, daytime.

KTHS—Hot Springs Chamber of Commerce, Hot Springs, Ark.—Voluntary assignment of license, **1040 kc.**, 10 KW, shares-KRLD.

NEW—Bay State Broadcasting Corp., Providence, R. I.—C. P., **720 kc.**, 1 KW LS, limited time.

NEW—Walter H. McGenty, Rice Lake, Wis.—C. P., **1210 kc.**, 250 watts, daytime.

Wednesday, February 24

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Paul B. McEvoy, Publisher, Hobart Democrat-Chief, Hobart, Okla.—C. P., **1420 kc.**, 100 watts, daytime.

Thursday, February 25

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. I-311:

KIT—Carl E. Haymond, Yakima, Wash.—C. P., **1250 kc.**, 250 watts, 500 watts LS, unlimited time. Present assignment: **1310 kc.**, 100 watts, 250 watts LS, unlimited time.

Examiner's Report No. I-323:

KFPM—Voice of Greenville, Greenville, Tex.—C. P., **1420 kc.**, 100 watts, daytime. Present assignment: **1310 kc.**, 15 watts, specified hours.

Examiner's Report No. I-325:

NEW—The Times Publishing Co., St. Cloud, Minn.—C. P., **1420 kc.**, 100 watts, unlimited time.

NEW—Michael F. Murray, St. Cloud, Minn.—C. P., **560 kc.**, 500 watts, daytime.

Examiner's Report No. I-337:

WOAI—Southland Industries, Inc., San Antonio, Tex.—Transfer of control of corporation; **1190 kc.**, 50 KW, unlimited time.

Friday, February 26

HEARING BEFORE AN EXAMINER

(Broadcast)

KFXR—Exchange Avenue Baptist Church of Oklahoma City, Oklahoma City, Okla.—Renewal of license, **1310 kc.**, 100 watts, 250 watts LS, unlimited time.

KFXR—Exchange Avenue Baptist Church of Oklahoma City, Oklahoma City, Okla.—Voluntary assignment of license; **1310 kc.**, 100 watts, 250 watts LS, unlimited time.

NEW—Frontier Broadcasting Co., Cheyenne, Wyo.—C. P., **1420 kc.**, 100 watts, 250 watts LS, unlimited time.

APPLICATIONS GRANTED

KBPS—Benson Polytechnic School, R. T. Stephens, Agt., Portland, Ore.—Granted C. P. to make changes in equipment.

WBRC—Birmingham Broadcasting Co., Inc., Birmingham, Ala.—Granted C. P. to install new transmitter and vertical antenna and increase day power from 1 KW to 5 KW.

NEW—Southeastern Broadcasting Co., Inc., Portable.—Granted C. P. for new low frequency relay broadcast station; **1622, 2058, 2150** and **2790 kc.**, 25 watts.

NEW—Stromberg Carlson Tel. & Mfg. Co., Portable.—Granted C. P. for new low frequency relay broadcast station; frequencies **1606, 2022, 2102, 2758 kc.**, 100 watts.

KRRV—Red River Valley Broadcasting Corp., Sherman, Tex.—Granted license to cover C. P. authorizing changes in composite equipment and increase in day power from 100 watts to 250 watts.

WSMA—WSMB, Inc., Portable.—Granted license to cover C. P. of relay broadcast station; frequencies **1606, 2022, 2102, 2758 kc.**, 40 watts.

KGKB—East Texas Broadcasting Co., Tyler, Tex.—Granted license to cover C. P. authorizing changes in equipment and increase in power and hours of operation from 100 watts night and day, unlimited, day, specified hours night, to 100 watts night, 250 watts day, unlimited time.

WSMC—WSMB, Inc., Portable.—Granted license to cover C. P. for relay broadcast station; frequencies **1606, 2022, 2102** and **2758 kc.**, 40 watts.

WTAG—Worcester Teleg. Pub. Co., Inc., Worcester, Mass.—Granted license to cover C. P. authorizing move of transmitter site, installation of directional antenna system, and increase in power from 500 watts, unlimited time, to 1 KW, unlimited time, employing directional antenna system for both day and night time operation.

WCNW—Arthur Faske, Brooklyn, N. Y.—Granted modification of license to extend commencement date to 4-1-37 and completion date to 10-1-37.

KFSD—Airfan Radio Corp., Ltd., San Diego, Calif.—Granted renewal of license for period March 1 to Sept. 1, 1937.

KSFO—The Asso. Broadcasters, Inc., San Francisco, Calif.—Granted renewal of license for period March 1 to September 1, 1937.

KADA—C. C. Morris, Ada, Okla.—Granted modification of license authorizing change in studio location.

National Broadcasting Co., Inc., New York City.—Granted extension of authority to transmit programs to Canadian stations CFCF and CRCT and the Canadian Radio Broadcasting Commission.

NEW—Allen T. Simmons, Portable-Mobile.—Granted C. P. for new high frequency relay broadcast station; frequencies **31100, 34600, 37600** and **40600 kc.**, 100 watts.

W8XIQ—The WGAR Broadcasting Co., Mobile, Cleveland, Ohio.—Granted C. P. for changes in equipment and increase in power from 35 watts to 100 watts.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KEHE, Los Angeles, Calif.; KFDY, Brookings, S. Dak.; KFNF, Shenandoah, Iowa; KFRC, San Francisco, Calif., and auxiliary; KFYR, Bismarck, N. Dak.; KHJ and auxiliary, Los Angeles; KHQ, Spokane, Wash.; KLZ, Denver; KOMO, auxiliary, Seattle, Wash.; KVI, Tacoma, Wash.; WAAF, Chicago; WBAA, W. Lafayette, Ind.; WBEN, Buffalo, N. Y., and auxiliary; WCAO and auxiliary, Baltimore; WDBO, Orlando, Fla.; WEAN, Providence, R. I.; WEEI, Boston; WFLA-WSUN, St. Petersburg, Fla.; WGBF, Evansville, Ind.; WGBI, Scranton, Pa.; WGR, Buffalo, N. Y.; WGST, Atlanta, Ga.; WIP, Philadelphia; WJAR, Providence, R. I.; WJAR auxiliary, Providence, R. I.; WKBN, Youngstown, Ohio; WKY, Oklahoma City, Okla.; WKZO, Kalamazoo, Mich.; WMMN, Fairmont, W. Va.; WMT, Cedar Rapids, Iowa; WOW, Omaha, Nebr.; WQAN, Scranton, Pa.; WSPA, Spartanburg, S. C.; WSYR-WSYU, Syracuse, N. Y.; WTAD, Quincy, Ill.; WTAG, Worcester, Mass., and auxiliary; WTAR and auxiliary, Norfolk, Va.; WTMJ, Milwaukee, Wis.; WWNC, Asheville, N. C.

W9XAG—The Journal Co. (Milwaukee Journal), Milwaukee, Wis.—Granted renewal of facsimile broadcast station license.

W9XAF—The Journal Co. (Milwaukee Journal), Milwaukee, Wis.—Granted renewal of facsimile broadcast station license.

W2XBH—Radio Pictures, Inc., Long Island City, N. Y.—Granted renewal of facsimile broadcast station license.

SET FOR HEARING

NEW—Press-Union Publishing Co., Atlantic City, N. J.—Application for C. P. for new station; **1200 kc.**, 100 watts, daytime.

NEW—Frank M. Stearns, Salisbury, Md.—Application for C. P. for new station; **1200 kc.**, 250 watts, daytime only.

KTEM—Bell Broadcasting Co., Temple, Tex.—Application for C. P. to make changes in equipment; change power and hours of operation to 100 watts night, 250 watts day, unlimited time.

NEW—G. Kenneth Miller, Tulsa, Okla.—Application for C. P. for new station; **1310 kc.**, 100 watts, unlimited time.

NEW—Summit Radio Corp., Akron, Ohio.—Application for C. P. for new special broadcast station; **1530 kc.**, 1 KW, unlimited time.

NEW—Arlington Radio Service, Inc., Arlington, Va.—Application for C. P. for new station; **850 kc.**, 250 watts, daytime only.

NEW—Clark Standiford and L. S. Coburn, Fremont, Nebr.—Application for C. P. for new station; **1420 kc.**, 100 watts, unlimited time.

NEW—George W. Young, St. Paul, Minn.—Application for C. P. for new station; **920 kc.**, 1 KW night, 5 KW day, directional antenna at night, unlimited time.

NEW—John C. Hughes, Phoenix City, Ala.—Application amended for C. P. to erect new station to operate on **1310 kc.**, 100 watts, daytime only, site to be determined.

KFXM—J. C. Lee and E. W. Lee, Lee Bros. Broadcasting Co., San Bernardino, Calif.—Application for C. P. to move transmitter locally to site to be determined with Commission's approval; install new equipment and vertical radiator; increase day power from 100 watts to 250 watts.

KGFJ—Ben S. McGlashan, Los Angeles, Calif.—Application for C. P. to move transmitter site to site to be determined with Commission's approval; install new equipment; install antenna to comply with Rule 131; change frequency from

1200 kc. to **1170 kc.**; increase power from 100 watts to 250 watts night, 500 watts day. To be heard before the Broadcast Division.

NEW—Philadelphia Radio Broadcasting Co., Philadelphia, Pa.—Application for C. P. for new special station; **1570 kc.,** 1 KW, unlimited, exact transmitter site to be determined subject to Commission's approval.

NEW—Archie E. Everage, Andalusia, Ala.—Application for C. P. for new station; **1310 kc.,** 100 watts night, 250 watts day, unlimited.

WHK—Radio Air Service Corp., Cleveland, Ohio.—Application for modification of license to increase day power from 2½ to 5 KW.

KGDY—Voice of South Dakota, Huron, S. Dak.—Application for authority to transfer control of the Voice of South Dakota (KFDY), Huron, S. Dak., from F. Koren, Robert J. Dean and M. W. Plowman, to Greater Kempeska Radio Corp.

SPECIAL AUTHORIZATIONS

KSFO—The Associated Broadcasters, Inc., San Francisco, Calif.—Granted extension of special temporary authority to operate a mobile 100-watt transmitter on **560 kc.** between the hours of 1 and 6 a. m., PST, for the period February 15 to February 21, 1937, in order to make transmitter site survey.

WOPI—Radiophone Broadcasting Station WOPI, Inc., Bristol, Tenn.—Granted special temporary authorization to operate a 100-watt portable transmitter on **1500 kc.** between the hours of 12 midnight and 6 a. m., for a period not to exceed 30 days, in order to make field intensity survey tests.

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Granted special temporary authority to operate with power of 300 watts while installing rectifier as authorized under C. P., for the period not to exceed 30 days.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to operate on **560 kc.,** with 1 KW at night, during month of March, 1937, pending filing of and action on license application to cover C. P. for this authority.

KQV—KQV Broadcasting Co., Pittsburgh, Pa.—Granted special temporary authorization to operate simultaneously with station WSMK from 10 p. m. to 12 midnight, EST, February 17, 1937, in order to broadcast Pittsburgh Red Cross Boxing Show for flood relief.

KAAJ—KGEL, Inc., San Angelo, Tex.—Granted special temporary authority to operate a mobile relay broadcast transmitter on a frequency of **2102 kc.** on February 26, March 5, 12, and 19, 1937, for relaybroadcast from stock pens auction sale.

KAAJ—KGEL, Inc., San Angelo, Tex.—Granted special temporary authority to operate a mobile relay broadcast transmitter on a frequency of **2102 kc.** from March 6 to 9, 1937, inclusive, for relaybroadcast from local Fat Stock Show.

WKBV—Knox Radio Corp., Richmond, Ind.—Granted special temporary authority to operate from 10 to 11 p. m., CST, March 4; from 12:30 to 6 p. m., CST, March 5, 6, 13, 20, 27, 1937, in order to broadcast high school basketball tournaments.

WNAD—University of Oklahoma, Norman, Okla.—Granted special temporary authority to operate from 2 to 4 p. m., CST, March 1, 2, 3, 4, 8, 9, 10, 11, 15, 16, 17, 18, 22, 23 and 31; also from 9:15 to 10:30 p. m., March 11; and 2 to 5 p. m., CST, March 12, 1937 (provided KGGF remains silent), in order to broadcast special educational programs.

KGGF—Powell and Platz, Coffeyville, Kans.—Granted special temporary authority to operate from 8:15 to 9:15 p. m., CST, March 24; also from 7:15 to 9:15 p. m., CST, March 25 and 30 (provided WNAD remains silent), in order to observe Easter vacation.

WRVA—Larus & Bro. Co., Inc., Richmond, Va.—Granted special temporary authority to operate a 50-watt portable transmitter on **1140 kc.** in the area approximately 16 miles southeast of Richmond, Va., along and near the James River, from 7 a. m. to 1 hour before local sunset (February sunset, 5:45 p. m., EST; March sunset, 6:15 p. m., EST), for a period not to exceed 30 days, in order to make site surveys. Such tests, however, not permitted during hours prescribed for Commission monitoring schedule.

WLBC—Donald A. Burton, Muncie, Ind.—Granted special temporary authority to operate simultaneously with station WTRC from 6 to 7:30 p. m., CST, March 2, 4, 5, 6, 13, 20 and 27, 1937, for the purpose of broadcasting basketball games; also operate simultaneously with WTRC from 7:30 to 10 p. m., CST, March 7, 14 and 21, 1937, in order to broadcast service from St. Mary's Church.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

WDNC—Durham Radio Corp., Durham, N. C.—C. P., **590 kc.,** 1 KW, unlimited time.

NEW—Broadus McSwain, d/b as The Voice of the Times, Raleigh, N. C.—C. P., **1210 kc.,** 100 watts, daytime.

NEW—Ogdensburg Pub. Co., Inc., Ogdensburg, N. Y.—C. P., **1500 kc.,** 100 watts, unlimited time.

RATIFICATIONS

The Commission ratified the following acts authorized on the dates shown:

KHAAE—Columbia Broadcasting System, Inc., New York City.—Granted authority to operate American Airlines station, 50 watts, **2830 kc.,** connection short wave broadcast from plane flying in vicinity of Cincinnati.

W8XIR-WAAQ—WGAR Broadcasting Co., Cleveland, Ohio.—Granted authority to operate as licensed 2-17-37 to 3-17-37, relaybroadcast interview school children.

WAAK-W4XBT-W4XBZ—WSOC, Inc., Charlotte, N. C.—Granted authority to operate as licensed on Tuesdays for period of 30 days from February 16, to relaybroadcast industries and other important points, provided wire facilities not available.

WTFI—Liberty Broadcasting Co., Athens, Ga.—Granted special temporary authority to operate a 100-watt test transmitter on **1450 kc.** in Atlanta between the hours of 12 midnight and 6 a. m. for the period February 8 to February 17, in order to make field intensity survey tests.

WJBW—Chas. C. Carlson, New Orleans, La.—Granted special temporary authority to use transmitting equipment of WBNO for period not exceeding 30 days, pending repairs to WJBW's transmitter which was damaged by fire.

KAAS—Transcontinental & Western Air, Inc., Washington, D. C.—Granted special temporary authority to operate regularly licensed aircraft transmitter KHART aboard Douglas Type plane, as relaybroadcast station on 1 day from February 13 to 20, inclusive, on frequencies **2790** and/or **2150 kc,.** plane flying over Los Angeles, connection with demonstrations of special shielded loop antenna developed to be broadcast over CBS national hookup; frequencies **2790 kc.** and/or **2150 kc.,** 80 watts.

The Broadcast Division granted the petition by the Ohio Broadcasting Company to intervene in the proceedings upon the application of the Sharon Herald Broadcasting Co. for C. P. for new station at Sharon, Pa., Docket No. 4201.

The Broadcast Division, in the exercise of its discretion under Rule 103.3, refused to accept the amendment, involving a change in equipment, to the application of WFTX, Inc., Docket No. 4365.

ORAL ARGUMENTS

Oral arguments were granted, to be held April 8, 1937, in the following cases:

Ex. Rept. No. 1-338, Harmon Leroy Stevens and Herman Leroy Stevens, d/b as Port Huron Broadcasting Co., Port Huron, Mich.; Ex. Rept. No. 1-339, WMAS, Inc., Springfield, Mass.; and Ex. Rept. No. 1-341, Dallas Broadcasting Co., Dallas, Tex.

ACTION ON EXAMINER'S REPORTS

NEW—Ex. Rept. No. 1-273: Albert Lea Broadcasting Corp., Albert Lea, Minn.—Granted C. P. for new broadcast station to operate on **1200 kc.,** 100 watts, daytime only. Site to be determined subject to Commission's approval. Examiner R. H. Hyde sustained. Order effective March 23, 1937.

NEW—Winona Radio Service, Winona, Minn.—Granted C. P. for new broadcast station to operate on **1200 kc.,** 100 watts, daytime only. Site to be determined subject to Commission's approval. Examiner R. H. Hyde sustained. Order effective March 23, 1937.

KHSL—Ex. Rept. No. 1-340: Golden Empire Broadcasting Co., Chico, Calif.—Granted modification of license to change frequency from **950 kc.** to **1260 kc.;** change power from 250 watts day to 250 watts night, 250 watts day; and increase hours of operation from daytime to unlimited. Examiner R. H. Hyde sustained. Order effective March 23, 1937.

MISCELLANEOUS

Geraldine Alberghane, Pawtucket, R. I.—Waived Rule 104.6(b) and accepted appearance in Docket 4387, being an application for a new station at Pawtucket, R. I., to operate on **720 kc.**, 1 KW, unlimited time. Respondents allowed to file answers within 10 days of the mailing of notices of this action.

Hildreth & Rogers Co., Pawtucket, R. I.—Denied petition asking Commission to cancel hearing of application of Geraldine Alberghane and to deny application.

E. Anthony & Sons, Inc., Pawtucket, R. I.—Granted petition to intervene at hearing of application of Geraldine Alberghane.

WGN—WGN, Inc., Chicago, Ill.—Granted request that hearing on application of Geraldine Alberghane, scheduled for February 23, 1937, be continued indefinitely. Decided to hear Alberghane case before Broadcast Division.

WGBI—Scranton Broadcasters, Inc., Scranton, Pa.—Granted petition asking authority to intervene at hearing of application of Lou Poller for a permit to erect a new radio station at Scranton, to operate on **1370 kc.**, 250 watts, daytime.

Paul B. McEvoy, Hobart, Okla.—Denied petition to reconsider and grant without a hearing application for C. P. to erect a new station in Hobart, Okla., to operate on **1420 kc.**, 100 watts, daytime only.

KGB—Don Lee Broadcasting System, San Diego, Calif.—Denied petition to reconsider and grant without a hearing application for authority to increase day power from 1 to 5 KW.

WGN—WGN, Inc., Chicago, Ill.—Denied motion asking hearing in Docket No. 4128, scheduled for February 23, 1937, be continued indefinitely. This is an application of Bay State Broadcasting Corp. for a permit to erect and operate a new radio station at Providence, R. I., using **720 kc.**, 1 KW LS. WGN, Inc., is respondent in these proceedings as WGN is the dominant clear channel station operating on **720 kc.**, 50 KW.

Geraldine Alberghane, Pawtucket, R. I.—Accepted answer to appearance of the Bay State Broadcasting Corp. case, Docket 4128.

John R. and Joe L. Peryatel and Richard K. Beauchamp, d/b as Beryatel Bros., Raton, N. Mex.—Waived Rules 104.6(b) and 105.25 and returned appearances filed 2 days late for proper verification as required by Rule 105.25, in Docket No. 4271, an application for C. P. for new station at Raton to operate on **1210 kc.**, 100 watts, unlimited time, scheduled to be heard March 8, 1937.

WABY—Adirondack Broadcasting Co., Albany, N. Y.—Granted permission to intervene at hearing of application of Troy Broadcasting Co. for C. P. for new radio station at Troy, N. Y., to operate on **950 kc.**, 1 KW, daytime.

O. Lee Stone, Florence, S. C.—Reaffirmed grant for C. P. made July 2, 1936, for new radio station to operate on **1200 kc.**, 100 watts, daytime, which was suspended and set for hearing because of protest filed by Don Lee Broadcasting Co. This protest has been withdrawn. Petition of WAIN for right to intervene "in hearing of application of O. Lee Stone, Docket 4112", dismissed.

WLB—University of Minnesota, Minneapolis, Minn.; WCAL—St. Olaf College, Northfield, Minn.—Dismissed motion to strike the protests filed by KSTP, National Battery Broadcasting Co., St. Paul, Minn., which was directed against action of Commission of October 20, 1936, in granting, without a hearing, the applications of WLB and WCAL.

APPLICATIONS RECEIVED

First Zone

550 WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—Modification of construction permit (B1-P-1189) to install new transmitter and antenna and increase power, requesting antenna changes and move of approximately 500 feet at same address.

570 WMCA—Knickerbocker Broadcasting Co., New York, N. Y.—Modification of license to increase power of auxiliary transmitter from 500 watts to 1 KW.

630 WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—License to cover construction permit (B1-P-790) for new equipment and increase in power, using directional antenna.

800 WTBO—Associated Broadcasting Corp., Cumberland, Md.—Authority to transfer control of corporation from Roger W. Clipp and Frank V. Becker to Delaware Channel Corp., 250 shares common stock.

1210 WGNY—Peter Goelet, Newburgh, N. Y.—License to cover construction permit (B1-P-1166) as modified for changes in equipment and move of studio and transmitter.

1400 WHDL—Olean Broadcasting Co., Inc., Olean, N. Y.—Modification of license to change name from Olean Broadcasting Co., Inc., to WHDL, Inc.

1480 WKBW—Buffalo Broadcasting Corp., Buffalo, N. Y.—Construction permit to make changes in antenna and move transmitter approximately 25 feet at same address. (This is a request to use WGR's antenna.)

1500 WNBF—Howitt-Wood Radio Co., Inc., Binghamton, N. Y.—Construction permit to make changes in equipment and increase day power from 100 watts to 250 watts.

W10XED—National Broadcasting Co., Inc., Mobile.—License to cover construction permit for increase in operating power to 25 watts.

W10XGG—National Broadcasting Co., Inc., Mobile.—License to cover construction permit for increase in operating power to 25 watts.

W10XCH—National Broadcasting Co., Inc., Mobile.—License to cover construction permit for increase in operating power to 25 watts.

W10XV—National Broadcasting Co., Inc., Mobile.—License to cover construction permit for increase in operating power to 25 watts.

NEW—Knickerbocker Broadcasting Co., Inc., Flushing, N. Y.—Construction permit for a new high frequency broadcast station to be operated on **26550 kc.**, 100 watts, unlimited time.

Second Zone

1210 NEW—Petersburg Newspaper Corp., Petersburg, Va.—Construction permit for a new station to be operated on **1370 kc.**, 100 watts, daytime. Amended to change frequency from **1370 kc.** to **1210 kc.**, power from 100 watts to 100 watts night, 250 watts daytime, hours of operation from daytime to specified hours, and make changes in equipment. Requests facilities of WMBG.

1210 WKOK—Sunbury Broadcasting Corp., Sunbury, Pa.—Construction permit to make changes in equipment; install vertical antenna; increase power from 100 watts to 100 watts night, 250 watts day; move transmitter from 1150 No. Front Street, Sunbury, Pa., to site to be determined, Sunbury, Pa.

1210 WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—License to cover construction permit (B2-L-543) for a new transmitter.

1250 NEW—West Virginia Newspaper Publishing Co., Clarksburg, W. Va.—Construction permit for a new station to be operated on **1250 kc.**, 1 KW, daytime.

1270 NEW—Great Lakes Broadcasting Corp., Cleveland, Ohio.—Construction permit for a new station to be operated on **1270 kc.**, 1 KW night, 5 KW daytime, unlimited time. To use directional antenna day and night. Amended to give exact transmitter site as 6 miles southwest of Cleveland Public Square, south of Biddulpb Road, between Ridge Road and West 117th St., Brooklyn Township, Ohio.

1310 WSAJ—Grove City College, Grove City, Pa.—Modification of license to change specified hours and change studio site from Main and Broad St., Grove City College, to Hall of Science, Grove City College, Grove City, Pa.

1370 NEW—George W. Taylor Co., Inc., Williamson, W. Va.—Construction permit for a new station to be operated on **1210 kc.**, 100 watts, daytime. Amended to change frequency from **1210 kc.** to **1370 kc.** and make changes in equipment.

1390 WHK—The Radio Air Service Corp., Cleveland, Ohio.—Modification of license to increase night power from 1 KW to 5 KW (5 KW day power requested by B2-ML-415).

1420 WCHV—Community Broadcasting Corp., Charlottesville, Va.—Construction permit to make changes in transmitting equipment and install vertical antenna; move transmitter from Stony Point Road, Charlottesville, Va., to Charlottesville, Va.

1430 WHP—WHP, Inc., Harrisburg, Pa.—License to cover construction permit (B2-P-1239) for new antenna and move of transmitter.

NEW—Charleston Broadcasting Co., Charleston, W. Va.—Construction permit for a new high frequency broadcast station to be operated on **26100 kc.**, 50 watts, unlimited time.

NEW—Charleston Broadcasting Co., Vicinity of Charleston, W. Va.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 5 watts, variable hours.

NEW—Charleston Broadcasting Co., Vicinity of Charleston, W. Va. —Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.,** 5 watts, variable hours.

Third Zone

780 WMC—Memphis Commercial Appeal, Inc., Memphis, Tenn.—Voluntary assignment of license from Memphis Commercial Appeal, Inc., to Memphis Commercial Appeal Co.

940 NEW—The Tribune Co., Tampa, Fla.—Construction permit for a new station to be operated on **940 kc.,** 1 KW night, 5 KW daytime, unlimited time. Amended to install directional antenna for night use and for approval of transmitter site at along Bayfront near Cypress Street, Tampa, Fla.

1200 WJNO—Hazlewood, Inc., West Palm Beach, Fla.—Construction permit to make changes in equipment and increase power from 100 watts to 250 watts. Amended to omit request for increase in night power.

1200 KGHI—Arkansas Broadcasting Co., Little Rock, Ark.—Modification of license to change power from 100 watts night, 250 watts daytime, to 250 watts day and night.

1210 WGCM—WGCM, Inc., Mississippi City, Miss.—Authority to transfer control of corporation from Sam Gates to P. K. Ewing, 280 shares common stock.

1210 WFOY—Fountain of Youth Properties, Inc., St. Augustine, Fla.—License to cover construction permit (B3-P-466) as modified for a new station.

1310 NEW—J. K. Patrick, Earl B. Braswell, Tate Wright, C. A. Rowland and A. Lynne Brannen, d/b as J. K. Patrick & Co., Athens, Ga.—Construction permit for a new station to be operated on **1310 kc.,** 100 watts night, 250 watts daytime.

1310 KFYO—Plains Radio Broadcasting Co., Lubbock, Tex.—License to cover construction permit (B3-P-1468) for new transmitter and antenna.

1310 KTSM—Tri-State Broadcasting Co., Inc., El Paso, Tex.—License to cover construction permit (B3-P-1403) for changes in equipment, increase in power, move of transmitter, and authority to carry WDAH schedule on KTSM transmitter.

1320 WSMB—WSMB, Inc., New Orleans, La.—Modification of construction permit (B3-P-1446) for new equipment, further requesting equipment changes and move of transmitter from Algiers Naval Station to Behrman Highway, New Orleans, La., and extend commencement and completion dates.

1430 WNBR—Memphis Broadcasting Co., Memphis, Tenn.—Authority to transfer control of corporation from Memphis Commercial Appeal, Inc., to Memphis Commercial Appeal Co., 200 shares common stock.

1500 KPLC—Calcasieu Broadcasting (T. B. Lanford, R. M. Dean and L. M. Sepaugh), Lake Charles, La.—License to cover construction permit (B3-P-1407) as modified for new equipment, increase in daytime power, and move of transmitter.

1500 KPLT—North Texas Broadcasting Co., Paris, Tex.—Construction permit to make changes in transmitting equipment and antenna and increase power from 100 watts to 250 watts.

1500 KGFI—Eagle Broadcasting Co., Inc., Corpus Christi, Tex.—Modification of construction permit (B3-P-1056) for new equipment; move of transmitter, requesting authority to make changes in equipment; move studio and transmitter from Corpus Christi, Tex., to Brownsville, Tex., and extend commencement and completion dates.

W4XBS—Memphis Commercial Appeal, Inc., Mobile.—Voluntary assignment of license from Memphis Commercial Appeal, Inc., to Memphis Commercial Appeal Co.

WABG—Memphis Commercial Appeal, Inc., Mobile.—Voluntary assignment of license from Memphis Commercial Appeal, Inc., to Memphis Commercial Appeal Co.

W4XCX—Stuart Broadcasting Corp., Knoxville, Tenn.—License to cover construction permit for a new relay broadcast station.

W4XCA—Memphis Commercial Appeal, Inc., Memphis, Tenn.—Voluntary assignment of license from Memphis Commercial Appeal, Inc., to Memphis Commercial Appeal Co.

NEW—Southeastern Broadcasting Co., Inc., Portable.—Construction permit for a new relay station to be operated on **1622, 2058, 2150, 2790 kc.,** 30 watts. Amended to change power from 30 watts to 25 watts.

Fourth Zone

580 NEW—Northwest Publications, Inc., Duluth, Minn.—Construction permit for a new station to be operated on **920 kc.,** 250 watts, daytime. Amended to change frequency from **920 kc. to 580 kc.**

1180 WDGY—Dr. George W. Young, Minneapolis, Minn.—Modification of construction permit (B4-P-1420) for a new transmitter, requesting extension of commencement and completion dates.

1370 WSAU—Northern Broadcasting Co., Inc., Wausau, Wis.—License to cover construction permit (B4-P-725) as modified for a new station.

1370 WDWS—Champaign News-Gazette, Inc., Champaign, Ill.—License to cover construction permit (B4-P-475) as modified for a new station.

1450 NEW—L. L. Coryell, Sr., and L. L. Coryell, Jr., d/b as L. L. Coryell & Son, Lincoln, Nebr.—Construction permit for a new station to be operated on **1450 kc.,** 250 watts night, 500 watts daytime, unlimited time.

1500 NEW—Gerald A. Travis, La Porte, Ind.—Construction permit for a new station to be operated on **1500 kc.,** 100 watts night, 250 watts daytime, unlimited time.

Fifth Zone

1070 KJBS—Julius Brunton & Sons Co., San Francisco, Calif.—License to cover construction permit (B5-P-1270) for changes in antenna, and move of studio and transmitter.

1180 KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Modification of construction permit (B5-P-1492) to install new transmitter, requesting changes in authorized equipment.

1240 KTFI—Radio Broadcasting Corp., Twin Falls, Idaho.—Modification of license to change power from 500 watts night, 1 KW daytime, to 1 KW day and night.

1240 KTFI—Radio Broadcasting Corp., Twin Falls, Idaho.—Extension of special experimental authorization to operate with power of 1 KW (night) for period from 10-1-36 to 4-1-37. Amended to change period of time from 4-1-37 to 10-1-37.

1370 KSLM—Oregon Radio, Inc., Salem, Ore.—Construction permit to make changes in equipment and change frequency from **1370 kc. to 1110 kc.,** also change power from 100 watts to 500 watts.

1370 KRE—Central California Broadcasters, Inc., Berkeley, Calif.—Construction permit to install a new transmitter and antenna; change frequency from **1370 kc. to 1440 kc.,** power from 100 watts night, 250 watts day, to 1 KW; and move studio and transmitter locally. Amended to change requested power from 1 KW to 500 watts night, 1 KW daytime.

1420 NEW—Gallatin Radio Forum, Bozeman, Mont.—Construction permit for a new station to be operated on **1420 kc.,** 250 watts, daytime.

The National Association of Broadcasters
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WASHINGTON RADIO HIGHLIGHTS

Five-year licenses for broadcasting stations proposed by Congressman Anderson of Missouri * * * * "There will be a reallocation," said Chairman Prall of the FCC when testifying before the Senate Appropriations Committee on February 12 * * * * When Senator Byrnes (South Carolina) said, "I hope you will not authorize those 500,000-watt superstations without the most careful consideration, because it will injure the local stations," Mr. Prall replied, "We will not, Senator" * * * * Printed record of hearings disclose also the FCC Chairman's belief that if the Commission "were authorized under the Act to quiet a station or delete it for a temporary period, if we might close the station for two weeks for a violation, or a month, or six months, it would have a salutary effect on the industry as a whole" * * * * Mr. Prall also said he thought it would be desirable to have authority as to programs and the direction of broadcast stations with respect to the use of the time they are selling advertisers * * * * Question of license fees was raised by Senators Green (Rhode Island) and McAdoo (California), and Chairman Prall said, "To be equitable we could only do it, in my opinion, on the basis of income" * * * * "It would be like an income tax," he said * * * * Chairman Prall sustained the view expressed by Senators Glass (Virginia) and McAdoo that it is not for the Commission "to tell a man he should or should not pay a certain price for a station."

BILL FOR FIVE-YEAR LICENSES

Representative Anderson of Missouri on Wednesday introduced a bill in the House "to prescribe five-year minimum terms for broadcasting licenses." The bill is as follows:

That section 307(d) of the Communications Act of 1934 is hereby amended to read as follows:

"(d) No license granted for the operation of a broadcasting station shall be for a shorter term than five years and no license so granted for any other class of station shall be for a longer term than five years, and any license granted may be revoked as hereinafter provided. Upon the expiration of any license, upon application therefor, a renewal of such license may be granted from time to time for a term of not less than five years in the case of broadcasting licenses and not to exceed five years in the case of other licenses, but action of the Commission with reference to the granting of such application for the renewal of a license shall be limited to and governed by the same considerations and practice which affect the granting of original applications."

Sec. 2. The amendments made by section 1 of this Act shall not apply to any broadcasting license in force on the date of enactment of this Act until it expires pursuant to the provisions of section 307(d) of the Communications Act of 1934 as in force prior to such date.

(Ed. Note—There is no issue less controversial among our membership. Enactment of this bill would greatly increase the stability of the industry. That, we believe, would be in the public interest.)

RADIO AMENDMENT REPORTED

The House Committee on Interstate and Foreign Commerce on Wednesday made a favorable report on H. R. 3898 providing for an amendment to the Communications Act of 1934 which would amend section 318 of the Act in connection with radio operators. The committee reported the bill with some minor amendments. The bill as it was reported by the committee and recommended for passage is as follows:

"Sec. 318. The actual operation of all transmitting apparatus in any radio station for which a station license is required by this Act shall be carried on only by a person holding an operator's license issued *hereunder, and no* person shall operate any such apparatus in such station except under and in accordance with an operator's license issued to him by the Commission: *Provided, however, That the Commission if it shall find that the public interest, convenience or necessity will be served thereby may*

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waive or modify the foregoing provisions of this section for the operation of any station except (1) stations for which licensed operators are required by international agreement, (2) stations for which licensed operators are required for safety purposes, (3) stations engaged in broadcasting, and (4) stations operated as common carriers on frequencies below thirty thousand kilocycles: Provided, further, That the Commission shall have power to make special regulations governing the granting of licenses for the use of automatic radio devices and for the operation of such devices."

COMMISSION DENIES TRI-STATE PETITION

The Federal Communications Commission sitting en banc on Wednesday denied the petition of the Tri-State Broadcasting Company for a rehearing in the application of Dorrance D. Roderick for authority to establish a new broadcasting station at El Paso, Texas, using 1500 kilocycles, 100 watts power, unlimited time on the air. Commissioner Stewart dissented.

FAMOUS-DORANA RADIO PRODUCTIONS

The Famous-Dorana Radio Productions of Chicago, Illinois, manufactures an electrically transcribed library service for lease to radio broadcasting stations. The license agreement offered to stations should be studied carefully. Section 2 of their agreement reads as follows: "All selections in the library are fully tax paid, and the station may use any selection on either sustaining or sponsored local broadcast without additional payment of tax or fee; it being understood that the station shall send a list of all selections, used on sponsored local radio broadcasts during the first six months, to the producer."

A member who questioned Famous-Dorana concerning this provision is now advised by letter dated February 15, 1937, and signed by Daryl C. Doran, as follows: "A radio station must hold a performing license from ASCAP before the station can use our transcriptions. We hold a license to make the recordings but not a performing license.

"I understand that a radio station pays a percentage of their gross net income (or some such basis) which gives them the right to use all ASCAP music as often as they wish, either from records, transcriptions, or with live talent. . . ."

YOUR PERSONAL PROBLEM CLINIC

And now Bernard Zissu of Radio Program Associates offers to radio stations *without cost* a new fifteen-minute transcribed program developed by the editors of *Physical Culture Magazine*. Any station performing these transcriptions on any basis other than that specified in its rate card is violating both the letter and the spirit of paragraph 6 of the NAB Code of Ethics.

THE MUTUAL BENEFIT MANAGERS' RADIO CAMPAIGN

It is reported that time for an insurance program may be purchased at a 5 per cent discount. The discount is said to be based on a confidential arrangement made by the sponsors through its advertising agency.

This is called to the attention of members that they may have the opportunity of doing a little policing per paragraph 6 of the NAB Code of Ethics.

A. F. A. MEETS IN JUNE

The 33rd Annual Convention of the Advertising Federation of America will be held June 20th to 23rd, inclusive, at the Hotel Pennsylvania, New York City.

RECOMMENDS NO CHANGES FOR KWBG

Broadcasting station KWBG, Hutchison, Kans., applied to the Federal Communications Commission to change its frequency from 1420 to 550 kilocycles, its power increased from 100 to 250 watts, and that its present unlimited time be left that way.

Examiner Melvin H. Dalberg, in Report No. I-357, recommended that the application be denied. The Examiner states that "it appears from the record that while the granting of this application would result in an increase in the useful daytime service area which is sought as coverage, the useful night-time service area (should the station be operated as proposed) would be less than now exists."

POWER INCREASE RECOMMENDED FOR WCOA

Broadcasting station WCOA, Pensacola, Florida, operating unlimited time on 1340 kilocycles, applied to the Federal Communications Commission to increase its daytime power from 500 to 1,000 watts, and to continue its present 500 watts night-time power.

Examiner Melvin H. Dalberg, in Report No. I-359, recommended that the application be granted. He found that "the proposed operation of the applicant will not adversely affect the interest of any licensed station, nor are there any pending applications which involve the possibility of objectionable interference." He states that the granting of the application would be in the public interest.

RECOMMENDS DENYING CALIFORNIA STATION

Loyal K. King applied to the Federal Communications Commission for a construction permit for the erection of a new broadcasting station at Pasadena, Calif., to use 1320 kilocycles, 250 watts, and daytime operation.

Examiner Ralph L. Walker, in Report No. I-358, recommended that the application be denied. The Examiner states that "there is no need shown for additional broadcast service." He states further that "the facts shown do not lead to the conclusion that a fair, efficient, and equitable distribution of radio service among the several states and communities would be accomplished by the granting of the application."

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3057. American Mushroom Industries, Ltd., 28-30 Bloor St., West, **Toronto, Canada,** with an American branch office at 73 West Eagle St., **Buffalo, N. Y.,** is charged with unfair competition in the sale of mushroom spawn, in a complaint.

Approximately 95 per cent of the respondent company's total sales are made in the United States, according to the complaint, and in this sale the respondent is alleged to have made misleading representations in its advertising.

The complaint charges that the respondent's advertising served to represent that there is a shortage of and a tremendously increasing demand for fresh mushrooms, and that this company's mushroom spawn will produce extraordinary financial returns to purchasers, may be planted in any idle space about the home, and that mushroom growing is an easy and pleasant occupation requiring no experience.

Nos. 3058-3059. A Baltimore ice cream cone manufacturer and a Brooklyn candy maker are charged in complaints with unfair competition in the sale of their products by means of lotteries. The respondent companies are **Maryland Baking Co.,** 1200 South Eutaw St., **Baltimore,** and **Mells Manufacturing Co.,** 250 Park Ave., **Brooklyn.**

Manufacturing cones and selling them to wholesalers, jobbers and ice cream manufacturers, Maryland Baking Co. is alleged to have distributed them packed and assembled with small printed slips a few of which were worded so as to entitle the recipient to an extra ice cream cone free of charge.

According to the complaint, the slips were so placed in the cones that the consumer could not ascertain whether or not he was entitled to a free cone until after he had bought a cone and partially consumed it. Whether he received an additional ice cream cone free was determined wholly by lot or chance, the complaint alleges.

No. 3060. American Television Institute, Inc., a correspondence school, and others, 433 East Erie St., **Chicago,** are charged in a complaint with unfair competition in the sale of courses in radio and television.

Representations made by the respondents are alleged to have had a tendency to mislead a substantial portion of the student public into erroneous beliefs regarding the respondents' courses, and to have caused them to enroll as students on account of such beliefs.

Certain representations made by the respondents in newspapers, booklets and general business correspondence are alleged to serve as representations that: Several young men are to be selected and trained for positions in radio television at the respondents' expense until actually employed; that a seventy-lesson course is offered, collection of the tuition fee being deferred until a job is obtained for the student at $125 a month or more; that the respondents operate a widespread employment agency through which students are placed in paying positions upon graduation; that there is a shortage of radio television operators; that the respondents own a huge laboratory in which equipment is manufactured in great quantities; and that they operate television broadcasting stations in which the pupils are given opportunity for graduate residence study. It was also represented, according to the complaint, that certain individual respondents are engineers for certain radio stations.

No. 3061. Glenn Laboratories, Inc., 287 West 127th St., **New York City,** selling a thyroid treatment for overweight, is charged with unfair competitive practices in violation of Section 5 of the Federal Trade Commission Act, in a complaint.

Offering "Dr. Thomas' Rx 157" for sale, the respondent company is alleged to have made representations tending to induce prospective buyers to purchase the product, believing it to be a safe, harmless and competent remedy or treatment for all classes and types of obesity. These representations are alleged to be false and misleading, both because of their content and because of what the respondent fails to disclose.

The product is alleged to have been advertised over the radio and in newspapers and magazines as a new preparation, constituting a simple new method, the use of which converts food into fuel and energy. It was advertised, according to the complaint, either expressly or by implication, that the product could be safely taken by laymen without advice of physicians.

No. 3062. Charging unfair competition in the interstate sale of a preparation for use in dyeing white or gray hair, a complaint has been issued against **J. Palazzolo,** 436 East 14th St., **New York,** manufacturer and distributor of this product, sold under the names "Otello Water" and "L'Acqua Otello."

L'Acqua Otello was advertised expressly or by implication as being not a dye but "a preparation which gives your hair a natural color, vitality," according to the complaint, and Otello Water was represented as "not a tincture but a compound that restores gray hair to its natural color."

The complaint also alleges that Otello Water was advertised in the same manner as capable of ending dandruff, baldness and falling hair and as a rejuvenator of the hair roots.

No. 3063. Misleading representations of the character of the business of a nursery product dealer is alleged in a complaint against **Earl E. May Seed Co.** and **Earl E. May, Shenandoah, Iowa.**

Engaged only in the transportation, sale and distribution of nursery stock purchased at wholesale from the actual growers, the respondent company is alleged to have advertised in a manner serving to represent that this company actually grows or propagates the nursery products it sells and that it owns and operates nurseries, farms or properties on which the nursery products it sells are grown.

These representations are alleged to have a tendency to mislead purchasers into the erroneous belief that when they buy nursery stock from the respondents they are buying directly from the grower and are receiving advantages that come from such direct purchasing.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 01518. B. Max Mehl, Mehl Building, Fort Worth, Tex., trading as Numismatic Company of Texas, agreed to discontinue representing in the sale of his booklets entitled "The Star Rare Coin Encyclopedia" and "The Star Coin Book," and an illustrated folder giving information on coins, that any of them contain a certain number of illustrations, unless such is a fact; that they have been approved officially by any government official or agency, and that they are the most complete or most authoritative publications on the subject of coins.

No. 01519. W. H. Noll, trading as The Pinex Co., Fort Wayne, Ind., in its stipulation agreed to stop representing that its product "Pinex" is an effective remedy or competent treatment for coughs, unless such representation is qualified to indicate coughs due to colds. The respondent also will cease representing that his preparation is "100 per cent effective," that it will end bad coughs quickly, giving instantaneous relief from colds, and will discontinue other similar representations.

No. 01520. M. N. Bunker, 400 Reliance Building, Kansas City, Mo., trading as Madame Serena, will discontinue advertising, in connection with the sale of astrological charts, that an individual or strictly personal report or "scope" is made to a customer; that a "master secret" is given free so long as it is included in the price of a "handwriting report," and that the "master secret" will enable one to solve money problems, gain happiness, double business, secure employment, or acquire a new grasp on life.

No. 01521. Psoriatex Laboratory, Inc., 1402 Real Estate Trust Building, Philadelphia, stipulates it will desist from representing that its product "Psoriatex" is a competent remedy in the treatment of psoriasis, unless the assertion is properly qualified, and that the preparation will relieve the most chronic cases, no matter how long affected. The company agreed to stop representing that psoriasis is a germ disease, or that the germs operate in the tissues of the skin or live on the oil in the skin. The respondent admitted that, according to reliable medical authority, the cause of psoriasis is unknown, and its duration, regardless of the treatment, is uncertain.

No. 01522. Charles Beahm, trading as Laborlite Manufacturing Co., 436 S. E. 6th Ave., Portland, Ore., agreed to cease representing that his trisodium phosphate washing preparation, designated "Laborlite," will sterilize or destroy all germs and will destroy all odors, and that it contains no harmful ingredients and is composed of harmless minerals.

No. 01523. L. Sachs, 1085 Washington Ave., New York City, trading as Plastex Industries, and selling novelties and molds for use in the manufacture of such novelties, stipulated he would cease representing inferentially by such an assertion as "We start you in business" that he gives financial assistance to any one who desires to enter into the business of manufacturing novelties by use of the molds he sells; that, by the assertion, "We place orders and buy goods", he will either buy, or procure purchasers for all of the articles a person may manufacture by use of his molds and materials, and that one cannot help but make perfect castings with his molds.

The respondent further agreed not to make unmodified claims of earnings in excess of the average earnings, under normal business conditions, of those who purchase molds or materials from him.

The respondent admitted, according to the stipulation, that he does not order or buy all of the products of his customers, but only as many as he can resell, for which he fixes and pays a wholesale price, and that no person purchasing his molds has earned the amounts of money represented.

No. 01524. Vaughan Brothers, Inc., 297 Farmington Road, Rochester, N. Y., in the sale of "No-Erb", will stop representing that this product is competent in the treatment of common ailments of the kidneys, liver or bowels, and that it has been of any material benefit to those in search of better health, or to those who have unsuccessfully tried other medicines. The company agrees also to discontinue other misleading representations.

No. 01525. Fannie L. Judy, 1420 Broadway, San Diego, Calif., trading as Judy Medicine Co., stipulated that she will stop representing "Judy's Tablets" as competent treatment for indigestion, nervous complaints, rheumatism, liver trouble, and other conditions, and that it is an effective remedy for headaches, unless this assertion is limited to relief of headaches due to constipation.

No. 01526. Takara Laboratories, 6314 Santa Monica Blvd., Hollywood, Calif., in the sale of "Takara Hygienic Powder", "Forfem", and "Takara Suppositories", agreed to desist from the representation, by direct statement or reasonable inference, that any one of its products is an effective destroyer of germ life, is the ideal preparation for feminine hygiene, and other similar allegations.

No. 01527. Moonshine Chemical Co., Inc., Pittsburgh, selling Moon-Shine Washing Fluid, signed a stipulation to discontinue advertising that the product destroys odors and kills germs, unless it is clearly indicated in connection with such representations that the product will not destroy all odors and will not kill all germs, including their spores; that it bleaches, removes stains and mildew, deodorizes, disinfects, and kills germs in one operation, and that it has a hundred helpful household uses.

Nos. 01528-01530. Stipulations have been entered into with two respondents for discontinuance of unfair advertising practices in connection with the interstate sale of their products. One is a Chicago dealer in a weight-reducing preparation. The other is a New York vendor of a physical culture course.

Respondents signing the stipulations are: (1) **Mrs. O. Debaugh,** 4428 South Homan Ave., **Chicago,** trading as **Raoxolyn Products, Raoxolyn Health Products,** and **Raoxolyn Laboratories,** and (2) **The Ring Book Shop, Inc.,** Madison Square Garden Arcade, **New York,** and **Nat Fleischer,** an individual, selling a course designated Nat Fleischer's Universal Boxing Course and System of Exercise for Height Increase.

Among advertising representations to be discontinued by the Chicago dealer are that her product, Alpine for the Waistline, is a powerful stimulant for the thyroid gland, is Nature's Neutralizing Normalizer and gets at the cause of the fat. The respondent admitted that, according to scientific opinion, the medicinal value of her product is practically limited to that of a senna laxative, and would not act as a stimulant to the thyroid gland, and that it would not purge the intestinal tract of poisonous waste and act as a normalizer for the entire system.

No. 01529. Lehn & Fink, Inc., Bloomfield, N. J., in the sale of "Lysol", agreed to stop asserting in advertising that its product is "the" standard antiseptic in the sense that it is the official or scientific measure by which others are rated; and that it will protect from disease, unless the advertising indicates that the product's uses are generally limited to those of a household disinfectant and to cleansing instruments, appliances, and the person, and to prevent infection, promote antiseptic cleanliness, and destroy offensive odors. The respondent company stipulated that it would not advertise that doctors or nurses specify this preparation must be on hand in certain cases, or that it is effective for "marriage hygiene" as distinguished from "feminine hygiene".

No. 01531. D. H. Koumjian, trading as Del-Tox Chemical Co., 2100 Washington Boulevard, Baltimore, agreed to stop representations that the product he sells under the name "Del-Tox" disinfects as it cleans, sterilizes or kills all germs, and may be used for antiseptic deodorant baths.

No. 01532. E. D. Brown, B. C. Brown, G. F. Brown and M. E. Brown, of Sinking Spring, Pa., trading as F. M. Brown's Sons, will cease representing its poultry treatment product, "Minex", as an effective treatment for blackheads in turkeys, and that it is of value in prevention or treatment of worms, coccidiosis, and other poultry diseases. The product "Camotex" will no longer be advertised as a penetrating, healing spray for poultry capable of overcoming colds, bronchitis, diphtheria, and other diseases in poultry.

No. 1886. George F. Dodge, trading as Windsor Soap Co., Oneida and Bond Sts., Buffalo, agreed to stop use of the words "olive oil" on labels or in advertising matter to describe soap products whose fatty content is not composed wholly of olive oil, and use of the word "olive" in any manner so as to imply that the fatty content of the product so designated is composed wholly of olive oil, when such is not a fact. Dodge also will cease using the words "soap makers" or "factory" in any manner which may create the impression that he owns or operates a factory in which his products are manufactured, when this is not true.

No. 1887. Gero Products, Inc., 158 North Street, South Boston, Mass., stipulated that on cartons containing emergency first-aid kits it will desist from using exaggerated or misleading representations concerning the value of such kits, or the price at which they are sold or are intended to be sold. The stipulation sets out that on the cartons appeared the words "Price 35 Cents", which was not the price at which the kits were sold or intended to be sold, but was much in excess of the price at which they were actually sold in the usual course of trade.

Nos. 1889-1893. Sessions Clock Co., Forestville, Conn., and **National Bedding Co., 1820 Delmar St., St. Louis, Mo.,** dealing, respectively, in clocks and mattresses, agreed to cease selling or distributing in interstate commerce products tagged or labeled with any fictitious, exaggerated or misleading price which is in excess of the price at which such products are sold or intended to be sold in the ordinary course of trade.

Nos. 1888-1900. Stipulations have been entered into with two food companies regarding unfair representations in interstate sales of food products. They are **B. H.** and **Isadore Rudo,** 121 Cheapside, **Baltimore,** trading as **B. H. Rudo & Brother** and as **Atlantic Wholesale Grocery Co.,** and **George W. Hogue Extract Co.,** 620 Prospect Ave., **Kansas City, Mo.,** doing business also as **George W. Hogue Manufacturing Co.** and **McMillen Products Co.**

Selling groceries at wholesale, the Baltimore firm agreed to stop branding or otherwise advertising its products as of "fancy" grade or quality when they were not of the grade or quality understood by the buying public to be entitled to that designation.

The Rudo firm agreed to cease employing stamps or brands that would indicate their products to be of higher quality than they are in fact.

The Kansas City Company, selling food flavors, agreed in its stipulation to discontinue use of the word "extract" as part of its corporate or trade name and in advertisements to describe products not extracts, or in any way tending to deceive buyers into believing that the firm manufactures or deals in extracts, when such is not a fact.

No. 1890. Marinette & Menominee Box Co., Marinette, Wis., in connection with the sale of boxes, agreed to desist from representing on letterheads or other printed matter that it has a plant at Menominee, Mich., and from use of the words "Menominee, Mich." in connection with the words "plants at", or with any other words, so as to imply that it owns or operates plants at Menominee in which its products are manufactured, when such are not the facts.

No. 1891. Leo J. Ratheim, trading as St. Clair Graphite Co., 819 East Main St., Belleville, Ill., is engaged in the sale of an auxiliary lubricant known as "Graf-ex," intended to be added to ordinary lubricants and motor fuel oils. Ratheim signed a stipulation to discontinue advertising that, by use of "Graf-ex", oil and gas bills can be cut in half; and to cease other exaggerated claims regarding an alleged reduction in the quantity of oil and gasoline used. He also will stop representing that an advertised price of 85 cents for two pints of the product is "Two pints for the price of one". According to the stipulation, the product was regularly sold for 45 cents a pint.

No. 1892. Arcturus Radio Tube Co., 720 Frelinghuysen Ave., Newark, N. J., agreed that it will discontinue use of the word "metal" as descriptive of the radio tubes it sells, so as to imply that they are products which have become popularized and known to the trade and public as tubes in which the technical elements are sealed in a vacuum in steel, or wherein metal functions instead of glass. The stipulation provides that if the technical elements are sealed in a vacuum in glass encased in a metal shell, and the words "metal tube" are used to designate the metal covering, then such words shall be accompanied conspicuously by other suitable words so as to indicate clearly that the tube does not have its technical elements sealed in a vacuum in steel, and that it is a product other than one wherein metal functions instead of glass.

No. 1894. Schnefel Brothers, Inc., 684 South 17th Street, Newark, N. J., in connection with the sale of two nail polishes under the trade name "La Cross", agreed to discontinue putting into effect, by cooperative methods, any system for the maintenance of resale prices established by it. The corporation will stop seeking or obtaining agreements or assurances from wholesalers or retailers that they will cooperate in making effective any resale price maintenance system, and will cease seeking or obtaining assurances of cooperation from dealers failing to maintain established resale prices, that in the future they will adhere to such fixed resale prices, as a condition of their being further supplied with "La Cross" products.

No. 1895. New York Post, Inc., publisher of the New York Post and also engaged in printing and selling books, agreed to discontinue use in advertising matter of the phrase "embossed in gold" as descriptive of the titles and borders of certain books it sells, which are not, in fact, embossed in gold or gold leaf. The publishing company also will cease using the word "gold" in any way so as to create the impression that the material used on the titles and borders is gold or gold leaf, when such is not a fact. The stipulation points out that the publishing company in selling "The Complete Works of Charles Dickens", advertised that "the titles and decorative borders are richly embossed in gold, when, in fact, they were finished with a material which, though it simulated gold or gold leaf in appearance, actually contained no gold.

No. 1896. Trading as **Superkleen Company, Sidney** and **Ben Warmbrand,** 265 West 34th St., **New York City,** engaged in the sale of a cleaning fluid known as "Superkleen," have entered into a stipulation with the Federal Trade Commission to discontinue use of the words "Leaves No Rings," or any other words, on labels or in advertising matter which may imply that the product will not leave a ring on any fabric to which it may be applied.

No. 1897. Pine Products International, Inc., 254 West 31st Street, New York City, signed a stipulation under which it agreed to cease representations in advertising matter that its bath preparations, designated "Swiss Pine Bath," "Pine Bath Siberia" and "Balpine," possess such therapeutic properties as to render them a competent treatment for disorders of the nervous system, sleeplessness, neuritis, rheumatism, colds, and conditions of the respiratory system, the heart and lungs. The company also will desist from use of the word "imported," alone or with other words such as in the phrase "Imported Pine Essences," so as to imply that its products consist wholly of pine essence or are wholly imported, when such is not a fact, and from use of the word "laboratories" so as to imply that it owns or operates a laboratory.

No. 1898. The Mystic Foam Corporation, 6607 Carnegie Ave., **Cleveland,** selling another cleaning fluid designated "Mystic Foam," also signed a stipulation to cease misrepresenting its product. It agreed to stop advertising that its preparation is a disinfectant, that it contains chemicals which instantly destroy bacteria and moths in fabrics on which it is used, or that it will eliminate the larvae or eggs of moths from fabrics treated with "Mystic Foam."

No. 1899. Holland Furnace Co., Holland, Mich., signed a stipulation to discontinue use in advertising matter of the assertion, "Find out why only Holland can guarantee perfect heat in every room," when, in fact, the Holland company is not the only furnace manufacturing concern which guarantees perfect or satisfactory heat in every room.

No. 2111. National Silver Co., 61-65 West 23rd St., **New York,** cutlery distributor, has been ordered to cease and desist from misrepresentations in the sale of its products through use of the words "stainless" and "stainpruf" as designations.

According to the findings, the word "stainless" stamped by manufacturers and distributors upon their cutlery, table cutlery and flatware, or used in advertising such ware and cutlery, has, through long and continued usage, come to signify to the manufacturer, the distributor, the retailers, and to the ultimate purchaser and user, that such cutlery is produced from the chromium-steel alloy, stainless steel.

Use of the word "stainless" as a trade name, brand or label for knives and flatware cutlery, or in advertising and representing these articles, is prohibited unless they are made of steel containing from 9 to 16 per cent of chromium and not more than 0.7 per cent carbon. These percentages of chromium and carbon, according to findings, represent the recognized proportions of these ingredients in cutlery stainless steel, an alloy produced from iron, chromium and carbon, and possessing to a high degree the quality of resisting oxidation and corrosion.

No. 2610. An order to cease and desist has been issued against **Granite Arts, Inc.,** 1909 Leavenworth St., **Omaha, Nebr.,** requiring that firm to discontinue certain unfair representations in the interstate sale of tombstones, monuments and grave markers, in violation of Section 5 of the Federal Trade Commission Act.

Manufacturing its products by mixing granite chips or powder with cement and molding this into a cast stone, this company is ordered by the Commission to cease representing that its cast stone products are granite, and to stop representing through use of a corporate or trade name or other words or phrases containing the word "granite," that its products are granite. Findings in the case are that the respondent does not manufacture any products from true granite.

No. 2825. Under an order entered, **Cushing Refining & Gasoline Co., Cushing, Okla.,** is prohibited from unfairly disparaging Ethyl gasoline, and from falsely representing that all of the gasoline it manufactures and sells is produced by a new process and is superior to the product containing tetraethyl lead, also known as "Ethyl."

The respondent corporation has refineries at Cushing and Blackwell, Okla., and a branch office at Minneapolis.

According to the findings, the respondent corporation, prior to the issuance of the complaint in the Commission's proceeding, did not manufacture or sell gasoline containing tetraethyl lead, and was interested and engaged in presenting to the purchasing public all available arguments tending to lessen the desirability, effectiveness and safety of Ethyl gasoline. Findings are that the corporation during the summer of 1936, began selling Ethyl, described as a gasoline to which tetraethyl lead has been added for the purpose of eliminating knock or detonation encountered in high compression motors when driven by straight run gasoline.

No. 2919. Dollar Crystal Co., Redick Tower Building, **Omaha, Nebr.,** has been ordered to discontinue certain unfair competitive methods in the sale of mineral water crystals, in violation of Section 5 of the Federal Trade Commission Act. These products are sold as "Genuine Texas Mineral Crystals," "Texas Mineral Water Crystals," and under other similar names.

The order bars representation by means of radio, advertising matter and testimonial letters that the respondent company's products have curative value other than as a laxative or purgative in treating diseases, and that they are not a habit-forming drug.

No. 2924. Joseph Lewin, 207 West 17th St., **New York,** trading as **Leev-No-Ring Chemical Co.,** has been ordered to cease and desist from representing, through use of the phrase "Leev-No-Ring" in his trade name and in advertising, that the cleaning fluids he sells can be used safely and without injury to the most delicate fabrics or materials.

Findings are that the respondent's preparations, when used on certain dyed fabrics such as those containing non-fast or fugitive dyes, do affect the colors by causing them to bleed or run.

No. 2983. Selling home study psychology health courses, **Robert Holmes, Inc.,** and **Albert Goodman,** Fuller Building, **Jersey City, N. J.,** have been ordered to cease and desist from exaggerating and misrepresenting the nature, value and effect of such courses.

The respondents are ordered to discontinue representing, among other things, that their course is a competent treatment for nervousness, indigestion, dizzy spells, sleeplessness, irregular heart, fatigue, worry or bashfulness, and that their treatment is entirely different from any other method and will bring positive and permanent relief from the physical ailments mentioned; that constipation, indigestion, cold sweats, dizzy spells and bashfulness are always caused by nervous exhaustion, and that for 25 cents, or any other nominal sum, one may learn how to conquer bashfulness, nervousness or embarrassment, may overcome his faults easily and enjoy life to the fullest.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, March 1:

Monday, March 1

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Peninsula Newspapers, Inc., Palo Alto, Calif.—C. P., **1160 kc.,** 250 watts, daytime.

NEW—Broadus McSwain, d/b as "The Voice of The Times," Raleigh, N. C.—C. P., **1210 kc.,** 100 watts, daytime.

NEW—D. L. Thornton, approximately between Centralia & Chehalis, Wash.—C. P., **1500 kc.,** 100 watts, 250 watts LS, unlimited time.

NEW—Chase S. Osborn, Jr., Fresno, Calif.—C. P., **1440 kc.,** 500 watts, unlimited time.

NEW—Central Broadcasting Corp., Centralia, Wash.—C. P., **1440 kc.,** 500 watts, unlimited time.

NEW—J. D. Keating, Harvey Wells, et al., d/b as Vancouver Broadcasting Co., Vancouver, Wash.—C. P., **1500 kc.,** 100 watts, daytime.

NEW—Vancouver Radio Corp., Vancouver, Wash.—C. P., **880 kc.,** 250 watts, daytime.

Tuesday, March 2

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Charles Porter & Edward T. Eversole, Festus, Mo.—C. P., **1420 kc.,** 100 watts, daytime.

NEW—Northwestern Publishing Co., Danville, Ill.—C. P., **1500 kc.,** 250 watts, daytime.

NEW—Curtis Radiocasting Corp., Indianapolis, Ind.—C. P., **1500 kc.,** 100 watts, 250 watts LS, specified hours.

WKBV—Knox Radio Corp., Richmond, Ind.—Modification of license, **1500 kc.,** 100 watts, unlimited time. Present assignment: **1500 kc.,** 100 watts, specified hours.

Wednesday, March 3

HEARING BEFORE AN EXAMINER

(Broadcast)

KGA—Louis Wasmer, Spokane, Wash.—Modification of license, **950 kc.,** 1 KW, 5 KW LS, unlimited time. Present assignment: **1470 kc.,** 5 KW, 5 KW LS, unlimited time.

WJAR—The Outlet Co., Providence, R. I.—C. P. **890 kc.,** 1 KW, 5 KW LS, unlimited time. Present assignment: **890 kc.,** 1 KW, 1 KW LS, unlimited time.

NEW—J. Leslie Doss, Sarasota, Fla.—C. P., **1390 kc.,** 250 watts, daytime.

Thursday, March 4

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. I-329:

NEW—Bayou Broadcasting Co., Houston, Texas.—C. P., **1210 kc.,** 100 watts, daytime.

Examiner's Report No. I-330:

NEW—Brownwood Broadcasting Co., Brownwood, Texas.—C. P., **1370 kc.,** 100 watts, daytime.

Examiner's Report No. I-240:

NEW—Continental Radio Co., Columbus, Ohio.—C. P., **1310 kc.,** 100 watts, unlimited time.

Examiner's Report No. I-241:

NEW—Continental Radio Co., Toledo, Ohio.—C. P., **1200 kc.,** 100 watts, daytime.

Friday, March 5

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Dr. William States Jacobs Broadcasting Co., Houston, Texas.—C. P., **1220 kc.,** 1 KW, 1 KW LS, unlimited.

APPLICATIONS GRANTED

WTRC—The Truth Publishing Co., Inc., Elkhart, Ind.—Granted modification of license to change time of operation from simultaneous day, share night with WLBC, to unlimited.

WKBW—Buffalo Broadcasting Corp., Buffalo, N. Y.—Granted C. P. to move transmitter location locally, approximately 25 feet, and employ radiating system of WGR.

WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—Granted modification of C. P. for change in transmitter location approximately 500 feet from present site, and change in antenna system.

WDGY—Dr. George W. Young, Minneapolis, Minn.—Granted modification of C. P. for extension of commencement date to 4-1-37, and completion date to 10-1-37.

KVEC—Christina M. Jacobson, tr. as The Valley Electric Co., San Luis Obispo, Calif.—Granted modification of C. P. approving transmitter site, and extending commencement date to 30 days after grant and completion date to 90 days thereafter.

WFOY—Fountain of Youth Properties, Inc., St. Augustine, Fla.—Granted license to cover C. P. as modified; **1210 kc.,** 100 watts, unlimited.

KROC—Southern Minnesota Broadcasting Co., Rochester, Minn.—Granted authority to transfer control of corporation from First Trust Co. of St. Paul and G. P. Castner as Special Admn. of estate of L. J. Shields, deceased; Florence E. Brown and Emmet Butler as Trustees under will and testament of Frank M. Brown. Florence E. Brown as Guardian of estate of James L. Brown, a Minor, and Stanley Hubbard & National Battery Broadcasting Co., to: Gregory Gentling; **1310 kc.,** 100 watts, unlimited. Also granted renewal of license for the period December 1, 1936, to June 1, 1937.

WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—Granted renewal of license for the period 3-1-37 to 9-1-37; **920 kc.,** 250 watts night, 500 watts day, 6:30 p. m. to 1 a. m. daily, 5:30 p. m. to 1 a. m., Sunday. Also granted renewal of license for auxiliary transmitter; **920 kc.,** 250 watts day and night for auxiliary purposes only.

WRDO—WRDO, Inc., Augusta, Maine.—Granted renewal of license for the period January 1 to July 1, 1937; **1370 kc.,** 100 watts, unlimited time.

WLAK—Lake Region Broadcasting Co., Lakeland, Fla.—Granted extension of present license for a period of 1 month from March 1, 1937, on a temporary basis only, subject to such action as may be taken upon pending application for renewal.

KJR—Fisher's Blend Station, Inc., Seattle, Wash.—Granted renewal of license for auxiliary transmitter for the period February 1 to August 1, 1937.

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska.—Granted extension of present license for a period of 60 days from March 1, upon a temporary basis only, subject to such action as may be taken upon pending application for renewal.

WWJ—The Evening News Assn., Inc., Detroit, Mich.—Granted extension of present license for a period of 30 days from March 1, on a temporary basis only, subject to such action as may be taken upon pending application for renewal.

KWKH—International Broadcasting Corp., Shreveport, La.—Granted renewal of license for the period February 1 to August 1, 1937; **850 kc.,** 10 KW night and day, specified hours.

WMCA—Knickerbocker Broadcasting Co., Inc., New York City.—Granted renewal of license for the period March 1 to September 1, 1937; **570 kc.,** 500 watts day and night, unlimited time. Also granted renewal of license for auxiliary transmitter.

KFYO—Plains Radio Broadcasting Co., Amarillo, Tex.—Granted further extension of present license for a period of 30 days, on a temporary basis, from March 1, subject to such action as may be taken upon pending application for renewal.

KGNC—Plains Radio Broadcasting Co., Amarillo, Tex.—Granted further extension of present license for a period of 30 days, on a temporary basis, from March 1, subject to such action as may be taken upon pending application for renewal.

WHBI—May Radio Broadcast Corp., Newark, N. J.—Granted renewal of license for the main transmitter for the period October 1, 1936, to April 1, 1937.

KFDM—Sabine Broadcasting Co., Inc., Beaumont, Tex.—Granted renewal of license for the period March 1 to September 1, 1937.

KGFX—Mrs. Dana McNeil, Administratrix, Estate of Dana McNeil, deceased, Pierre, S. Dak.—Granted extension of present license for a period of 30 days, on a temporary basis, from March 1, 1937, pending action on application for consent to involuntary assignment of license.

KGKO—Wichita Falls Broadcasting Co., Wichita Falls, Tex.—Granted renewal of license for the period March 1 to September 1, 1937.

WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—Granted extension of present license for a period of 30 days from March 1, on a temporary basis only, subject to such action as may be taken upon pending application for renewal.

KOAC—Oregon State Agr. College, Corvallis, Ore.—Granted extension of present license for a period of 30 days from March 1, on a temporary basis only, subject to such action as may be taken upon pending application for renewal.

WSYB—Philip Weiss, tr. as Philip Weiss Music Co., Rutland, Vt.—Granted special authority to operate from 9 to 10 a. m., EST, from March 1 to March 31, 1937, inclusive, in order to broadcast Rutland County Community programs.

WRAX—WRAX Broadcasting Co., Philadelphia, Pa.—Granted renewal of license on a temporary basis only subject to whatever action may be taken on the application of station WPEN applying for facilities of WRAX.

WRAX—WRAX Broadcasting Co., Philadelphia, Pa.—Same for auxiliary transmitter.

NEW—Charleston Broadcasting Co., Portable, Charleston, W. Va.—Granted C. P. for new relay broadcast station; frequencies **31100, 34600, 37600** and **40600 kc.,** 5 watts.

NEW—Charleston Broadcasting Co., Mobile, Charleston, W. Va.—Granted C. P. for new relay broadcast station; frequencies **31100, 34600, 37600** and **40600 kc.,** 5 watts.

W10XED—National Broadcasting Co., Inc., Mobile, New York City.—Granted license to cover C. P. for changes in equipment and increase in power from 15 to 25 watts.

W10XGG-W10XCH—National Broadcasting Co., Inc., Mobile, New York City.—Granted license to cover C. P. for relay broadcast station license.

W10XV—National Broadcasting Co., Inc., Mobile, New York City.—Granted license to cover C. P. covering changes in equipment and increase in power from 15 to 25 watts.

WJAC—WJAC, Inc., Johnstown, Pa.—Granted license to cover C. P., **1310 kc.,** 100 watts night, 250 watts day, share WFBG.

WDWS—Champaign News-Gazette, Inc., Champaign, Ill.—Granted license to cover C. P. and modifications; **1370 kc.,** 100 watts, daytime only.

W4XCX—Stuart Broadcasting Corp., Mobile.—Granted license to cover C. P., frequencies **38900, 39100, 39300** and **39500 kc.,** on an experimental basis, 10.5 watts.

SET FOR HEARING

NEW—Galesburg Printing & Pub. Co., Galesburg, Ill.—Application for C. P. for new station, **1500 kc.,** 250 watts, daytime only, exact location of station to be determined subject to Commission approval.

NEW—W. W. Luce, Fort Lauderdale, Fla.—Application for C. P. for new station, **1050 kc.,** 1 KW, limited time, exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

NEW—Dan B. Shields, Provo, Utah.—Application for C. P. for new station, **1200 kc.,** 100 watts, unlimited time, exact transmitter and studio sites to be determined with Commission's approval.

NEW—Northwest Research Foundation, Inc., Seattle, Wash.—Application for C. P. for new special broadcast station, **1530 kc.,** 1 KW, unlimited time, exact transmitter site in Seattle to be determined subject to Commission approval. (Application was amended to change name from Ward Walker to Northwest Research Foundation, Inc.)

NEW—T. E. Kirksey, Waco, Tex.—Application for C. P. amended to request **930 kc.,** 250 watts night, 500 watts day, unlimited time, exact transmitter and studio sites to be determined with Commission's approval.

KUOA—KUOA, Inc., Siloam Springs, Ark.—Modification of license to change frequency from **1260 kc.** to **620 kc.;** increase power from 2½ KW to 5 KW.

WDRC—WDRC, Inc., Hartford, Conn.—Special experimental authority to install booster station in New Haven, Conn., to operate synchronously with WDRC (site to be determined); **1330 kc.,** 250 watts.

KMTR—KMTR Radio Corp., Los Angeles, Calif.—Renewal of license for the period March 1 to September 1, 1937; **570 kc.,** 1 KW day and night, unlimited. Temporary license granted pending outcome of hearing.

NEW—Clarence A. Berger and Saul B. Freeman, Coeur d'Alene, Idaho.—Application for C. P. amended to request **1200 kc.,** 100 watts, daytime only, exact transmitter site and type of antenna to be determined with Commission's approval.

NEW—F. W. Berton, Coral Gables, Fla.—Application for C. P. for new station, **1420 kc.,** 100 watts, unlimited, exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

NEW—Roberts-MacNab Co., Arthur L. Roberts, R. B. MacNab, and A. J. Breitbach, Gen. Mgr., Bozeman, Mont.—Application for C. P. amended to request **1420 kc.,** 100 watts night, 250 watts day, unlimited time.

NEW—C. P. Sudweeks, Spokane, Wash.—Application for C. P. for new station, **950 kc.,** 500 watts night, 1 KW day, unlimited, exact transmitter site to be determined with Commission's approval.

WDEV—Chas. B. Adams, admr. of Harry C. Whitehill Estate and Excr. of Mary M. Whitehill Estate, Waterbury, Vt.—Application for renewal of license, **550 kc.,** 500 watts local sunrise to local sunset only. Granted temporary license pending hearing.

WBZA—Westinghouse Electric and Manufacturing Co., Boston, Mass.—Application for C. P. to move transmitter locally, approximately 8 miles, to Agawam, Mass.; studio from Boston to Springfield, Mass.; install new equipment and directional antenna; change frequency from **990 kc.** to **550 kc.;** change time of operation from 1 KW night and day when synchronized with WBZ to unlimited time. (Desires facilities of WDEV.)

KSD—Pulitzer Publishing Co., St. Louis, Mo.—Application for renewal of license for the period 9-1-36 to 3-1-37 (KSD and KFUO operating under temporary extensions pending time-sharing agreement). KSD operates on **550 kc.,** 1 KW night, 5 KW day, shares KFUO. Granted temporary license pending hearing.

KARK—Arkansas Radio & Equipment Co., Little Rock, Ark.—Application for renewal of license for the period 3-1-37 to 9-1-37; **890 kc.,** 250 watts night, 500 watts day, unlimited. Granted temporary license subject to whatever action the Commission may take upon renewal application.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KFEL, Denver, Colo.; KFKA, Greeley, Colo.; KFRU, Columbia, Mo.; KUSD, Vermillion, S. Dak.; KVOD, Denver, Colo.; KWTO, Springfield, Mo.; WCOC, Meridian, Miss.; WDAF, Kansas City, Mo.; WELI, New Haven, Conn.; WFIL and auxiliary, Philadelphia, Pa.; WFMD, Frederick, Md.; WICC, Bridgeport, Conn.; WIS, Columbia, S. C.; WJAX, Jacksonville, Fla.; WLBZ, Bangor, Maine; WMC and auxiliary, Memphis, Tenn.; WORL, Boston, Mass.; WOSU, Columbus, Ohio; WQAM and auxiliary, Miami, Fla.; WSUI, Iowa City, Iowa; WREC, Memphis, Tenn.; WSVA, Harrisonburg, Va.

The licenses for the following stations were extended on a temporary basis only, for the period March 1 to April 1, 1937, pending receipt and/or action on applications for renewal:

KGBU, Ketchikan, Alaska; WGHS, Charleston, W. Va.; WJAY, Cleveland, Ohio; WLBL, Stevens Point, Wis.; WPHR, Petersburg, Va.; WSYR-WSYU auxiliary, Syracuse, N. Y.

KGFG—Oklahoma Broadcasting Co., Inc., Oklahoma City, Okla.—Present license further extended on a temporary basis for the period March 1 to April 1, subject to such action as may be taken on application for renewal.

WPRP—Julio M. Conesa, Ponce, Puerto Rico—Present license further extended on a temporary basis only for the period March 1 to April 1, 1937, pending receipt and action on application for renewal.

KFUO—Evangelical Lutheran Synod of Mo., etc., Clayton, Mo.—Granted renewal of license on a temporary basis only, for the period ending September 1, 1937, subject to whatever action may be taken by the Commission upon the pending application for renewal.

KSEI—Radio Service Corp., Pocatello, Idaho—Granted renewal of license on a temporary basis only, for the period ending September 1, 1937, subject to whatever action may be taken by the Commission upon the pending application for renewal.

SPECIAL AUTHORIZATIONS

WHKC—Associated Radiocasting Corp., Columbus, Ohio.—Granted special temporary authority to operate from 8:30 to 11 p. m., EST, Tuesday, February 23, in order to broadcast a special message by Governor Davey to the Ohio State Legislature on flood relief and taxation.

WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Granted special temporary authority to operate unlimited time for a period not to exceed 10 days, in order to rebroadcast flood relief messages and flood bulletins as waters move down the Mississippi river.

WRC—National Broadcasting Co., Inc., Washington, D. C.—Granted special temporary authority to operate a 100 watt special experimental portable transmitter on **1000 kc.,** in the vicinity of Washington between the hours of 6 a. m. to local sunset (February sunset, 5:15 p. m., and March sunset, 5:45 p. m.) for a period not to exceed 30 days, in order to make survey for transmitter site.

KFNF—KFNF, Inc., Shenandoah, Iowa—Granted extension of special temporary authority to operate simultaneously with station WILL from 8 to 11 a. m., CST, daily except Sundays, during month of March, 1937.

WSYB—Philip Weiss, t/r as Philip Weiss Music Co., Rutland, Vt.—Granted special temporary authority to operate from 9 to 11 p. m., EST, March 2, to broadcast local election returns; also to operate from 2 to 5 p. m., and 9 to 11 p. m., EST, March 5, 6 and 13, 1937, in order to broadcast Basketball Tournaments. Also granted special temporary authority to operate from 9 to 11 p. m., EST, February 25, 26 and 27, 1937, in order to broadcast basketball games played by the Mercury Club of Rutland County.

KGDY—Voice of South Dakota, Huron, S. Dak.—Granted extension of special temporary authority to remain silent from March 11 to 15, for the purpose of rebuilding transmitter to comply with Rule 132 (provided that the authority herein granted, to remain silent, shall not in any wise be construed as a finding by the Commission with respect to any applications of KGDY, which are now pending before the Commission, particularly the renewal application for said station, or upon any issues raised thereby.

WMBG—Havens & Martin, Inc., Richmond, Va.—Granted extension of special temporary authority to operate from 5:30 to 7 p. m., EST, Sundays, from March 1 to 31, 1937, incl., provided WBBL remains silent, in order to broadcast special programs.

APPLICATION DISMISSED

The following application heretofore set for hearing, was dismissed at request of applicant:

NEW—H. A. Hamilton, Spartanburg, S. C.—C. P., **1420 kc.,** 100 watts, 250 watts LS, unlimited.

APPLICATIONS RETIRED TO FILES

WTRC—The Truth Publishing Co., Elkhart, Ind.—Application for special temporary authority to operate simultaneously with WLBC from 7:30 to 10 p. m., CST, March 5, 6, 12, 13, 19, 20, 26 and 27, 1937, in order to broadcast the Elkhart High School basketball games and basketball tournaments.

WHBI—May Radio Broadcast Corp., Newark, N. J.—Application for renewal of license for auxiliary transmitter.

ACTION ON EXAMINERS' REPORTS

KSEI—Ex. Rep. I-250: Radio Service Corp., Pocatello, Idaho—Granted renewal of license; **900 kc.,** 250 watts night, 500 watts day, unlimited time. Examiner Geo. H. Hill sustained. Order effective April 13, 1937.

WSBT—Ex. Rep. No. I-315: The South Bend Tribune, South Bend, Ind.—Denied C. P. to make changes in equipment, install directional antenna at night; change frequency from **1360** to **1010 kc.,** increase power from 500 watts to 1 KW, move transmitter from 4½ miles west of U. S. 2, South Bend, Ind., to 4 miles S. E. of Center of South Bend on South Jackson Road, ¼ mile east of Miami Highway, South Bend, and change hours of operation from sharing with WGES to unlimited time. Examiner Melvin H. Dalberg sustained.

WEMP—Milwaukee Broadcasting Co., Milwaukee, Wis.—Denied C. P. to install new equipment, change frequency from **1310** to **1010 kc.,** increase power from 100 watts to 250 watts night, 500 watts day, change hours of operation from daytime to unlimited. Examiner Dalberg sustained. Order effective April 20, 1937.

NEW—Ex. Rep. I-316: Dr. F. P. Cerniglia, Monroe, La.—Denied C. P. for new broadcast station to operate on **1500 kc.,** 100 watts, unlimited time Examiner Geo. H. Hill sustained. Order effective April 20, 1937.

ORAL ARGUMENTS GRANTED

WGBI—Ex. Rep. 1-342: Scranton Broadcasters, Inc., Stranton, Pa.—Oral argument to be held April 8, 1937.

NEW—Ex. Rep. 1-344: Hunt Broadcasting Association, Greenville, Texas.—Oral argument to be held April 15, 1937.

KALB—Ex. Rep. 1-348: Alexandria Broadcasting Co., Inc., Alexandria, La.—Oral argument to be held April 15, 1937.

NEW—Ex. Rep. 1-349: Hannibal Broadcasting Co., Hannibal, Mo.—Oral argument to be held April 15, 1937.

—and—

NEW—The Courier Post Pub. Co., Hannibal, Mo.—Oral orgument to be held April 15, 1937.

EFFECTIVE DATES EXTENDED

KTFI—Ex. Rep. 1-249: Radio Broadcasting Corp., Twin Falls, Idaho—Effective date extended to March 2, 1937.

WMFF—Ex. Rep. 1-294: Plattsburg Broadcasting Corp., Plattsburg, N. Y.—Effective date extended to March 2, 1937.

NEW—Ex. Rep. 1-277: J. T. Bilben & N. G. Barnard Walker, Minn.—Effective date extended to March 2, 1937.

NEW—Ex. Rep. 1-245: Southwest Broadcasting Co., Prescott, Ariz.—Effective date extended to March 16, 1937.

—and—

NEW—W. P. Stuart, Prescott, Ariz.—Effective date extended to March 16, 1937.

MISCELLANEOUS

KPRC—Houston Printing Co., Houston, Texas.—Granted temporary authority for 30 days to operate with 5 KW at night, station now operates on **920 kc.,** 5 KW day, 1 KW night.

H. O. Davis, Mobile, Ala.—Accepted appearance in re application for new broadcast station at Mobile.

Stanley Reid and Chas. Withnell Boegel, Jr., d/b as Rapids Broadcasting Co., Cedar Rapids, Iowa.—Denied petition to withhold action in the applications of Hannibal Broadcasting Co., Docket 4103, for a C. P. to erect a new broadcast station to operate on **1310 kc.,** with 100 watts, unlimited time, and the application of Courier-Post Pub. Co., Docket 4062, for a C. P. to erect new station at Hannibal, Mo., to operate on **1310 kc.,** 100 watts night, 250 watts day, unlimited time.

Exchange Avenue Baptist Church, Oklahoma City, Okla.—Accepted appearance in re application for renewal of license and assignment of license.

KFXR—Plaza Court Broadcasting Co., Oklahoma City, Okla.—Granted petition to intervene in hearing on application for renewal of license of Exchange Avenue Baptist Church, Docket 4329. Also granted motion to consolidate application for renewal of license with the application for assignment of license.

John S. Braun, Waco, Tex.—Denied petition to have application for new broadcast station at Waco, Tex., dismissed without prejudice.

WOSU—Ohio State University, Columbus, Ohio.—Accepted answer as respondent in Docket 4272, in re application of Central Michigan Radio Co. for new station at Mt. Pleasant, Mich.

WLWL—The Missionary Society of St. Paul the Apostle, New York City.—Dismissed the protest of The Missionary Society of St. Paul the Apostle and the Universal Broadcasting Corp. on behalf of WLWL, directed against action of the Commission of November 24, 1936, in granting without hearing application for consent to transfer control of WOV.

Richard E. O'Dea, Paterson, N. J.—Dismissed protest asking Commission to disapprove the provisions of the contract between John Iraci and Arde Bulova, which permits Iraci to become connected with station WNEW or to acquire any stock or interest therein directly or indirectly.

WOAI—Ex. Rep. 1-337: Southland Industries, Inc., San Antonio, Tex.—Oral argument continued to April 29, 1937.

RATIFICATIONS

The Broadcast Division ratified the following acts authorized on the dates shown:

The Broadcast Division upon receipt of an informal request from Senator Josh Lee, extended the time within which to file appearances in the case of the application of KFXR for assignment of license, for a period of 15 days to February 10, 1937, and directed that the notice to this effect be sent to the applicant, and approved a reply to be sent to Senator Lee.

The Broadcast Division dismissed the petition of Arthur Faske requesting permission to file answers to applicants' appearances in Dockets Nos. 3941, 4050, 4029, 4302 and 4331, and denied his motion for continuance of the hearings in the same.

The Broadcast Division waived Rule 103.3 and accepted the amendment to the application of KFNF, Inc., Shenandoah, Iowa, Docket No. 4260.

The Broadcast Division granted the petition of KFNF, Inc., Shenandoah, Iowa, and accepted its answer as a respondent in the proceedings upon the application of Arkansas Radio and Equipment Co. (KARK), Little Rock, Ark., for modification of C. P., Docket No. 4263.

WEEI—Columbia Broadcasting System, Inc., New York City.—Granted extension of equipment test period 10 days from February 19, 1937.

WTFI—Liberty Broadcasting Co., Athens, Ga.—Granted extension of special temporary authority to operate 100-watt test transmitter, **1450 kc.,** in vicinity of Atlanta, Ga., between hours of 12 midnight and 6 a. m., EST, for period February 18 to 27, 1937, in order to make field intensity survey tests.

The Broadcast Division vacated its action of February 16, 1937, in setting the application of Geraldine Alberghane, Docket 4187, for hearing before the Division, and in granting the petition of WGN, Inc., to continue the hearing indefinitely, and in lieu thereof directed that the application be heard before an Examiner as heretofore scheduled, on March 26, 1937, and that the motion of WGN, Inc., to continue the hearing indefinitely be denied.

The Broadcast Division granted the supplemental petition filed by WGN, Inc., requesting continuance of the hearing on application of the Bay State Broadcasting Corp. for new station at Providence, R. I., and directed that the hearing be continued until March 26, 1937, said application to be heard with application of Geraldine Alberghane for a new station at Pawtucket, R. I.

The Broadcast Division granted the petition of E. Anthony and Sons, Inc., to intervene in the hearing on the application of Bay State Broadcasting Corp.

The Broadcast Division denied the petition of the Arkansas Broadcasting Co. (KLRA) for reconsideration and grant of its petition to intervene in the proceedings upon the application of Hot Springs Chamber of Commerce (KTHS) for voluntary assignment of license, which was denied on November 6, 1936.

The Broadcast Division denied the request of attorney for Gomer Thomas, applicant for C. P., Docket No. 3768, for withdrawal of said application due to the applicant's intention to forego participation in the oral argument, and directed that oral argument on the exceptions be had as scheduled.

APPLICATIONS RECEIVED

First Zone

WEAN—The Yankee Network, Inc., Providence, R. I.—Construction permit to make changes in equipment and increase
780 power from 1 KW to 1 KW night, 5 KW day. Amended to change name from Shepard Broadcasting Service, Inc., to The Yankee Network, Inc.

NEW—Debs Memorial Radio Fund, Inc., Brooklyn, N. Y.—Construction permit for a new high frequency broadcast station to be operated on **31600, 35600, 38600, 41000 kc.,** 100 watts, unlimited time.

W1XT—The Travelers Broadcasting Service Corp., Mobile.—License to cover construction permit for new equipment and increase in power.

W1XO—The Travelers Broadcasting Service Corp., Mobile.—License to cover construction permit for new equipment and increase power.

Second Zone

WKRC—Columbia Broadcasting System, Inc., Cincinnati, Ohio.—
550 License to cover construction permit (2-P-B-3282) as modified, to make changes in equipment and increase power, using directional antenna night.

NEW—Washtenaw Broadcasters, Inc., Ann Arbor, Mich.—Con-
1550 struction permit for a new special broadcast station to be operated on **1550 kc.,** 1 KW, unlimited time.

WLAP—American Broadcasting Corp. of Kentucky, Lexington,
1420 Ky.—Modification of construction permit (B2-P-1373) for changes in equipment and move of transmitter and studio, for approval of transmitter site at Walton Bldg., and studio at Main and Esplanade, Lexington, Ky. (at present licensed location).

W9XPZ—American Broadcasting Corp. of Kentucky, Lexington, Ky.—License to cover construction permit for a new relay broadcast station.

NEW—WBNS, Inc., Columbia, Ohio.—Construction permit for a new relay broadcast station to be operated on **1646, 2090, 2190** and **2830 kc.,** 175 watts, unlimited time.

W9XPY—American Broadcasting Corp. of Kentucky, Mobile.—License to cover construction permit for a new relay broadcast station.

Third Zone

NEW—R. W. Page Corp., Phenix City, Ala.—Construction permit
1240 for a new station to be operated on **610 kc.**, 250 watts, unlimited time. Amended to change requested frequency from **610 kc.** to **1240 kc.**, and give transmitter and studio sites to be determined, Phenix City, Ala.

KCMC—KCMC, Inc., Texarkana, Tex.—License to cover con-
1420 struction permit (B3-P-1307) as modified for changes in equipment and move of transmitter and studio.

W4XF—Isle of Dreams Broadcasting Corp., Miami, Fla.—License to cover construction permit for a new relay broadcast station.

Fourth Zone

WWAE—Hammond-Calumet Broadcasting Corp., Hammond, Ind.
1200 —License to cover construction permit (B4-P-1481) for a new transmitter.

NEW—Leon M. Eisfeld, Burlington, Iowa.—Construction permit
1310 for a new station to be operated on **1310 kc.**, 100 watts, unlimited time.

NEW—Oscar C. Hirsch, tr/as Hirsch Battery & Radio Co., Mobile, Missouri.—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.**, 100 watts, unlimited time. Amended to change power from 100 watts to 50 watts.

NEW—Zenith Radio Corp., Chicago, Ill.—Construction permit for a new television station to be operated on **42000-56000, 60000-86000 kc.**, 1 KW, unlimited time.

Fifth Zone

KMJ—McClatchy Broadcasting Co., Fresno, Calif.—Authority to
580 determine operating power by direct measurement of antenna.

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Modification of con-
590 struction permit (B5-P-925) as modified, for changes in equipment, increase in power and move of transmitter, requesting extension of completion date from 4-6-37 to 6-7-37.

KYA—Hearst Radio, Inc., San Francisco, Calif.—Modification of
1230 construction permit (B5-P-328) for new equipment, increase in power and move of transmitter, requesting extension of completion date from 3-15-37 to 5-15-37.

KFOX—Nichols & Warinner, Inc., Long Beach, Calif.—Modifi-
1250 cation of construction permit (B5-P-650) for new equipment and increase in power, requesting changes in authorized equipment, approval of antenna and approval of transmitter site at 5½ miles northeast of Long Beach, California.

KSRO—The Press Democrat Publishing Co., Santa Rosa, Calif.—
1310 Modification of construction permit (B5-P-759) for a new station, requesting changes in authorized equipment, approval of transmitter site at Sebastopol Road, Santa Rosa, California, approval of vertical antenna and change studio site from 425-427 Mendocine Avenue to Sebastopol Road, Santa Rosa, California.

NEW—M. J. Urie, tr/as Richfield Broadcast Co., Richfield, Utah.
1370 —Construction permit for a new station to be operated on **1370 kc.**, 100 watts, unlimited time.

Hawaiian Zone

KGMB—Honolulu Broadcasting Co., Ltd., Honolulu, Hawaii.—
1320 Modification of license to change frequency from **1320 kc.** to **580 kc.**

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

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WASHINGTON RADIO HIGHLIGHTS

President Roosevelt appoints American delegates to preliminary North American Radio Conference to be held at Havana, beginning March 15 * * * * Commander Craven, FCC chief engineer, to be chairman * * * * Expected that general conference to be participated in by governments of Western Hemisphere in November, also probably at Havana * * * * Preliminary conference will formulate agenda for later general conference * * * * March 15 conference will be participated in by United States, Canada, Cuba and Mexico * * * * Expected to take only one week.

PRELIMINARY NORTH AMERICAN RADIO CONFERENCE

Announcement was made this week by the State Department of a conference to begin at Havana, Cuba, March 15, which will be preliminary to a general North American Radio Conference to be held in November of this year. The President has appointed American delegates to the preliminary conference. In its official announcement the State Department says:

"This Government has accepted an invitation of the Government of Cuba for participation in a preliminary regional radio conference to be held at Habana from March 15 to 22, 1937, for the purpose of consulting with representatives of the Governments of Cuba, Canada and Mexico regarding radio matters in this hemisphere, particularly broadcasting. The object of the meeting will be a consideration of problems of interest to all of the participating governments and the formulation of an agenda for a formal regional radio conference to be held in early November of this year and to be participated in by the governments of the Western Hemisphere.

"Commander T. A. M. Craven, Chief Engineer of the Federal Communications Commission, has been selected to act as chairman of the American delegation to the preliminary conference. The other delegates of this Government are to be Mr. E. K. Jett, Assistant Chief Engineer, and Mr. Gerald C. Gross, Chief of the International Section of the Federal Communications Commission, and Mr. Harvey B. Otterman of the Treaty Division of the Department of State."

OPERATORS BILL PASSES HOUSE

With no debate the House of Representatives has passed H. R. 3898 which amends section 318 of the Communications Act of 1934, dealing with operators. A similar bill is now pending in the Senate. The bill as it passed the House is as follows:

"That section 318 of the Communications Act of 1934 is hereby amended to read as follows:

"Sec. 318. The actual operation of all transmitting apparatus in any radio station for which a station license is required by this Act shall be carried on only by a person holding an operator's license issued hereunder, and no person shall operate any such apparatus in such station except under and in accordance with an operator's license issued to him by the Commission: *Provided, however,* That the Commission if it shall find that the public interest, convenience, or necessity will be served thereby may waive or modify the foregoing provisions of this section for the operation of any station except (1) stations for which licensed operators are required by international agreement, (2) stations for which licensed operators are required for safety purposes, (3) stations engaged in broadcasting, and (4) stations operated as common carriers on frequencies below thirty thousand kilocycles: *Provided further,* That the Commission shall have power to make special regulations governing the granting of licenses for the use of automatic radio devices and for the operation of such devices."

SECURITIES ACT REGISTRATIONS

The following companies have filed registration statements with the Securities & Exchange Commission under the Securities Act:

Chasers, Inc., New York City. (2-2832, Form A-1)
Mercantile Credit Corporation, New Orleans, La. (2-2833, Form A-1)
Soundview Pulp Company, San Francisco, Calif. (2-2834, Form A-2)
Orogrande-Frisco Gold Mines, Inc., Spokane, Wash. (2-2836, Form A-1)

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Samson United Corporation, Rochester, N. Y. (2-2839, Form A-2)
Civic Finance Corporation, Passaic, N. J. (2-2840, Form A-1)
Silver Strike Mining Company, Murray, Idaho. (2-2841, Form A-1)
Insured Investors, Incorporated, Kansas City, Mo. (2-2843, Form C-1)
Martin Custom Made Tires Corp., New York City. (2-2844, Form A-1)
Seaboard Commercial Corporation, New York City. (2-2846, Form A-2)
Metropolitan Personal Loan Corporation, New York City. (2-2847, Form A-1)
North American Distillers, Inc., New Orleans, La. (2-2848, Form A-1)
United Endowment Foundation, Inc., New York City. (2-2849, Form C-1)
General Investors Trust, Boston, Mass. (2-2850, Form A-1)
Wascanna Mines Limited, Toronto, Canada. (2-2851, Form A-1)
Fort Rouille Mining Corporation Limited, Toronto, Canada. (2-2852, Form A-1)
Spooner Gold Mines Limited, Toronto, Canada. (2-2853, Form A-1)
Colorado Silver Mines, Inc., Denver, Colo. (2-2854, Form A-1)
United Stove Company, Ypsilanti, Mich. (2-2855, Form A-2)
Kingston Products Corporation, Kokomo, Ind. (2-2856, Form A-2)
Burd Piston Ring Company, Rockford, Ill. (2-2857, Form A-2)
Austin Silver Mining Company, Austin, Nev. (2-2859, Form A-1)
The Greenwich Gas Company, Greenwich, Conn. (2-2860, Form A-2)
The Dickson Oil Company, Oklahoma City, Okla. (2-2861, Form A-1)
Rustless Iron and Steel Corporation, Baltimore, Md. (2-2862, Form A-2)
Independence Fund of North America, Inc., New York City. 2-2864, Form C-1)
Allied Kid Company, Boston, Mass. (2-2865, Form A-2)
Municipal Tax Certificates Incorporated, Cleveland, Ohio. (2-2866, Form A-1)
Oswego Falls Corporation, Fulton, N. Y. (2-2868, Form A-2)
Voting Trust for stock of Richardson and Boynton Company, New York City. (2-2869, Form F-1)
Republic Petroleum Company, Los Angeles, Calif. (2-2870, Form A-2)
Powdrell & Alexander, Inc., Danielson, Conn. (2-2871, Form A-2)
Converse Rubber Company, Malden, Mass. (2-2872, Form A-2)
Scott Paper Company, Chester, Pa. (2-2873, Form A-2)
Spiegel, Inc., Chicago, Ill. (2-2874, Form A-2)
Investors Management Corporation, Pittsburgh, Pa. (2-2875, Form A-1)
Colonial Decorative Corporation, New York City. (2-2876, Form A-1)

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3064. Use of unfair methods of competition, including fictitious price marking, is alleged in a complaint issued against **J. C. Brush, C. R. Dickinson** and **C. V. Brush,** 412 Halsey St., **Newark, N. J.,** and six corporations which they direct and control, all engaged in the sale and distribution of shaving and dental creams, toilet goods and similar commercial preparations.

The corporate respondents are **Trade Laboratories, Inc.,** also trading as **Redd Chemical Co., Modern Brands, Inc., Perlox Laboratories, Inc., Pearl-White Laboratories, Inc.,** and **Dr. Daily's Laboratories, Inc.**

Several brands of shaving and dental creams sold by the respondents allegedly are marked by them with retail prices ranging from 35 to 60 cents, which, according to the complaint, are not intended to be the true retail value or the true retail prices of the merchandise so marked, and which are far in excess of such true value and true retail prices intended to be charged and actually charged the ultimate purchasers.

The complaint sets out that when a customer purchases a product of the type marketed by the respondents, he expects and usually receives a tube or an amount of the product commensurate with the size of the carton in which the product is packed. The respondents' cartons, the complaint alleges, are capable of holding much larger or longer tubes of their product than the tubes which the cartons actually contain.

No. 3065. Standard Distributors, Inc., 114 East 32nd St., **New York,** and **Louis H. Geller,** president of the corporation, are named respondents in a complaint alleging unfair competition through providing retailers with the means of conducting lotteries in the sale of radios and food beaters and mixers, and through misrepresentation of certain products and facilities furnished these merchants.

The alleged lottery scheme is said to involve use of paraphernalia furnished by the respondents, including keys and a padlock, such keys being distributed by a merchant to customers with each purchase of a stated amount of goods, usually 25 cents worth. In this manner, according to the complaint, a merchant may pass out a large number of keys, sometimes as many as 4500, two of which fit the padlock. The two lucky key holders are alleged to receive prizes, usually a radio or a food mixer and beater, by means of a game of chance.

The respondents' plan is alleged to be falsely represented to the merchants as a sales promotion plan to get the respondents' product before the public, when in fact, according to the complaint, it is a plan to dispose of the respondents' products to the merchants. The latter are allegedly advised that they may participate in the plan without cost in that the respondents sell them this plan, including the merchandise to be given as prizes, at a price equivalent to one cent a key for the keys furnished, and that the respondents will pay the retailers one cent for each key returned for refund, thereby restoring to the retailers all money paid to the respondents, if all the keys are returned. However, the complaint charges that the respondent corporation fails and refuses to redeem the keys returned at one cent each, or to pay the merchants all or a substantial part of the money forwarded by them to the respondents.

No. 3066. Russek's Fifth Avenue, Inc., 5th Avenue at 36th Street, **New York City,** engaged in the sale of women's wear, is charged in a complaint with use of unfair methods of competition in connection with the interstate sale of certain dresses.

In advertising matter, the respondent corporation allegedly described the dresses in question as "Satin and Silk Jersey Dresses" and as "Silk Afternoon Dresses." The complaint charges that such representations were false and misleading to purchasers in that the dresses referred to as being silk and satin were not composed of genuine silk, but were made of other materials.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 9101. Airmaster Corporation, 140 South Dearborn St., Chicago, assembler and distributor of exhaust fans, ventilators and propellors, agreed to stop using in advertising matter representations which materially exaggerate the volume of air delivered by its fans, or which materially understate the power required to operate them.

In its catalogue, the respondent corporation, according to the stipulation, advertised that Airmaster propellors would give maximum air delivery with minimum power requirement. Figures taken from the catalogue purporting to show the approximate air delivery and power consumption of certain of the respondent corporation's fans are compared in the stipulation with figures for the same elements arrived at by scientific methods. This comparison, in most instances, shows an overstatement of the volume of air delivered and an understatement of power consumed. Such advertisements, according to the stipulation, tended to mislead and deceive purchasers regarding performance of the company's fans.

No. 1902. Sanotuf Mattress Co., 1010 North 10th St., **St. Louis,** agreed to cease selling or supplying its customers with its mattresses which bear any false, fictitious or misleading price known to be in excess of the price at which such products are intended to be sold and usually are sold at retail. According to the stipulation, the company affixed to certain mattresses labels bearing purported retail price marks of $29.50 or $39.50, when, in fact, such prices were greatly in excess of the prices at which the products were customarily sold.

No. 1903. Brower Manufacturing Co., 209-215 North 3rd St., Quincy, Ill., manufacturing a line of poultry supplies, including automatic feeders, brooders, heaters, and a feed mixer called "Giant Whirlwind Mixer," agreed to stop advertising to the effect that the Giant Whirlwind Mixer measures up to the exacting demands of the United States Government, or is being successfully used in the Government's soil erosion work, or other representations of similar meaning implying that the device has been officially sanctioned or approved by the Government, when such is not a fact.

No. 1906. Cast Stone Co., Inc., 223 West Spruce St., Columbus, Ohio, manufacturer of concrete burial vaults, under the terms of its stipulation, will stop advertising that its vaults, in all cases, will appreciate with time, harden with age, and finally become adamant or of impenetrable hardness. The company also agreed to stop asserting that its vaults will endure for centuries or for all time, free from the inroads of water or rodents, and assure safe and peaceful rest throughout the years. The company will cease using representations directly implying that the material of which its vaults are made is the only material which, regardless of burial conditions, is strong and dependable enough to infinitely exclude water, when such is not a fact.

The stipulation points out that vaults made of concrete, in many cases, are subject to the effect of and are appreciably affected by corrosion caused by the presence in the soil of alkali and other soluble chemicals.

No. 1912. Jacob S. Glekel and **Jacob Press,** trading as **Eagle Corrugated Products Co.,** 783 6th Ave., **New York,** stipulated that they will stop using as a brand for their corrugated fiber boxes the word "maker", or any other words of equivalent meaning, which tend to convey to customers the belief that Glekel and Press are the manufacturers of their products or that they own or operate a factory in which the boxes they sell are made, when such is not a fact. The boxes in question, the stipulation sets out, were stamped with a brand which included the words "Certificate of Box Maker."

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, March 8:

Monday, March 8

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—John R. and Jos. L. Peryatel and Richard K. Beauchamp, d/b as Peryatel Bros. & Richard K. Beauchamp, Raton, N. Mex.—C. P., **1210 kc.,** 100 watts, 100 watts LS, unlimited time.

NEW—The Central Michigan Radio Co. (James Bourland, John Tebbel, Gerald J. Cotter and Ray D. Markel), Mt. Pleasant, Mich.—C. P., **570 kc.,** 250 watts, 250 watts LS, unlimited time.

WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—Modification of license, **920 kc.,** 250 watts (directional antenna), 500 watts LS, unlimited time (requests facilities of WRAX). Present assignment: **920 kc.,** 250 watts (directional antenna), 500 watts LS, S-WRAX.

WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—Authority to transfer control of corporation to John Iraci; **920 kc.,** 250 watts (directional antenna), 500 watts LS, S-WRAX.

WRAX—WRAX Broadcasting Co., Philadelphia, Pa.—Authority to transfer control of corporation to John Iraci; **920 kc.,** 250 watts (directional antenna), 500 watts LS, S-WPEN.

FURTHER HEARING TO BE HELD BEFORE AN EXAMINER AT HOTEL JOHN SEVIER, JOHNSON CITY, TENN.

NEW—W. Hanes Lancaster and J. W. Birdwell, d/b as Johnson City Broadcasting Co., Johnson City, Tenn.—C. P., **1200 kc.,** 100 watts, 250 watts LS, unlimited time.

Tuesday, March 9

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—David J. Mercier and Geo. F. Warren, d/b as Northern Broadcasting Co., Traverse City, Mich.—C. P., **830 kc.,** 500 watts, daytime.

NEW—H. A. Hamilton, Spartanburg, S. C.—C. P., **1420 kc.,** 100 watts, 250 watts LS, unlimited time.

NEW—Leonard A. Versluis, Grand Rapids, Mich.—C. P., **830 kc.,** 500 watts, daytime.

Wednesday, March 10

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—F. M. Gleason, d/b as North Georgia Broadcasting Co., Rossville, Ga.—C. P., **1200 kc.,** 100 watts, daytime.

NEW—James D. Scannell, Lewiston, Maine.—C. P., **1420 kc.,** 100 watts, unlimited time.

NEW—The Ogdensburg Publishing Co., Inc., Ogdensburg, N. Y.—C. P., **1500 kc.,** 100 watts, unlimited time.

Friday, March 12

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Elmira Star-Gazette, Inc., Elmira, N. Y.—C. P., **1200 kc.,** 250 watts, daytime.

WREN—The WREN Broadcasting Co., Inc., Lawrence, Kans.—Authority to transfer control of corporation; **1220 kc.,** 1 KW, 5 KW LS, shares KFKU.

FURTHER HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Radio Enterprises, partnership of R. Lacy and J. R. Curtis, Lufkin, Tex.—C. P., **1310 kc.,** 100 watts, daytime.

NEW—Red Lands Broadcasting Assn., Ben T. Wilson, Pres., Lufkin, Tex.—C. P., **1310 kc.,** 100 watts, daytime.

APPLICATIONS GRANTED

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Granted C. P. to move transmitter site and install vertical radiator.

WJNO—Hazlewood, Inc., W. Palm Beach, Fla.—Granted C. P. to make changes in equipment and increase day power to 250 watts.

WKRC—Columbia Broadcasting System, Inc., Cincinnati, Ohio.—Granted license to cover C. P. as modified, **550 kc., 1 KW** night, 5 KW day, unlimited time, using directional antenna for night-time operation subject to reduction of day power to 1 KW when WOSU is operating.

WSAU—Northern Broadcasting Co., Inc., Wausau, Wis.—Granted license to cover C. P. as modified; **1370 kc.,** 100 watts, daytime only.

WWAE—Hammond-Calumet Broadcasting Corp., Hammond, Ind.—Granted license to cover C. P., **1200 kc.,** 100 watts night-day, unlimited day, share WFAM night.

WGNY—Peter Goelet, Newburgh, N. Y.—Granted license to cover C. P. as modified; **1210 kc.,** 100 watts night and day, sharing WBRB, WFAS and WGBB.

WLAP—American Broadcasting Corp. of Kentucky, Lexington, Ky.—Granted modification of C. P. to change transmitter site to Walton Bldg. and studio to Main and Esplanade, locally.

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Granted modification of C. P. authorizing changes in equipment.

KMJ—McClatchy Broadcasting Co., Fresno, Calif.—Granted authority to determine operating power by direct measurement of antenna input.

KANS—Charles C. Theis, Wichita, Kans.—Granted voluntary assignment of license to the KANS Broadcasting Co., **1210 kc.,** 100 watts, unlimited.

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Granted license to cover C. P., **1210 kc.,** 100 watts, specified hours.

Cruft Laboratory, Harvard University, Cambridge, Mass.—Granted C. P. for new special experimental station to be used to make continuous automatic observations of the upper atmosphere; 600 watts peak average 2 watts; frequencies **2000 to 8000 kc.,** unlimited.

KCMC—KCMC, Inc., Texarkana, Tex.—Granted license to cover C. P. as modified; **1420 kc.**, 100 watts, unlimited.

KYA—Hearst Radio, Inc., San Francisco, Calif.—Granted modification of C. P. to extend completion date from 3-17-37 to 5-15-37.

WCKY—L. B. Wilson, Inc., Covington, Ky.—Granted amended C. P. authorizing installation of new equipment and increase in power to 10 KW.

NEW—Charleston Broadcasting Co., Charleston, W. Va.—Granted C. P. for new high frequency station; **26100 kc.**, 50 watts.

NEW—Ben S. McGlashan, Los Angeles, Calif.—Granted C. P. for new high frequency station on an experimental basis; frequencies **88000, 120000, 240000** and **500000 kc.**, 500 watts.

W9XPZ—American Broadcasting Corp. of Kentucky, Mobile, Lexington, Ky.—Granted license to cover C. P. for new relay broadcast station; frequencies **31100, 34600, 37600** and **40600 kc.**, 2 watts.

W1XO—The Travelers Broadcasting Service Corp., Mobile, Hartford, Conn.—Granted license to cover C. P. for new relay broadcast station; frequencies **31100, 34600, 37600** and **40600 kc.**, 50 watts.

W1XT—The Travelers Broadcasting Service Corp., Mobile, Hartford, Conn.—Granted license to cover C. P. for new relay broadcast station; frequencies **31100, 34600, 37600** and **40600 kc.**, 100 watts.

W9XPY—American Broadcasting Corp. of Ky., Mobile, Lexington, Ky.—Granted license to cover C. P. for new relay broadcast station; frequencies **31100, 34600, 37600** and **40600 kc.**, 10.5 watts.

NEW—Oscar C. Hirsch, tr/as Hirsch Battery and Radio Co., Portable Mobile, Cape Girardeau, Mo.—Granted C. P. for new relay broadcasting station; frequencies **1622, 2058, 2150** and **2790 kc.**, 50 watts.

SET FOR HEARING

NEW—General Electric Co., near Belmont, Calif.—Application for C. P. for new international station; frequencies **9530 kc., 15330 kc.**, 20 KW. The purpose is to obtain a further use of these channels which are now licensed to W2XAD and W2XAF at Schenectady, in order that satisfactory transmission may be made to the Far East.

NEW—S. O. Ward and P. C. Ward, d/b as Louisville Broadcasting Co., Louisville, Ky.—C. P. for new station, **1210 kc.**, 250 watts, daytime only, exact transmitter site to be determined with Commission's approval.

NEW—Valley Broadcasting Co., Youngstown, Ohio.—C. P., already in hearing docket, amended to request **1350 kc.**, 1 KW, unlimited time, using directional antenna for night-time operation.

WEAN—The Yankee Network, Inc., Providence, R. I.—Application for C. P. amended to request installation of new equipment, increase in day power from 1 to 5 KW, employing directional antenna system.

WKOK—Sunbury Broadcasting Corp., Sunbury, Pa.—Application for C. P. to move transmitter locally to site to be determined; install new equipment and vertical radiator; increase day power from 100 to 250 watts.

WBRY—American-Republican, Inc., Waterbury, Conn.—Application for C. P. to make changes in equipment; increase in day power from 1 to 5 KW. To be heard before the Broadcast Division.

WORL—Broadcasting Service Organization, Inc., Boston, Mass.—Application for C. P., already in hearing docket, amended to request: move transmitter locally near Belmont, Cambridge, Mass.; install directional antenna; increase power and time of operation from 500 watts, daytime only, to 1 KW, unlimited time, using directional antenna for night-time operation.

WSMK—WSMK, Inc., Dayton, Ohio.—Application for C. P. amended to request: move transmitter site locally; install new equipment and directional antenna; increase power and time of operation from 200 watts night, 200 watts day, simultaneous day (KQV), specified hours night, to 250 watts night, 500 watts day, unlimited, using directional antenna system for night-time operation.

KQV—KQV Broadcasting Co., Pittsburgh, Pa.—Application for C. P. to make changes in equipment; install directional antenna system for night-time use; increase power from 500 watts night-day, simultaneous day operation with WSMK and specified hours night, to 1 KW, unlimited.

KFRU—KFRU, Inc., Columbia, Mo.—Application for modification of license to increase night power from 500 watts to 1 KW.

NEW—Young People's Assn. for the Propagation of the Gospel, Shark River Bay, N. J.—Application for C. P. for new station, **640 kc.**, 5 KW daytime to local sunset at dominant station **KFI.**

KOOS—Pacific Radio Corp., Marshfield, Ore.—Voluntary assignment of license to KOOS, Inc.; **1200 kc.**, 250 watts, daytime.

WBNO—The Coliseum Place Baptist Church, New Orleans, La.—Voluntary assignment of license to WBNO, Inc.; **1200 kc.**, 100 watts day-night, S-WJBW. The renewal application for WBNO, together with applications of WJBW and Southern Broadcasting Corp., New Orleans, were scheduled to be heard March 22. This hearing will now be continued in order that application for assignment of license may be heard together therewith.

NEW—Northwest Publications, Inc., Duluth, Minn.—Application for C. P., already in hearing docket, amended to request **580 kc.**, 250 watts, daytime only, exact transmitter and studio sites to be determined with Commission's approval.

NEW—Church of Jesus Christ of Latter-Day Saints, Salt Lake City, Utah.—Application for C. P. for new international broadcast station on an experimental basis in Saltair, Utah; frequencies **6080, 11830, 17780 kc.**, 50 KW, unlimited, exact transmitter site to be determined subject to Commission's approval.

SPECIAL AUTHORIZATIONS

WBAA—Purdue University, W. Lafayette, Ind.—Granted special temporary authority to operate from 8:45 to 11 a. m. and 5 to 6 p. m., CST, March 5, and from 4 to 5 p. m., CST, March 13, provided WILL remains silent, in order to broadcast sectional and regional basketball tournament.

KEX—Oregonian Publishing Co., Portland, Ore.—Granted special temporary authority to operate simultaneously with KOB, Thursday, March 4, 1937, from 7:30 to 8 p. m., PST, in order to broadcast President's address to be given at Democratic Victory Dinner.

WILL—University of Illinois, Urbana, Ill.—Granted special temporary authority to operate simultaneously with KFNF from 11 a. m. to 4 p. m., CST, March 18; 3 to 4 p. m., CST, March 19; 1:15 to 4 p. m., CST, March 20, 1937, and simultaneously with KUSD from 4 to 5 p. m., CST, March 18 and 19 (provided WBAA remains silent), in order to broadcast Illinois State High School Athletic Assn. basketball tournament.

KFUO—Evangelical Lutheran Synod of Missouri, Etc., Clayton, Mo.—Granted special temporary authority to broadcast a DX program, using power of 1 KW, on March 6, 1937, from 1 to 3 a. m., CST.

WGL—Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—Granted special temporary authority to operate old equipment on a temporary basis only while present transmitter is being moved, for the period April 20 to 29, 1937.

WRUF—University of Florida, Gainesville, Fla.—Granted special temporary authority to rebroadcast the Navy time signals from Arlington for a period not to exceed 3 a. m., EST, August 1, 1937.

W8XAN—The Sparks-Withington Co., Jackson, Mich.—Granted special temporary authority to operate television broadcast station W8XAN at Plant No. 3, E. Ganson St., Jackson, Mich., on **42000-56000, 60000-86000 kc.**, 100 watts, to communicate in accordance with Rule 1031 and hours of operation in accordance with Rule 983, for a period not to exceed 30 days, due to fire at Plant No. 1.

APPLICATIONS DENIED

KFDY—South Dakota State College, Brookings, S. Dak.—Denied special temporary authority to operate from 7:30 to 9:15 p. m., CST, Friday, March 5, 1937, in order to broadcast "Little International Livestock Show."

The following application, heretofore set for hearing, was denied as in cases of default for failure of applicant to file an appearance and statement of facts in accordance with Rule 104.6 (c):

NEW—Edward Goodberlet and Harry J. Frahn, d/b as Greater Muscle Shoals Broadcasting Co., Sheffield, Ala.—C. P., **1500 kc.**, 100 watts, unlimited time.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

NEW—Service Life Ins. Co., Omaha, Nebr.—C. P., **1500 kc.,** 100 watts, unlimited time.

NEW—Archie E. Everage, Andalusia, Ala.—C. P., **1310 kc.,** 100 watts, 250 watts LS, unlimited.

NEW—D. L. Thornton, between Centralia and Chehalia, Wash.—C. P., **1500 kc.,** 100 watts, 250 watts LS, unlimited.

RATIFICATIONS

The Broadcast Division ratified the following actions authorized on the dates shown:

W9XPV-W9XPN—WDZ Broadcasting Co., Tuscola, Ill.—Granted authority to operate as licensed for a period of 30 days from February 22 to March 23, relaybroadcast from train running between Villa Grove and Tuscola.

WBAM-WBAN-W2XMI-W2XMJ—Bamberger Broadcasting Service, Inc., Newark, N. J.—Granted authority to operate WBAM and WBAN as licensed February 21 to March 7, relaybroadcast inauguration revised traffic regulations New York City. Also operate W2XMI and W2XMJ as licensed February 28 to March 2, relaybroadcast Sportsmen's Show.

K6XCJ—Honolulu Broadcasting Co., Ltd., Honolulu, T. H.—Granted extension of program test period to April 1, 1937.

WSGN—Birmingham News Co., Birmingham, Ala.—Granted extension of program test period 30 days from February 22.

W9XES—Midland Broadcasting Co., Kansas City, Mo.—Granted extension of operation as licensed for period of 30 days from February 28, relaybroadcast series of children's educational programs.

WHP—WHP, Inc., Harrisburg, Pa.—Granted extension of authority to operate with reduced power 10 days from February 24.

KUMA—Albert H. Schermann, Yuma, Ariz.—Granted special temporary authority to operate from 10 to 11:30 p. m., MST, March 2, 9, 16, 23 and 30, 1937, to broadcast boxing and wrestling bouts.

WCAX—Burlington Daily News, Burlington, Vt.—Granted special temporary authority to operate from 6:30 to 10:30 p. m., EST, March 2, in order to broadcast basketball games and local election returns; from 8 to 10:30 p. m., March 6, and from 1:30 to 4 p. m.; 8:45 to 10:30 p. m., EST, March 13, 1937, in order to broadcast basketball games.

The Broadcast Division granted the petition of Head of the Lakes Broadcasting Co., WMFG, to intervene in the proceedings upon the application of Walter H. McGenty for C. P. for new station at Rice Lake, Wis.

The Broadcast Division granted the petition of Central Broadcasting Corp., Centralia, Wash., to intervene in the proceedings upon the application of D. L. Thornton, Chehalia, Wash., for C. P.

The Broadcast Division granted the petition of Cheyenne Radio Corp. to intervene in the proceedings upon the application of The Frontier Broadcasting Company for C. P. for new station at Cheyenne, Wyo.

The Broadcast Division granted the petition of Voice of Greenville, Greenville, Texas, for consolidation of oral argument on Examiner's Report on its application (Docket No. 3758) and the oral argument in the application of Hunt Broadcasting Assn. (Docket No. 3242).

The Broadcast Division granted the petition of George H. Payne, San Jose, Calif., to intervene in the proceedings upon the application of Central Broadcasting Corp., Centralia, Wash., for C. P.

The Broadcast Division granted petition of George H. Payne, San Jose, Calif., to intervene in the proceedings upon the application of Chase S. Osborn, Jr., Fresno, Calif., for C. P.

The Broadcast Division denied the petition of Luther Bohanon to intervene in the proceedings upon the application of Exchange Ave. Baptist Church of Oklahoma City, Okla., KFXR, for voluntary assignment of license.

The Broadcast Division extended the effective date of its order of November 24, 1936, in denying the application of the Interstate Broadcasting Corp., KLO, Ogden, Utah, for a period of 30 days from February 25, 1937, or until March 27, 1937.

ACTION ON EXAMINERS' REPORTS

NEW—Ex. Rep. No. 1-284: Donald A. Wike and H. E. Studebaker, d/b as Wike & Studebaker, Baker, Ore.—Denied C. P. for new broadcast station to operate on **1370 kc.,** 100 watts night, 250 watts day, unlimited time (site to be determined, subject to Commission's approval). Order effective April 27, 1937. Examiner John P. Branhall reversed.

KUJ—Ex. Rep. 1-300: KUJ, Inc., Walla Walla, Wash.—Denied C. P. to install new equipment; change frequency from **1370 kc.** to **1250 kc.,** increase power from 100 watts to 250 watts and move transmitter from 2d and Rose Sts., Walla Walla, to site to be determined, subject to Commission's approval, unlimited time. Order effective April 27, 1937. Examiner R. L. Irwin reversed.

KIT—Ex. Rep. 1-311: Carl E. Haymond, Yakima, Wash.—Granted C. P. to install new transmitter (site to be determined, subject to Commission's approval), erect a vertical antenna; change frequency from **1310 kc.** to **1250 kc.** and increase power from 100 watts night, 250 watts day to 250 watts night, 500 watts day, unlimited time. Order effective April 27, 1937. Examiner R. L. Irwin sustained.

WHAT—Ex. Rep. 1-317: Independence Broadcasting Co., Inc., Philadelphia, Pa.—Denied C. P. to install new equipment, change frequency from **1310 kc.** to **1220 kc.,** increase power from 100 watts to 1 kw., change hours of operation from sharing with WTEL to unlimited time, move transmitter from Hotel Pennsylvania, Philadelphia, to Whitemarsh Township, Pa., and install directional antenna. Order effective May 4, 1937. Examiner M. H. Dalberg sustained.

NEW—Ex. Rep. 1-345: H. Wimpy, Albany, Ga.—Denied C. P. for new broadcast station to operate on **1420 kc.,** 100 watts night, 250 watts day; unlimited time (site to be determined subject to Commission's approval), facilities of WGPC. Examiner M. H. Dalberg sustained.

WGPC—Americus Broadcast Corp., Albany, Ga.—Granted renewal of license, **1420 kc.,** 100 watts, unlimited time. Order effective April 27, 1937. Examiner Dalberg sustained.

NEW—Ex. Rep. 1-346: United States Broadcasting Co., Toledo, Ohio.—Dismissed with prejudice application for C. P. for new broadcast station to operate on **1200 kc.,** 100 watts daytime, site to be determined, subject to Commission's approval. Examiner Geo. H. Hill sustained.

NEW—United States Broadcasting Co., Columbus, Ohio.—Dismissed with prejudice, application for C. P. for new station to operate on **1310 kc.,** 100 watts, unlimited time (site to be determined subject to Commission's approval). Examiner Hill sustained. Order effective March 2, 1937.

WCAP—Ex. Rep. 1-347: Radio Industries Broadcast Co., Asbury Park, N. J.—Dismissed with prejudice application for modification of license to increase power from 500 watts to 1 kw, **1280 kc.,** share time with WTNJ and WCAM. Examiner R. L. Irwin sustained in part. Order effective March 2, 1937.

ORAL ARGUMENTS

WNBC—Ex. Rep. 1-350: State Broadcasting Corp., New Britain, Conn.—Granted oral argument to be held April 22, 1937.

NEW—Ex. Rep. 1-353: Hildreth & Rogers Co., Lawrence, Mass.—Granted oral argument to be held April 22, 1937.

NEW—Old Colony Broadcasting Corp., Brockton, Mass.—Granted oral argument to be held April 22, 1937.

EFFECTIVE DATE OF RULE POSTPONED

The effective date of Rule 981 was further postponed for a period of 6 months from March 15, 1937, to give the manufacturers additional time in which to perfect this equipment for sale to the licensees (this rule relates to frequency monitors).

MISCELLANEOUS

Chase Osborn, Jr., Fresno, Cal.—Denied petition requesting postponement of further consideration of the application of George Harm for a new station at Fresno, Calif., to operate on **1310 kc.,** 100 watts, unlimited time.

Osborn is an applicant for a new station at Fresno to operate on **1440 kc.,** 500 watts, unlimited time.

Woodman of the World Life Insurance Association, Omaha, Nebr.—Granted petition to intervene in hearing on application of Service Life Insurance Co. for a new station at Omaha to operate on **1500 kc.,** 100 watts, unlimited time.

Hammond-Calumet Broadcasting Corp., Hammond, Ind.—Affirmed action of September 26, 1936, granting the application for a C. P. for a new broadcasting station at Hammond to operate on **1460 kc.**, 5 kw., subject to the limitation that the operation of the said station extend during daytime hours until local sunset at Buffalo, N. Y.

Wichita Falls Broadcasting Co., Wichita Falls, Tex.—Denied petition asking the Commission to reconsider action of February 9, 1937, in designating application for hearing and grant the same. This application requests approval of transmitter site, installation of new equipment and directional antenna for night, and increase in night power from 250 watts, to one kw., and increase in day power from one kw. to five kw.

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Denied motion asking Commission to deny the application as in cases of default, of H. O. Davis, Mobile, Ala., for C. P. for new station to operate on **610 kc.**, 250 watts night, 500 watts LS, unlimited time.

WHOM—New Jersey Broadcasting Corp., Jersey City, N. J.—Denied petition requesting reopening of hearing in re application for CP to install new equipment and increase day from 250 watts to 1 kw.

KRLH—Midland, Tex.—Denied petition asking Commission to reconsider and grant without hearing application for modification of license to change frequency from **1420 kc.**, to **1210 kc.**, daytime.

NEW—Ex. Rep. 1-272: Gulf Coast Broadcasting Co., Corpus Christi, Tex.—Extended effective date of Order to March 9, 1937.

WHB—WHB Broadcasting Co., Kansas City, Mo.—Retired to the files petition for rehearing before the Broadcast Division of application for authority to install new equipment; change frequency from **860 kc.** to **1120 kc.**, change hours of operation from daytime to unlimited, and to operate with 500 watts at night, 1 KW day, employing a directional antenna during nighttime operation.

KLO—Interstate Broadcasting Corp., Ogden, Utah.—Remanded to the Docket application to move transmitter, make changes in equipment, etc.

APPLICATIONS RECEIVED

First Zone

WRC—National Broadcasting Co., Inc., Washington, D. C.—Construction permit to install new transmitter and vertical antenna; increase power from 500 watts night, 1 KW day, to 1 KW night, 5 KW day; move transmitter from 3308 14th Street, N. W., Washington, D. C., to Ager Road, Chillum Township, Maryland. Amended re antenna.
950

NEW—Press-Union Publishing Co., Atlantic City, N. J.—Construction permit for a new station to be operated on **1200 kc.**, 100 watts power, daytime operation. Amended to make changes in equipment, change power from 100 watts to 100 watts night, 250 watts day, time from daytime to unlimited.
1200

NEW—John W. Haigis, Greenfield, Mass.—Construction permit to be operated on **1210 kc.**, 250 watts, daytime operation.
1210

Second Zone

WTEL—Foulkrod Radio Engineering Co., Philadelphia, Pa.—Authority to install automatic frequency control apparatus.
1310

WSPD—The Fort Industry Co., Toledo, Ohio.—Modification of license to increase night power from 1 to 5 KW.
1340

W8XAN—The Sparks-Withington Co., Jackson, Mich.—Construction permit to make equipment changes and move transmitter to East Ganson St., Jackson, Mich.

W8XAN—The Sparks-Withington Co., Jackson, Mich.—License to cover above.

Third Zone

NEW—Florida West Coast Broadcasting Co., Inc., Clearwater, Fla.—Construction permit to erect a new broadcast station to be operated on **1300 kc.**, 250 watts power, unlimited time. Contingent upon WIOD changing frequency from **1300 kc.** to **610 kc.**
610

WGST—Georgia School of Technology, Atlanta, Ga.—Authority to determine operating power by direct measurement.
890

WGST—Georgia School of Technology, Atlanta, Ga.—License to cover construction permit (B3-P-1296) as modified for equipment changes, increase in power, and move of transmitter.
890

KCRC—Enid Radiophone Co., Enid, Okla.—Construction permit to install a new transmitter, erect a vertical antenna, and increase power from 250 watts to 500 watts.
1360

NEW—State Broadcasting Corp., New Orleans, La.—Construction permit to erect a new broadcast station to be operated on **1370 kc.**, 100 watts power, unlimited time.
1370

NEW—W. W. Hunt, F. Harvey Miller and J. B. DeMotte, d/b as Ocala Broadcasting Co., Ocala, Fla.—Construction permit to erect a new broadcast station to be operated on **1500 kc.**, 100 watts night power, 250 watts day power, unlimited time.
1500

Fourth Zone

KFNF—KFNF, Inc., Shenandoah, Iowa.—Construction permit to install new transmitter; increase power from 500 watts, 1 KW day, to 1 KW night and 5 KW day. Amended: Move transmitter from 407 Sycamore St. to intersection of Highway No. 3 and Ferguson Ave. ext. near Shenandoah, Iowa, and install directional antenna for night use.
890

NEW—Glenn E. Webster, Decatur, Ill.—Construction permit to erect a new station to be operated on **1290 kc.**, 250 watts, daytime hours of operation.
1290

KCKN—The WLBF Broadcasting Co., Kansas City, Kans.—Modification of license to change name of applicant from The WLBF Broadcasting Co. to The KCKN Broadcasting Company.
1310

KRNT—Iowa Broadcasting Co., Des Moines, Iowa.—Modification of construction permit (B4-P-952) for new equipment, increase in power, directional antenna, requesting further changes in equipment and extend commencement date 30 days.
1320

KSCJ—Perkins Bros. Co. (The Sioux City Journal), Sioux City, Iowa.—Authority to determine operating power by direct measurement of antenna power.
1330

WOC—Tri-City Broadcasting Co., Davenport, Iowa.—Authority to make changes in automatic frequency control apparatus.
1370

NEW—L. L. Coryell, Sr., and L. L. Coryell, Jr., d/b as L. L. Coryell & Son., Lincoln, Nebr.—Construction permit for new broadcast station to be operated on **1450 kc.**, 250 watts night, 500 watts day power, unlimited time. Amended to change type of equipment, increase night power from 500 watts to 1 KW, give transmitter site as Lancaster Township, Nebraska.
1450

KSJS—R. J. Laubengayer, Salina, Kans.—Modification of construction permit (B4-P-1004) for new station, requesting change in transmitting equipment, increase in power from 100 watts to 100 watts night, 250 watts day, and approval of transmitter site at U. S. 40, 1.3 miles west of business section, Salina, Kansas, and approval of antenna.
1500

NEW—South Bend Tribune, South Bend, Ind.—Construction permit for a new high frequency relay station on **31100, 34600, 37600** and **40600 kc.**, 1 watt, variable hours of operation, mobile.

NEW—South Bend Tribune, South Bend, Ind.—License to cover above.

NEW—South Bend Tribune, South Bend, Ind.—Construction permit for a new low frequency relay broadcast station on **1622, 2058, 2150, 2790 kc.**, 50 watts, variable hours, mobile.

NEW—South Bend Tribune, South Bend, Ind.—License to cover above.

NEW—South Bend Tribune, South Bend, Ind.—Construction permit for a new high frequency broadcast station on **25950 kc.**, 100 watts, unlimited time.

NEW—South Bend Tribune, South Bend, Ind.—License to cover above.

Fifth Zone

NEW—Radiotel Corporation, San Diego, Calif.—Construction permit for new station on **920 kc.**, 500 watts power, unlimited time. Amended: Re stockholders.
920

KVOD—Colorado Radio Corp., Denver, Colorado—Construction
920 permit to change frequency from **920 kc.** to **630 kc.**, change hours of operation from share with KFEL to unlimited time, increase power from 500 watts to 1 kilowatt, install directional antenna for night use and move transmitter from outside of Denver, Colorado, to North of Denver, Colorado. Amended: To make changes in directional antenna and change transmitter site re: geographical location.

KTKC—Tulare-Kings Counties Associates, Chas. A. Whitmore,
1190 President, Visalia, Calif.—Modification of construction permit (B5-P-816) for new station to make changes in equipment, for approval of transmitter and studio sites at Visalia, California.

NEW—Scott M. Matheson, d/b as Provo Broadcast Co., Provo,
1210 Utah.—Construction permit to erect a new broadcast station to be operated on **1210 kc.**, 100 watts power, unlimited time.

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah.
1290 —Modification of construction permit (B5-P-126) for increase in power from 1 kilowatt to 1 kilowatt night, 5 kilowatts day, make equipment changes, give transmitter site as site to be determined, requesting further changes in equipment, installation of vertical antenna and approval of transmitter site at S. W. of Salt Lake City, Utah.

NEW—George H. Payne, San Jose, Calif.—Construction permit
1440 for new broadcast station to be operated on **1010 kc.**, 1 kilowatt, unlimited time. Amended: To change type of equipment, make changes in vertical antenna, change frequency from **1010 kc.** to **1440 kc.**, power from 1 kilowatt to 500 watts. Omit request for KQW's facilities.

KRNR—Southern Oregon Broadcasting Co., Roseburg, Oregon.—
1500 Voluntary assignment of license from Southern Oregon Publishing Co. to News-Review Company.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS

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WASHINGTON RADIO HIGHLIGHTS

Chairman Prall of the Federal Communications Commission was designated by the President on Wednesday to succeed himself as chairman for a period of one year from March 11 * * * * Copeland pure food and drug bill passes the Senate with little debate * * * * Commissioner Stewart dissents in important newspaper-radio case * * * * January broadcast advertising increases over same month of last year * * * * New copyright bill introduced in House and several new radio bills.

PRALL REAPPOINTED CHAIRMAN

President Roosevelt announced at his press conference on Wednesday that he had designated Anning S. Prall, chairman of the Federal Communications Commission, to succeed himself as chairman for a period of one year. The term as chairman expired on March 11.

NEW BROADCAST STATION GRANTED

The Federal Communications Commission this week granted a construction permit for the erection of a new broadcast station at Indianapolis, Ind., to Glenn Van Auken, to use 1050 kilocycles, 1,000 watts, and daytime operation. The order is effective May 11.

EXTENSION OF DATE OF RULE 981

The Broadcast Division of the Federal Communications Commission has further extended the working date of Rule 981 for six months from March 15. This rule requires all relay, international, television, facsimile, high frequency, and experimental broadcast stations to have in operation by September 15, 1936, a frequency monitor. This monitor does not have to be approved by the Commission but must have an accuracy of one half the allowed tolerance of the class of station with which it is to be used. It is believed that sufficient commercial monitors will be available within six months so that all stations of this class can be equipped as required.

NEW RADIO ENDORSEMENT BILL

Representative Maloney of Louisiana has introduced a bill (H. R. 5300) in the House "to require that personal endorsements of articles by radio be accompanied by a statement that the endorsement is paid for." The bill, which has been referred to the House Committee on Interstate and Foreign Commerce, will be found on page 1985 of this issue.

PURE FOOD BILL PASSES SENATE

Senator Copeland's pure food and drug bill (S. 5) passed the Senate on Tuesday of this week with few amendments and practically no debate.

The bill as it passed the Upper House puts the advertising features of the bill under the direction of the Department of Agriculture instead of the Federal Trade Commission.

At a recent press conference the President stated that he was not satisfied with the bill and the amendments made did not take care of his objections. It is reported that the bill may be held up indefinitely in the House.

RADIO OPERATORS QUALIFICATION BILL

Representative Welch of California has introduced a bill (H. R. 5376) in the House in connection with the qualifications of radio operators which would amend the Communications Act. The bill, which has been referred to the House Committee on Interstate and Foreign Commerce, is as follows:

That section 303 (l) of the Communications Act of 1934 (U. S. C., 1934 ed., title 47, sec. 303), is amended by inserting the words "who are twenty-one years of age or over" after the words "United States", so that the amended paragraph will read:

"(l) Have authority to prescribe the qualifications of station operators, to classify them according to the duties

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to be performed, to fix the forms of such licenses, and to issue them to such citizens of the United States who are twenty-one years of age or over as the Commission finds qualified;".

NEW COPYRIGHT BILL

Representative Daly of Pennsylvania has introduced a new bill (H. R. 5275) in the House dealing with the copyright situation. The bill, which has been referred to the House Committee on Patents, is different from the Daly bill of the last session of Congress and is also different from any of the copyright bills now pending in either House of Congress.

IOWA STATION RECOMMENDED

The Central States Broadcasting Company filed an application with the Federal Communications Commission asking for a construction permit for the erection of a new broadcasting station at Council Bluffs, Iowa, to use 1500 kilocycles, 100 watts power, and unlimited time on the air.

Examiner Melvin H. Dalberg, in Report No. I-360, recommended that the application be granted. He found that "there is an apparent need for the additional service in the area proposed to be served, and the proposed program service is of a satisfactory nature." The Examiner states further that "the proof seems to be clear that the operation of the proposed station would not result either in objectionable interference from it or to it from any existing station."

STEWART DISSENTS ON KTSM DECISION

Commissioner Stewart has issued the following dissenting opinion in connection with the decision rendered a short time ago by the Federal Communications Commission in the KTSM case. Commissioner Stewart said:

"Dorrance D. Roderick applied for a permit to construct a new broadcast station at El Paso, Texas, to operate unlimited time with 100 watts power on the frequency 1500 kc. The Broadcast Division having granted that application, the Tri-State Broadcasting Company, Incorporated, licensee of Station KTSM, located at El Paso, has petitioned the full Commission to grant a rehearing under Section 405 of the Communications Act of 1934.

"There are now two time-sharing local stations in El Paso, apparently operated as a single full-time station. On the facts of the present case there are presented the questions of the need for another broadcast station in El Paso and the ability of that area to support a second station. The Division found that there was both need and support for applicant's proposed station.

"The determination of need is a subjective process. There is no yard stick which can be applied against any given set of statistics with the invariable result that the need for another broadcast station is or is not demonstrated. The best the Commission can do is to receive such testimony as is offered and announce its opinion as to the need. The opinion may be dignified by calling it a conclusion or a finding of fact, but nevertheless it remains an opinion, a kind of enlightened and informed guess.

"The finding of a need for an additional broadcast station in El Paso rests almost entirely upon applicant's testimony that he wants a station and that some people he talked to would like to see another station in El Paso and are willing to advertise over it. Applicant introduced no witnesses other than himself to establish the need for a station in El Paso nor did he introduce depositions from persons in El Paso as to such need. Instead, he relied upon his impression of what people told him, a procedure which made effective cross-examination impossible. While I have no doubt that the publisher of such an important newspaper as the *El Paso Times* would be able to procure depositions supporting his desire for a broadcast station, it seems to me that the affirmative testimony in the present record is decidedly weak. In fact, if the applicant's self-serving declarations were disregarded, it would be difficult to find any affirmative testimony at all.

"The intervenor, Station KTSM, presented as an expert a witness who testified as to the inability of the El Paso area to support another broadcast station. The Broadcast Division apparently declined to attach significant weight to his testimony; and it found there was sufficient potential advertising reasonably to assure adequate financial support for another broadcast station in El Paso.

"Developments subsequent to the hearing, as recited in the petition for rehearing, throw grave doubt upon the validity of the finding of adequate support. Thus, the opinion of the Broadcast Division states, and apparently substantial reliance is placed upon the fact, that 'the evidence shows that three newspapers are now supported in the City of El Paso.' The petition for rehearing states that subsequent to the hearing one of those newspapers has ceased publication with a statement of 'regret that economically it is apparent El Paso can not adequately support three English newspapers.' The petition further states that the other two newspapers, one of which is owned by a corporation in which applicant holds the majority of stock, have since the hearing entered into an arrangement 'for the joint printing, sale and distribution of their newspapers, and for the sale of advertising, without affecting the ownership of either property.' While such an arrangement is not unknown to the newspaper world, it is sufficiently unusual to create a strong implication that El Paso is having difficulty in supporting two English language newspapers conducted along the usual competitive newspaper lines. These two developments subsequent to the hearing cast grave doubt upon the correctness of the finding that El Paso can support an additional broadcast station.

"Whenever reasonable doubt exists as to the ability of a community to support two stations, the Commission should look to the possible consequences of the operation of more than one station. In my opinion there is such a doubt on the record in the present case.

"The applicant herein owns the majority of the stock of the corporation publishing the *El Paso Times,* a daily newspaper published in El Paso. He testified that the newspaper and the broadcast station would be separate with reference to their business management and operation but otherwise identified with each other. The station will receive space rent free in a building on which the newspaper pays rent. Members of the newspaper staff will be used to produce programs. Applicant's proposed rates, which he admits are not based on the probable cost of operation of the station, are lower than those of KTSM. In the application for the station, it is recited that applicant is 'able and willing to operate station at loss, if necessary.' Many of the persons who are said to have agreed to buy time on applicant's station are now patrons of KTSM. Applicant's newspaper does not list the programs of KTSM; the manager of that station testified that applicant had given as his reason for not listing the programs that KTSM was competitive to the newspaper.

"From the above it is apparent that applicant is prepared to throw the resources of his newspaper behind his proposed broadcast station. In any struggle for existence between the two competing broadcast stations, the odds seem greatly in favor of the continuance of the station herein authorized. In that circumstance, the only broadcast station in El Paso will be owned and operated by the dominant stockholder in one of the two English language newspapers in the community. I believe the Commission should consider whether such a result is desirable.

"The criterion by which the law requires the Commission to judge applications is that of 'public interest, convenience or necessity.' It is my opinion that the application of this criterion requires that matters which have a bearing upon the ownership and control of broadcast stations should be given appropriate consideration. I believe that the ownership or control of broadcast stations by newspapers has an important bearing upon public interest.

"The newspaper has long served the community as its source of news and its guide to the offerings of the local and national market places, and, to some extent, has moulded the pattern for its thinking. As a purveyor of current news, until recently it has had no competitors. Similarly, until recently it has had relatively little competition for local advertising, although this has not been true for national advertising. As to its influence upon thought patterns (except as influenced by its news columns), it has had to share the field with many others.

"Broadcasting directly challenged the newspaper in all three fields. It could deliver news faster (though normally in much less detail) than the newspaper. When the leading press associations refused to serve broadcast stations except upon a highly restrictive basis, independent press associations sprang up to furnish news to the stations. Local and national advertisers found radio a valuable method of putting their wares before the public. By bringing into the home the views of men whose views on public questions varied widely among themselves, broadcasting encouraged its listeners to do more thinking for themselves on those questions.

"Most important of all this, as I see it, is that the broadcast station has given the public a source of information independent of the newspaper. That many newspapers honestly endeavor to present a true picture of the course of events, I firmly believe. That some distort that picture to conform to the views of the publisher is apparent to anyone who gives thought to what he is reading, and who has any check on its accuracy. Editorial views are not always confined to the editorial page—they are sometimes permitted to influence the presentation of news. No one can question that there must be editorial discretion; no one should be expected to believe that such discretion may not, frequently or infrequently, reflect the prejudices of the editor or publisher.

"Most readers are dependent upon the intellectual integrity of the publisher, editor and reporters of the newspaper they read. The events reported are outside their personal experience and beyond their ability to test. Reading additional newspapers to get additional enlightenment is not practicable for most people. 'All I know is what I read in the papers' is more than the slogan of a well-remembered humorist; until recently at least, it was the confession of a national dependence.

"Broadcasting has given the listener the means of checking on the newspaper. More important, it has given him a means to supplement the information he gets from the paper, to get matter denied him in the process of editorial selection or because of the limited resources of the publisher. This does not mean that he always gets better or more accurate information over the radio. The reverse may often be the case. Editorial discretion is a part of the broadcaster's stock in trade as it is of the publisher. There are instances in which the broadcaster has used his editorial discretion in a manner heartily to be condemned by fair minded men. The main thing is that where the newspaper and the broadcast station are separately controlled, the listener may receive the full benefit of both—that he has more chance to decide for himself what is really happening, what its influence upon him, his family, his community, his country is likely to be. Obviously the newspaper and the broadcast station can not be checked against each other when both are under the same control. To some this solicitude for channels of information independent of each other may seem a counsel of confusion; to me, it is a principal hope of democracy.

"As possibly shedding some light on the question of public interest as affected by newspaper control of broadcast stations it may be observed that one of the most direct requests that the Commission limit the freedom of speech of broadcasters was made on behalf of the American Newspaper Publishers' Association. That Association, on June 22, 1936, requested the Commission to fix definite periods as the only times at which news could be broadcast.

"Persons familiar with developments in broadcasting are aware of the exceeding rapidity with which broadcast stations are passing into newspaper control. It is not possible to compile a list of newspaper controlled broadcast stations with assurance that it is complete. This is due to the fact that the Commission does not require the disclosure of information leading to ultimate control. Where the application of a station shows that its stock is owned by another company, the name of the owning company does not always give a clue to its real business. Thus one can not state with absolute finality the number of broadcast stations owned or controlled by or affiliated with newspapers or persons interested in publishing newspapers. The number may be somewhat larger than that given below.

"Likewise it is not possible to define in a single term all types of relationship between newspapers and broadcast stations. In some cases the company owning a newspaper owns the broadcast station; in some the same holding company owns both; in some each is owned by a separate holding company, in turn owned by the same persons; in some the publisher of the newspaper owns the station as an individual; and there are several other variations of the same general idea. For simplicity of expression I am referring to all such cases collectively as newspaper controlled stations. In the total figures for newspaper controlled stations given below, there are included 29 existing stations and 12 pending applications where the ascertainable newspaper interest is 49% or less or the common relationship is one which may fall short of control.

"In an endeavor to obtain complete information as to newspaper control of broadcast stations, I have supplemented the information disclosed by the Commission's records with such outside information as is available. The totals given below include four existing stations where the newspaper interest is not apparent from the Commission's records; in these cases the interest common between the newspaper and the broadcast station may be short of controlling. Within the limitations set out above, the following figures show the situation with respect to newspaper controlled broadcast stations as of February 16, 1937:

Existing Stations Controlled by Newspapers	*Pending Applications to Transfer Existing Stations to Newspaper Control*	*Pending Applications for New Stations to be Newspaper Controlled*
200	8	103

"To show the rate of growth of newspaper control, it is of interest to note the date since which there has been continuous newspaper control of each of the 200 broadcast stations presently so controlled. There may be slight errors in the assignment of five stations in the following table due to the incompleteness of some of the records. The dates have been divided into three unequal groups, corresponding roughly to the three periods in the regulation of broadcasting:

Dates from which newspaper control has been continuous

Pre-Federal Radio Commission (6 years)

Year	*Number of Stations*
1921	1
1922	16
1923	3
1924	3
1925	2
1926	5
Total	30

Federal Radio Commission (7½ years)

Year	*Number of Stations*
1927	4
1928	6
1929	9
1930	12
1931	21
1932	12
1933	5
1934 (1st half)	8
Total	77

Federal Communications Commission (2⅝ years)

Year	*Number of Stations*
1934 (2nd half)	10
1935 (1st half)	11
(2nd half)	15
1936 (1st half)	23
(2nd half)	26
1937 (Jan. 1 to Feb. 16)	8
Total	93

"It will be observed that comparatively few of the present stations were newspaper controlled during the highly experimental period prior to the creation of the Federal Radio Commission. Newspaper control of most of them dates from the time when broadcasting had definitely demonstrated its value as a news distributing medium and its power to make money as an advertising medium. More than one-half of them have come under newspaper control since January 1, 1934, after the revenues of broadcast stations had stood up so significantly during the depression. The greatest rate of increase has occurred since the establishment of the Federal Communications Commission. I shall not labor the rate of progression at which newspaper control has proceeded in recent months nor attempt to picture the future if that growth continues unabated. In 1936 the Commission approved nearly twice as many newspaper stations as during 1935. In the period January 1-February 16, 1937, eight newspaper controlled stations have been authorized; in the same period of 1936 none were authorized.

"There is no reason to believe that the demand for newspaper controlled stations will not continue. Although broadcast stations have come under newspaper control at a constantly accelerating rate, there were pending on February 16, 1937, a total of 111 applications the granting of which would result in other stations coming under newspaper control. The corresponding figure stood at 97 on October 1, 1936, at 87 on August 1, 1936, and at 62 on February 1, 1936. In other words, in spite of the rapidity with which newspaper stations have been authorized, there has been a steady increase in the number of applications yet to be acted upon. Even the openhanded policy thus far pursued has not been able to keep up with the demands of newspapers for broadcast stations.

"To those newspaper stations which were among the pioneers in the development of broadcasting, much credit is due. However, the table shows that few of the stations presently controlled by newspapers were among the pioneers. Most of the newspapers now controlling stations merely jumped on the bandwagon.

"Of more than passing interest is the following: in the case of only 78 out of the total of 200 newspaper controlled stations does the newspaper interest date from the construction permit or other original authorization. In the other 122 cases the newspaper interest has been projected into an already existing station.

"There are 103 cities in which the only broadcast station is newspaper controlled, 8 cities with two broadcast stations each in which both stations are newspaper controlled, and 2 cities with three broadcast stations each in which all three are newspaper controlled. Thus there are 113 cities in which all local broadcast stations are under newspaper control.

"Applying the foregoing statements to the present case, it seems to me that the Commission should not create a situation which may result in the control of the only local broadcast station passing to a newspaper. In reaching this conclusion, I consider it immaterial whether the editorial policy and practices of the *El Paso Times* are better or worse than those presently followed by Station KTSM. The Commission must be concerned with the possibilities inherent in the situation, not with the particular manifestations of editorial discretion.

"The application for rehearing should be granted."

Broadcast Advertising In January

HIGHLIGHTS OF THE MONTH

Total broadcast advertising in January amounted to $10,369,556, a decrease of 6.7% from the level of the preceding month but a 29.1% increase over gross time sales for the corresponding month of last year. The usual seasonal declines occurred in all portions of the medium. Compared to last January only regional networks failed to show a gain, declining 3.3%. The principal increase was registered in the national non-network field where advertising rose 42.2% over January, 1936.

Although all advertising media experienced the downward seasonal trend during January, radio broadcasting declined to the least extent when compared to December. Advertising in national magazines declined 26.1%, national farm papers 14.2%, and newspapers 25.3%.

Non-network advertising declined 12.8% as compared to December. Local station advertising decreased to the greatest extent, dropping 24.1%. Clear channel and regional station advertising declined 8.1% and 13.3%, respectively. A decline in volume of advertising was recorded in all sections of the country although the Pacific and Mountain Area declined to the least extent. Regional station advertising and advertising in the New England-Middle Atlantic Area showed the greatest gain over last January. However, all sizes of stations and geographical districts showed marked increases in non-network advertising.

Transcriptions showed the greatest decrease of any type of rendition during the month, declining 22.7%. However, all types dropped below the level of last month. Live talent volume declined 5.6%, records 11.4%, and announcements 17.2%. Records and announcements in the national non-network field and records and transcriptions in the local field showed the greatest gains when compared to last January.

Principal gains in national network advertising were registered in the radio set, gasoline and accessory and household equipment sponsor groups, while the clothing, confectionery, soap and kitchen supply, and miscellaneous groups declined as compared to last month. Clothing, confectionery, and tobacco advertising gained in the regional field, whereas accessory and drug volume declined. A decrease of 68.3% in national non-network automotive advertising was recorded during the month. In the local field, toilet goods, soaps and kitchen supplies, and accessories and gasoline showed increases and radio set, drug, clothing and automotive advertising dropped as compared to December. Retail broadcast advertising during January declined 30.5% as compared to the previous month but remained 21.3% ahead of last January.

TOTAL BROADCAST ADVERTISING

Total broadcast advertising for the month of January is found in Table I.

TABLE I

TOTAL BROADCAST ADVERTISING

Class of Business	*Gross Time Sales* *Dec., 1936*	 *Jan., 1937*
National networks	$6,185,441	$6,061,387
Regional networks	99,416	92,169
National non-network	2,461,200	2,313,700
Local	2,373,500	1,902,300
Total	$11,119,557	$10,369,556

Total broadcast advertising continued the usual seasonal trend by declining 6.7% from the level of the previous month. During the previous year the decline for this period amounted to 7.5%. All portions of the medium declined at about the usual seasonal amount. National network volume declined 2.1%, regional networks 7.2%, national non-network business 5.9%, and local advertising 19.8%.

Gross time sales for the month were 29.1% ahead of the volume recorded for last January. National non-network business showed the greatest gain, rising 42.2%. National network volume rose 27.8% and local advertising 20.9%. Regional network volume declined 3.3%.

COMPARISON WITH OTHER MEDIA

Radio broadcasting experienced the slightest decline in gross sales for the month of any of the major advertising media. National magazines declined 26.1% from the level of December, national farm papers 14.2%, and newspaper volume 25.3%. Broadcast advertising also showed the greatest gain over January 1936. Whereas radio broadcasting increased gross sales 29.1% over last January, national magazines gained 9.8%, national farm papers 28.3%, and newspaper volume remained at approximately the same level.

Advertising volume by major media during the month of January is found in Table II.

TABLE II

ADVERTISING BY MAJOR MEDIA

Advertising Medium	*Gross Time and Space Sales* *Dec., 1936*	 *Jan., 1937*
Radio broadcasting	$11,119,557	$10,369,556
National magazines [1]	12,264,808	9,065,572
National farm papers [1]	631,615	541,539
Newspapers [2]	52,867,000	39,486,000
Total	$76,882,980	$59,462,667

[1] Publishers Information Bureau.

[2] Estimated.

NON-NETWORK ADVERTISING

Total non-network advertising followed the usual seasonal trend by declining 12.8% as compared to last month. Advertising over local stations declined to the greatest extent, falling 24.1% below the level of December. Non-network advertising over clear channel and high-powered regional stations declined 8.1%, while regional station volume decreased 13.3%.

Compared to January of last year, non-network advertising volume increased 31.7%, all classes of stations showing gains. Clear channel and high-powered regional station volume increased 22.3%, regional station volume 50.6%, and non-network advertising over local stations 13.2%.

Non-network advertising by power of station is found in Table III.

TABLE III

NON-NETWORK ADVERTISING BY POWER OF STATION

Power of Station	*Gross Time Sales* *Dec., 1936*	 *Jan., 1937*
Over 1,000 watts	$1,983,600	$1,823,100
250–1,000 watts	2,122,500	1,839,900
100 watts	728,600	553,000
Total	$4,834,700	$4,216,000

Declines in non-network advertising volume were experienced in all sections of the country as compared to last month. However, the volume in the Pacific and Mountain Area declined only 2.9% as against a decrease of 13.6% in the New England-Middle Atlantic Area, 14.4% in the South Atlantic-South Central Area, and 15.6% in the North Central Area.

The New England-Middle Atlantic Area showed the greatest gain over the corresponding month of last year, non-network advertising in that area rising 59.9%. Other regions experienced increases over last January as follows: South Atlantic-South Central Area 24.0%, North Central Area 21.6%, and Pacific and Mountain Area 29.4%.

Non-network advertising by geographical districts is found in Table IV.

TABLE IV

NON-NETWORK BROADCAST ADVERTISING BY GEOGRAPHICAL DISTRICTS

Geographical District	*Gross Time Sales* *Dec., 1936*	 *Jan., 1937*
New England–Middle Atlantic Area	$1,270,900	$1,097,900
South Atlantic–South Central Area	915,500	783,000
North Central Area	1,854,900	1,564,700
Pacific and Mountain Area	793,400	770,400
Total	$4,834,700	$4,216,000

NON-NETWORK ADVERTISING BY TYPE OF RENDITION

Transcription volume showed the greatest drop in the non-network field as compared to December, although all types of rendition registered declines. Total transcription volume declined 22.7% below last month's level. Live talent volume decreased 5.6%, records 11.4%, and announcements 17.2%. Compared to the volume of the corresponding month of 1936, total transcriptions rose 14.1%, live talent 36.6%, records 56.1%, and announcements 38.1%.

In the national non-network field, transcriptions dropped 18.7% as against last month. Live talent volume remained practically unchanged, while records and announcements registered gains of 4.9% and 3.4%, respectively. As against last January, transcriptions rose 9.4%, live talent 59.6%, announcements 74.4%, and record volume more than tripled.

In the local non-network field, transcriptions declined 34.6% from December but remained 35.6% above the level of the corresponding month of last year. Live talent declined 11.3% from last month, records 14.1%, and announcements 27.6%. Compared to last January, live talent gained 17.8%, records 41.4%, and announcements 20.3%.

Non-network advertising by type of rendition is found in Table V.

TABLE V

NON-NETWORK BROADCAST ADVERTISING BY TYPE OF RENDITION

	Gross Time Sales					
	National Non-network		*Local*		*Total*	
Type of Rendition	*Dec., 1936*	*Jan., 1937*	*Dec., 1936*	*Jan., 1937*	*Dec., 1936*	*Jan., 1937*
Electrical transcriptions	$874,800	$710,850	$291,120	$190,130	$1,165,920	$900,980
Live talent programs	1,168,200	1,169,850	1,187,890	1,053,140	2,356,090	2,222,990
Records	14,400	15,110	86,410	74,200	100,810	89,310
Announcements	403,800	417,890	808,080	584,830	1,211,880	1,002,720
Total	$2,461,200	$2,313,700	$2,373,500	$1,902,300	$4,834,700	$4,216,000

SPONSOR TRENDS IN JANUARY

Principal gains to be registered over last month in the national network field were in the radio set, gasoline and accessory and household equipment groups. Clothing, confectionery, soaps and kitchen supply and the miscellaneous groups showed the major declines. All other sponsor groups showed little change. With exception of miscellaneous advertising, all sponsor groups showed gains over last January, principal gains being registered in the financial, radio set, soap and kitchen supply and automotive groups.

Clothing, confectionery and tobacco advertising showed increases in the regional network field as compared to December. Accessory and drug volume showed the principal declines. As compared to last January, clothing, beverage, accessory and financial advertising showed the major gains, while the drug, confectionery and household equipment groups registered declines.

In the national non-network field, automotive advertising declined 68.3% as compared to December. Accessory, clothing, and radio set advertising also showed substantial declines. All groups gained as compared to last January except the amusement, automotive, clothing, and radio set groups.

Toilet goods, soaps and kitchen supplies, and accessories and gasoline showed the only increases of importance in the local field as compared to December. Radio set, drug, clothing and automotive groups declined. With the exception of amusements, drugs, toilet goods and confectionery, all groups were ahead of last January's totals.

Broadcast advertising during January by major product and service groups is found in Table VI on page 1978.

Detailed information regarding various sponsor groups during the month of January is as follows:

1a. ***Amusements.*** Compared to December, national non-network volume down 2.1% and local 24.5%. Total down 21.3%. National non-network down 27.5% and local 3.9% as against last January. Total down 9.2%.

1. ***Automotive.*** National network volume increased 6.9% over last month. Regional network volume declined from $950 to $540. National non-network and local business declined 68.3% and 31.8%, respectively. National network volume 82.4% ahead of last January. National non-network business declined 79.7% and local advertising increased 4.8%.

2. ***Accessories and gasoline.*** National network volume 27.4% above December and local advertising up 48.6%. Regional network volume down 21.2% and national non-network 33.1%. Gains over corresponding month of last year as follows: national networks 12.6%, regional networks 35.9%, national non-network 50.0%, and local 53.4%.

3. ***Clothing.*** Compared to December, national network volume down 23.6%, national non-network business 36.8%, and local advertising 30.2%. Regional network

TABLE VI

RADIO BROADCAST ADVERTISING BY TYPE OF SPONSORING BUSINESS

(JANUARY 1937)

	Gross Time Sales				
Type of Sponsoring Business	*National Networks*	*Regional Networks*	*National Non-network*	*Local*	*Total*
1a. Amusements	—	—	$6,210	$28,930	$35,140
1–2. Automobiles and accessories:					
(1) Automobiles	$617,494	$540	43,730	76,400	738,164
(2) Accessories, gas and oils	468,051	16,160	131,600	108,830	724,641
3. Clothing and apparel	29,718	3,345	32,620	271,240	336,923
4–5. Drugs and toilet goods:					
(4) Drugs and pharmaceuticals	613,537	9,176	521,420	61,360	1,205,493
(5) Toilet goods	1,085,472	4,860	132,920	16,210	1,239,462
6–8. Food products:					
(6) Foodstuffs	1,261,951	27,593	589,190	261,920	2,140,654
(7) Beverages	367,242	10,338	71,190	101,590	550,360
(8) Confections	131,170	3,000	44,760	11,660	190,590
9–10. Household goods:					
(9) Household equipment and furnishings	39,156	2,655	61,640	168,710	272,161
(10) Soap and kitchen supplies	355,702	200	112,510	8,930	477,342
11. Insurance and financial	74,410	1,812	19,450	100,560	196,232
12. Radios	285,710	—	6,500	19,520	311,730
13. Retail establishments	—	—	18,260	160,250	178,510
14. Tobacco products	421,369	8,420	143,460	7,500	580,749
15. Miscellaneous	310,405	4,070	378,240	498,690	1,191,405
Total	$6,061,387	$92,169	$2,313,700	$1,902,300	$10,369,556

volume more than doubled. As against last January, national network volume rose 3.2%, local advertising 21.0%, and regional network volume tripled. National non-network advertising declined 3.5%.

4. ***Drugs and pharmaceuticals.*** National network volume alone increased over last month, rising 6.4%. Regional network volume declined 27.4%, national non-network business 2.5%, and local advertising 31.1%. Compared to the corresponding month of the preceding year, national network volume increased 20.7% and national non-network business 17.5%. Regional network volume declined 33.8% and local business 31.5%.

5. ***Toilet goods.*** National network volume and national non-network business down 7.6% and 10.6%, respectively, from December. Regional network volume remained the same, while local business increased 33.4%. Compared to last January, national network volume increased 15.6%, regional network volume 19.7%, and national non-network business 88.7%. Local advertising declined 29.5%.

6. ***Foodstuffs.*** Compared to last month, national network volume increased 3.1% and national non-network business 3.0%. Regional network business dropped 2.5% and local advertising 17.5%. As against the corresponding month of last year, national networks increased 38.7%, national non-network 76.8%, and local advertising 22.2%. Regional networks declined 4.3%.

7. ***Beverages.*** Compared to the previous month, national network volume declined 11.7%, national non-network business 11.5%, and local advertising 8.8%. Regional network business rose 15.3%. Gains over last January as follows: national networks 2.6%, national non-network 64.3%, and local advertising 13.6%. Regional network business more than doubled.

8. ***Confectionery.*** National network volume 27.3% below December. Regional network volume and local advertising increased 56.7% and 15.1%, respectively. National non-network advertising declined 6.6%. Compared to the corresponding month of 1936, national network volume increased 4.0% and national non-network business 23.6%. Regional network volume dropped 55.7% and local business 33.3%.

9. ***Household equipment.*** As against last month, national network volume increased 26.5% and national non-network business 14.7%. Regional network business declined 9.6% and local business 21.8%. National network volume 1.8% above last January. National non-network business up 25.9% and local advertising 29.5%. Regional network business down 63.1%.

10. ***Soaps and kitchen supplies.*** National network business decreased 27.8% from December. Regional network business dropped from $960 to $200. National non-network and local volume increased 4.1% and 22.6%, respectively. Compared to last January, national networks increased 45.7%, national non-network 155.4%, and local advertising 23.3%.

11. ***Financial and insurance.*** National network volume 12.3% below December and regional network volume down 3.2%. National non-network up 10.6% and local advertising remained the same. Gains over last January as follows: national networks 110.2%, regional networks 44.0%, national non-network 79.9%, and local advertising 42.6%.

12. *Radios.* National network volume 57.8% above December. National non-network volume and local advertising down 79.5% and 45.4%, respectively. National network volume 207.8% greater than last January. National non-network business declined 55.0%, while local increased 75.0%.

13. ***Department and general stores.*** National non-network volume declined 17.5% as against December and local 29.0%. National non-network business 67.8% above corresponding month of last year. Local volume up 29.8%.

14. ***Tobacco products.*** Compared to last month, national network volume increased 4.3%, regional network volume 30.7%, and national non-network business 8.0%. Local advertising declined 2.4%. Gains over last January as follows: national networks 17.3%, regional networks 29.3%, national non-network business six times as great, and local business 56.9%.

15. ***Miscellaneous.*** As against last month, national network volume declined 28.7%, regional network volume 34.5%, and local advertising 20.6%. National non-network business increased 19.1%. Compared to the corresponding month of last year, national network volume declined 10.8% and regional network volume 50.6%. National non-network and local business gained 87.7% and 26.7%, respectively.

TABLE VII
RETAIL BROADCAST ADVERTISING OVER INDIVIDUAL STATIONS

	Gross Time Sales	
Type of Sponsoring Business	*Dec., 1936*	*Jan., 1937*
Automobiles and accessories:		
Automobile agencies and used car dealers	$113,730	$73,310
Gasoline stations, garages, etc	28,570	28,140
Clothing and apparel shops	426,290	291,610
Drugs and toilet goods:		
Drug stores	20,790	9,080
Beauty parlors	5,960	7,680
Food products:		
Grocery stores, meat markets, etc.	46,960	51,010
Restaurants and eating places	30,310	19,350
Beverage retailers	2,610	1,980
Confectionery stores	2,480	7,390
Household goods:		
Household equipment dealers	59,880	53,820
Furniture stores	141,680	103,390
Hardware stores	19,780	6,290
Radio retailers	36,110	14,330
Department and general stores	247,990	176,600
Tobacco shops	....	....
Miscellaneous	227,340	135,000
Total	$1,410,480	$978,980

RETAIL BROADCAST ADVERTISING

Retail broadcast advertising over individual stations during January declined 30.5% as compared to the preceding month. This decline compares to a 29.4% drop registered at the same time last year. Retail broadcast advertising still remained 21.3% ahead of the level of January, 1936. Decreases were fairly general as compared to December, only beauty parlors, grocery and confectionery stores showing increases. As compared to last January, clothing stores, household equipment dealers, furniture and department stores showed the principal gains, while drug stores, beverage retailers, and grocery store advertising registered declines.

Retail broadcast advertising during the month is found in Table VII.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3067. Making and selling automobile accessories, **Banner Manufacturing Co.,** 841 East 43rd St., **Brooklyn,** is charged with unfair competition in the sale of its products, in a complaint.

Banner Radiator Glycerine, marketed by the respondent company, was advertised as a safe anti-freeze, according to the complaint, while this product and other anti-freeze preparations of the respondent company were represented as furnishing the user protection against inferior compounds, the company certifying that the products were made in strict conformity of standard under strict supervision of the company's own laboratories.

These representations are alleged to lead the public into believing that the respondent company's anti-freeze solutions are safe and harmless for general use, are made under strict supervision of laboratories and manufactured at the company's premises, when in fact, according to the complaint, these assertions are not the facts and the company does not operate a laboratory for manufacturing, compounding and testing these products along scientific lines.

No. 3068. Levy Bros. China Co., Inc., 467 Keap St., **Brooklyn,** is charged in a complaint with unfair competition in the sale of chinaware.

Labels on certain of the respondent company's products are alleged to have created the impression that they or the decorations thereon originated in Limoges, France, when this was not a fact. Chinaware made and decorated in Limoges has a favorable and valuable reputation in the United States, the complaint points out.

No. 3069. Alleging use of unfair methods of competition in the sale of a medicinal compound designated "Eucathol," a complaint has been issued against **The Eucathol Co., Inc., Shawnee, Okla.** The respondent corporation advertises over the radio and in newspapers, magazines and other printed matter, and allegedly represents, expressly or by implication, that use of Eucathol will prevent and cure, or is beneficial in the treatment of insect bites, sunburn, asthma and hay fever, catarrh, colds, scalds and burns, skin disorders, influenza and pneumonia, and other ailments.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 1904. William Alt, 107 South Wells St., Chicago, engaged in the sale of toiletries, razor blades, notions and household utilities, will cease using on labels and in catalogues exaggerated or misleading representations concerning the value of his merchandise or the prices at which it is sold or intended to be sold in the usual course of trade. He also will stop using the word "New York" in any manner so as to imply that he has an office or a place of business in New York City, when such is not a fact. Alt trades as Star Novelty Utilities and Star Products Co., and, according to the stipulation, labeled certain of his products with the words "Star Products Company, New York, Chicago," when, in fact, he did not have a place of business in New York.

No. 1905. Dilex Institute of Feminine Hygiene, 33 West 47th St., New York City, engaged in selling, under the trade name La Dila Hygienic Institute, a product designated "La-Dila Method," agreed to discontinue making certain representations, the effect of which was to directly assert or imply that use of the feminine hygiene preparation it sells could be relied upon generally to accomplish the results claimed for it.

No. 1909. Munsell's Mineral Products Co., 1415 Sharp Building, Lincoln, Nebr., engaged in compounding and selling household remedies under the name "Munsell's Mineralization Tablets," stipulated that it will cease representing that its products, used alone, are a specific or remedy for any human ailment, but reserved its right to represent that they are beneficial to the general health in cases where they may supply a deficiency of any mineral salt which may be lacking and which deficiency has produced, or is tending to produce, a diseased condition. The company also will cease representing that its products are safe for self-medication if they contain any drug or ingredient, such as fluoride, in a quantity which may prove harmful when taken otherwise than under the direction of a physician. The stipulation sets out that there is no established authority for believing that mineral salts, when taken alone, will correct human ailments.

Nos. 1910-1913. Unfair representations in the interstate sale of extracts and an orange juice concentrate, will be banned by two concerns. These respondents are: **Alfredo Wanderlingh,** 2321 First Avenue, **New York,** trading as **Venus Importing Co.,** and **Bireley's, Inc.,** 1117 North Mansfield Avenue, **Hollywood, Calif.**

Wanderlingh, in the sale of extracts, agreed to stop employing the word "importing" as part of or in connection with the trade name under which they were sold, and to cease using this word or the word "importati" on labels implying that the articles referred to are imported from Italy or elsewhere, or that Wanderlingh is an importer, when such are not the facts.

Use of the phrase "Laboratorio Chimico Italiano" to imply that Wanderlingh maintains a chemical laboratory in Italy, will be discontinued, as will be the use of pictorial or other representations tending to indicate that medals or crosses were awarded Wanderlingh in connection with exhibition of his products at an exposition or fair.

Bireley's, Inc., in the sale of "Bireley's Dairy Orange Juice" and "Bireley's Orangeade," stipulated that it would cease seeking or obtaining agreements, promises or assurances from distributors that they would cooperate with Bireley's in a system of resale price maintenance for Bireley products.

The respondent corporation's product is said to have been sold to a large number of distributors and to several chain stores. Distributors were required to sign a written agreement that Bireley's would fix a minimum retail price and that the distributors would not under any circumstances sell for less than the prices so established.

No. 2860. Gulf Coast Oil Company of Mississippi, Inc., 3331 St. Charles Ave., **New Orleans,** has been ordered to discontinue unfair methods of competition through simulation of the brand names and trade marks of the products of competitors, including Gulf Refining Co., and Ethyl Gasoline Corporation and its licensees. The order also is directed against Anthony Paciera, president of the respondent corporation.

The respondents are ordered to cease and desist from representing, through use of the word "Gulf," either alone or with other words simulating the brand names under which Gulf Refining Company sells its products, that their motor oils and gasolines are those of their competitor. The respondents also are directed to discontinue making the same representation through use of any symbol, term or device.

In advertising their products, the respondents are not prohibited from using their entire corporate name or any trade or brand name which includes the words "Gulf Coast," so long as they do not use the word "Gulf" in any manner unless the word "Coast" appears in close proximity thereto in letters equally prominent and of the same type. The order does not prevent the respondents from using any yellow or orange color scheme on their stations, pumps and other equipment.

Nos. 2882-2777. Practices permitting use of a lottery or game of chance in the sale of candy to jobbers and wholesalers for resale to retailers, are prohibited under orders to cease and desist issued against **The Euclid Candy Co., of California, Inc.,** 715 Battery St., **San Francisco,** and **Plantation Chocolate Co., Inc.,** 3150 Janney St., **Philadelphia.**

Candy assortments sold by the respondent companies to wholesalers and retailers were arranged so that prizes could be given to consumers procuring certain candies designated by a color different from the other candies in the collections, according to the findings.

No. 2901. An order to cease and desist has been entered directing **National Kream Co., Inc.,** 360 Furman St., **Brooklyn,** to cease and desist from unfair methods of competition in the sale of flavoring extracts.

The respondent corporation is ordered to discontinue advertising or representing, through use of words of any foreign language, or through symbols or picturizations, that flavoring extracts manufactured in the United States are produced in Italy or any other foreign country and imported into this country. Other representations ordered discontinued are that the respondent corporation's extracts were exhibited or awarded a prize at any exposition.

FTC CLOSES CASE

No. 2751. The Federal Trade Commission has closed its case against **Thomas Leeming & Co., Inc.,** 101 West 31st St., **New York,** that respondent having entered into a stipulation with the Commission to discontinue certain unfair trade practices in connection with the sale of a treatment for the relief of pain designated "Baume Analgesique" or "Baume Bengue." The Commission's complaint was issued March 30, 1936.

Under the stipulation, the respondent corporation will cease representing that Baume Bengue will allay or relieve pain in any part of the body except in the local area of application; will stay in the area where it is applied until the pain is banished, and will penetrate deeper or through muscles to the pain itself.

The claim that Baume Bengue is the only "true" Baume Analgesique also will be discontinued, as will any similar representation which may reasonably be taken to imply that there are no other reputable or authentic preparations on the market of substantially similar ingredients and therapeutic properties.

In closing the case, the Commission reserved the right to reopen it, should the facts warrant, and to resume prosecution of the complaint in accordance with regular procedure.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, March 15:

Monday, March 15

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—H. O. Davis, Mobile, Ala.—C. P., **610 kc.,** 250 watts, 500 watts LS, unlimited time.

FURTHER HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—The Waterloo Times-Tribune Pub. Co., Waterloo, Iowa.—C. P., **1370 kc.,** 100 watts, daytime.

NEW—Harold Thomas, Pittsfield, Mass.—C. P., **1310 kc.,** 100 watts, 250 watts LS, unlimited time.

Tuesday, March 16

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Arthur H. Croghan, Minneapolis, Minn.—C. P., **1310 kc.,** 100 watts, daytime.

NEW—Troy Broadcasting Co., Inc., Troy, N. Y.—C. P., **950 kc.,** 1 KW, daytime.

Wednesday, March 17

HEARING BEFORE AN EXAMINER

(Broadcast)

KRLH—Clarence Scharbauer, Midland, Texas.—Modification of license, **1210 kc.,** 100 watts, daytime.

Thursday, March 18

HEARING BEFORE THE COMMISSION EN BANC *

* (There is a petition pending for postponement of this hearing.)

WBBC—Brooklyn Broadcasting Corp., Brooklyn, N. Y.—Modification of license, **1400 kc.,** 500 watts, unlimited time. (Requests facilities of WARD, WVFW and WLTH). Present assignment: **1400 kc.,** 500 watts. Share-WLTH, WARD and WVFW.

WBBC—Brooklyn Broadcasting Corp., Brooklyn, N. Y.—Renewal of license, **1400 kc.,** 500 watts. Share-WLTH, WARD and WVFW.

WBBC—Brooklyn Broadcasting Corp., Brooklyn, N. Y.—Renewal of license, **1400 kc.,** 500 watts (Auxiliary transmitter). Share-WARD, WLTH and WVFW.

WVFW—Paramount Broadcasting Corp., Brooklyn, N. Y.—Modification of license, **1400 kc.,** 500 watts, unlimited time. (Requests facilities of WARD, WLTH and WBBC). Present assignment: **1400 kc.,** 500 watts. Share-WARD, WLTH and WBBC.

WVFW—Paramount Broadcasting Corp., Brooklyn, N. Y.—Renewal of license, **1400 kc.,** 500 watts. Share-WARD, WLTH and WBBC.

WVFW—Paramount Broadcasting Corp., Brooklyn, N. Y.—C. P. to make changes in equipment; **1400 kc.,** 500 watts. Share WARD, WLTH and WBBC.

WVFW—Paramount Broadcasting Corp., Brooklyn, N. Y.—Transfer of control of corp.; **1400 kc.,** 500 watts. Share WARD, WLTH and WBBC.

WEVD—Debs Memorial Radio Fund, Inc., New York, N. Y.—Modification of license, **1400 kc.,** 1 KW, unlimited time. (Requests facilities of WBBC, WLTH, WARD and WVFW)

WARD—United States Broadcasting Corp., Brooklyn, N. Y.—C. P. to move transmitter; **1400 kc.,** 500 watts. Share WVFW, WLTH and WBBC.

WARD—United States Broadcasting Corp., Brooklyn, N. Y.—Renewal of license, **1400 kc.,** 500 watts. Share WVFW, WLTH and WBBC.

WARD—United States Broadcasting Corp., Brooklyn, N. Y.—Voluntary assignment of license to Kings Broadcasting Corp., **1400 kc.,** 500 watts. Share WVFW, WLTH and WBBC.

WLTH—Voice of Brooklyn, Inc., Brooklyn, N. Y.—Renewal of license, **1400 kc.,** 500 watts. Share WARD, WVFW and WBBC.

WLTH—Voice of Brooklyn, Inc., Brooklyn, N. Y.—Voluntary assignment of license to Kings Broadcasting Corp., **1400 kc.,** 500 watts. Share WARD, WVFW and WBBC.

NEW—Brooklyn Daily Eagle Broadcasting Co., Inc., Brooklyn, N. Y.—C. P., **1400 kc.,** 500 watts, unlimited time. (Requests facilities of WBBC, WLTH, WARD and WVFW)

APPLICATIONS GRANTED

WCHV—Community Broadcasting Corp., Charlottesville, Va.—Granted C. P. approving transmitter site 0.85 miles from present location; change in composite equipment, and installation of vertical radiator.

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Granted C. P. for changes in directional antenna.

KMAC—W. W. McAllister, San Antonio, Texas.—Granted license to cover C. P.; **1370 kc.,** 100 watts night, 250 watts day, share KONO.

KFJB—Marshall Electric Co., Inc., Marshalltown, Ia.—Granted modification of C. P. to extend completion date from 3-18-37 to 5-18-37.

KCKN—WLBF Broadcasting Co., Kansas City, Kans.—Granted modification of license to change name from WLBF Broadcasting Co., to The KGKN Broadcasting Co.

KRNR—Southern Oregon Publishing Co., Roseburg, Ore.—Granted authority for changes in automatic frequency control apparatus.

KPLC—Calcasieu Broadcasting Co., Lake Charles, La.—Granted license to cover C. P. and modifications thereof, **1500 kc.,** 100 watts night, 250 watts day, unlimited.

WGST—Georgia School of Technology, Atlanta, Ga.—Granted license to cover C. P. and modifications thereof; **890 kc.,** 1 KW night, 5 KW day, unlimited time; also granted authority to determine operating power by direct measurement of antenna input.

KJBS—Julius Brunton & Sons Co., San Francisco, Cal.—Granted license to cover C. P.; **1070 kc.,** 500 watts night and day, limited time.

KSFO—Associated Broadcasters, Inc., San Francisco, Cal.—Granted modification of C. P. to move transmitter site locally.

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Granted modification of C. P. to extend completion date from April 6 to June 7, 1937.

KRNT—Iowa Broadcasting Co., Des Moines, Ia.—Granted Modification of C. P. to make changes in transmitting equipment and antenna system authorized by C. P.

WSMB—WSMB, Inc., New Orleans, La.—Granted modification of C. P. for authority to change transmitter site authorized by C. P. from Algiers Naval Station to Behrman Highway, New Orleans.

KGFI—Eagle Broadcasting Co., Inc., Corpus Christi, Tex.—Granted Modification of C. P. to move station to Brownsville, exact studio sites and type of antenna to be determined with Commission's approval; installation of new equipment; and extension of commencement date to 60 days after grant and completion date to 180 days thereafter.

WMCA—Knickerbocker Broadcasting Co., New York City—Granted modification of license to increase operating power of auxiliary transmitter from 500 watts to 1 KW for emergency purposes only.

WOC—Tri-City Broadcasting Co., Davenport, Iowa.—Granted authority to make changes in automatic frequency control apparatus.

KSCJ—Perkins Bros. Co. (The Sioux City Journal), Sioux City, Iowa.—Granted authority to determine operating power by direct measurement of antenna input in compliance with terms of Rule 137.

Columbia Broadcasting System, Inc., New York City.—Granted extension of authority to transmit programs to Canadian stations CFBR and CKAC and to stations of the Canadian Broadcasting Corp. (formerly Canadian Radio Broadcasting Commission).

NEW—General Electric Company, Albany, N. Y.—Granted C. P. for new high frequency broadcast station; frequencies **31600, 35600, 38600** and **41000 kc.,** 150 watts.

SET FOR HEARING

NEW—Petersburg Newspaper Corp., Petersburg, Va.—Application for C. P. for new station; **1210 kc.,** 100 watts night, 250 watts day, specified hours. Full time Mondays, Tuesdays, Wednesdays, Thursdays, Fridays, Saturdays; 6 to 10:30 a. m., 1:30 to 5:30 p. m., 7 to 7:30 p. m., 9:30 to midnight, EST, Sundays. Exact transmitter site and type of antenna to be determined with Commission's approval.

NEW—Carolinas Radio, Inc., Charlotte, N. C.—Application for C. P. for new station; **880 kc.,** 500 watts night, 1 KW day, unlimited, exact transmitter and studio sites to be approved.

NEW—C. S. Gooch, d/b as Amarillo Broadcasting Co., Amarillo, Tex.—Application for C. P. for new station amended to request **1500 kc.,** 100 watts, unlimited.

NEW—John W. Haigis, Greenfield, Mass.—Application for C. P. for new station; **1210 kc.,** 250 watts, daytime only, exact transmitter site to be determined with Commission's approval.

NEW—J. K. Patrick, Earl B. Braswell, Tate Wright, C. A. Rowland and A. Lynne Brannen, d/b as J. K. Patrick & Co., Athens, Ga.—Application for C. P. for new station; **1310 kc.,** 100 watts night, 250 watts day, unlimited, exact transmitter and studio sites to be determined with Commission's approval.

NEW—George H. Payne, San Jose, Calif.—Application for C. P. amended so as to request **1440 kc.,** 500 watts, unlimited, exact transmitter site to be determined with Commission's approval.

NEW—Howard A. Miller, Galesburg, Ill.—Application for C. P. amended to request **1500 kc.,** 100 watts, daytime only, exact transmitter site to be determined.

NEW—John D. Fields, Inc., Las Vegas, Nev.—Application for C. P. amended to request **1370 kc.,** 100 watts, unlimited, exact transmitter site to be approved.

NEW—World Publishing Co., Tulsa, Okla.—Application for C. P. amended to request **940 kc.,** 1 KW night, using directional antenna, 5 KW day, unlimited.

NEW—Thomas R. Waters, Jr., Sydney R. Lines, Jr., and Gomer Thomas, d/b as Skagit Broadcasting Asso., Bellingham, Wash.—Application for C. P. amended to request **1200 kc.,** 100 watts night, 250 watts day, unlimited time, exact transmitter and studio sites and type of antenna to be determined with Commission's approval (facilities of KVOS).

NEW—Voice of Detroit, Inc., Detroit, Mich.—Application for C. P. amended to request **1120 kc.**, 500 watts night, 1 KW day, unlimited, directional antenna for night-time operation only. Exact transmitter and studio sites to be determined with Commission's approval.

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Application for C. P. to move locally, transmitter to 100 N. Pulaski Road and studio to 14 North Western Ave.; install new equipment.

KCMO—KCMO Broadcasting Co., Kansas City, Mo.—Application for C. P. for approval of transmitter site at 5200 E. 11th St., Kansas City, Mo.; installation of new equipment and directional antenna system; change frequency from **1370 kc.** to **1450 kc.**; increase power from 100 watts to 1 KW, DA night-time.

KGO—National Broadcasting Co., San Francisco, Calif.—Application for C. P. amended to request move of transmitter to near Belmont, Calif.; install vertical radiator and new equipment; increase power from 7½ KW to 50 KW.

KWTN—Greater Kampeska Radio Corp., Watertown, S. Dak.—Application for C. P. amended to request move of transmitter site locally to East Shore Lake Kampeska; change frequency from **1210 kc.** to **1340 kc.**; increase power from 100 watts, unlimited, to 250 watts night, 500 watts day, unlimited. Desires facilities of KGDY.

KRE—Central California Broadcasters, Inc., Berkeley, Calif.—Application for C. P. amended to request change in transmitter site to E. Shore Highway and studio to 2337 Shattuck Ave.; install new equipment and vertical radiator; change frequency to **1440 kc.**; increase power to 500 watts night, 1 KW day, unlimited.

WBOW—Banks of Wabash, Inc., Terre Haute, Ind.—Application for C. P. to move transmitter site locally; change equipment; install directional antenna system; change frequency from **1310 kc.** to **1290 kc.**; increase power from 100 watts night, 250 watts day, unlimited, to 500 watts night, 1 KW day, using directional antenna for night-time operation.

KGKL—KGKL, Inc., San Angelo, Tex.—Application for C. P. to move transmitter locally in Tom Green County; install new equipment and vertical radiator; change frequency from **1370 kc.** to **940 kc.**; increase power from 100 watts night, 250 watts day, to 1 KW night, 5 KW day, unlimited.

KSLM—Oregon Radio, Inc., Salem, Ore.—Application for C. P. to install new equipment; make changes in antenna; change frequency from **1370 kc.** to **1110 kc.**; increase power from 100 watts, unlimited, to 500 watts, unlimited. To be heard before the Broadcast Division.

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—Application for modification of license for increase in night power from 1 KW to 5 KW. To be heard before the Broadcast Division.

NEW—West Virginia Newspaper Publishing Co., Clarksburg, W. Va.—Application for C. P. for new station; **1250 kc.**, 1 KW, daytime only, exact transmitter and studio sites to be determined with Commission's approval.

NEW—Radiotel Corp., San Diego, Calif.—Application for C. P. for new station; **920 kc.**, 500 watts, unlimited time, transmitter site to be determined.

NEW—Scott M. Matheson, d/b as Provo Broadcast Co., Provo, Utah.—Application for C. P. for new station; **1210 kc.**, 100 watts, unlimited time, exact transmitter and studio sites to be determined with Commission's approval.

KMJ—McClatchy Broadcasting Co., Fresno, Calif.—Application for modification of license to increase night power from 500 watts to 1 KW.

WHK—Radio Air Service Corp., Cleveland, Ohio.—Application for modification of license to increase night power from 1 KW to 5 KW (day power increase from 2½ KW to 5 KW has been requested and designated for hearing 2-16-37). To be heard before the Broadcast Division.

KGHI—Arkansas Broadcasting Co., Little Rock, Ark.—Application for modification of license to increase night power from 100 watts to 250 watts. To be heard before the Broadcast Division.

WSPD—The Fort Industry Co., Toledo, Ohio.—Application for modification of license to increase night power from 1 KW to 5 KW.

APPLICATIONS DENIED

WQDM—E. J. Regan and F. Arthur Bostwick, St. Albans, Vt.—Denied special temporary authority to operate on frequency **1370 kc.** with 100 watts power at location authorized by C. P.

WIOD-WMBF—Isle of Dreams Broadcasting Corp., Miami, Fla.—Denied special temporary authority to operate on frequency **610 kc.** with 1 KW from 1 a. m. to 6 a. m., EST, from March 14 to 23, 1937, for the purpose of conducting antenna and field intensity data to be used in support of application requesting change in frequency to **610 kc.**

The following application, heretofore set for hearing, was denied as in cases of default for failure to file an appearance and statement of facts in accordance with Rule 104.6 (c):

NEW—Malcolm H. Clark (Clark Radio Service), Amarillo, Tex.—C. P., **1500 kc.**, 100 watts night, 100 watts LS, unlimited time.

APPLICATIONS DISMISSED

NEW—John S. Braun, Waco, Tex.—On February 23, 1937, the Broadcast Division denied the petition of this applicant requesting dismissal without prejudice of application for C. P. for new station, **1500 kc.**, 100 watts LS, daytime only. The application is, therefore, now dismissed with prejudice.

The following applications, heretofore set for hearing, were dismissed at request of applicants:

NEW—Lou Poller, Jessup, Pa.—C. P., **1370 kc.**, 250 watts LS, daytime.

WMFR—WMFR, Inc., High Point, N. C.—Modification of license, **1200 kc.**, 100 watts, specified hours.

ORAL ARGUMENTS GRANTED

NEW—Ex. Rep. 1-351: Golden Empire Broadcasting Co., Marysville, Calif.—Granted oral argument to be held April 8, 1937.

NEW—Ex. Rep. 1-352: George Harm, Fresno, Calif.—Granted oral argument to be held April 29, 1937.

WAAB—Ex. Rep. 1-355: Bay State Broadcasting Corp., Boston, Mass.—Granted oral argument to be held April 29, 1937.

ACTION ON EXAMINERS' REPORTS

KGDM—Ex. Rep. 1-227: E. F. Peffer, Stockton, Calif.—Denied modification of license to change power from 1 KW day to 1 KW night and day; change hours of operation from daytime to limited; **1100 kc.** Examiner Ralph L. Walker sustained. Order effective May 4, 1937.

NEW—Ex. Rep. 1-313: Glenn Van Auken, Indianapolis, Ind.—Granted C. P. for new broadcast station to operate on **1050 kc.**, 1 KW, daytime (site to be determined, subject to Commission's approval). Examiner P. W. Seward sustained. Order effective May 11, 1937.

NEW—Ex. Rep. 1-318: Asheville Daily News (Harold H. Thoms, owner), Asheville, N. C.—Remanded to docket for further hearing application for C. P. for new broadcast station to operate on **1370 kc.**, 100 watts, unlimited time.

KXL—Ex. Rep. 1-319: KXL Broadcasters, Portland, Ore.—Granted renewal of license; **1420 kc.**, 100 watts night, 250 watts day, share time with KBPS (KXL 6/7 time, KBPS 1/7 time). Also granted authority to transfer control of corporation from H. B. Read to T. W. Symons and E. B. Craney. Examiner P. W. Seward sustained. Order effective May 11, 1937.

EFFECTIVE DATE EXTENDED

KTFI—Ex. Rep. 1-249: Radio Service Corp., Pocatello, Idaho.—Effective date of order extended to March 23, 1937.

SPECIAL AUTHORIZATIONS

WKAR—Michigan State College, East Lansing, Mich.—Granted special temporary authorization to operate with reduced power pending arrival of new transformer for a period not to exceed thirty days.

KFNF—KFNF, Inc., Shenandoah, Iowa.—Granted special temporary authorization to operate simultaneously with WILL from 8 a. m. to 11 a. m. and 5 p. m. to 6 p. m. daily, except Sundays, during the month of April, 1937

KFNF—KFNF, Inc., Shenandoah, Iowa.—Granted special temporary authorization to operate simultaneously with WILL from 4 p. m. to 5 p. m., March 21 and 28, 1937, in order to broadcast additional Eastern time programs.

WPRP—Julio M. Conesa, Ponce, Puerto Rico.—Granted special temporary authorization to operate from 2 to 3 p. m., AST, March 26, 1937, in order to broadcast a religious service on Good-Friday from a local church.

WGBF—Evansville On The Air, Inc., Evansville, Ind.—Granted special temporary authorization to operate simultaneously with KFRU, from local sunset (6:15 p. m., CST) to 12 midnight, with reduced power of 250 watts, on March 20 and 27, 1937, in order to broadcast semi-final and final state championship basketball games.

KFRU—KFRU, Inc., Columbia, Mo.—Granted special temporary authorization to operate simultaneously with WGBF, from local sunset (6:15 p. m., CST) to 12 midnight, with reduced power of 250 watts, on March 20 and 27, 1937, in order to broadcast semi-final and final state championship basketball games.

WKRC—Columbia Broadcasting System, Inc., Cincinnati, Ohio.—Granted special temporary authorization to maintain and employ the present licensed 6-B transmitter of station WKRC as station's auxiliary transmitter without approved frequency monitor and modulation monitors (waiver of Rule 145), for a period not to exceed thirty days to commence on the date the pending application for license for new transmitter is granted by the Commission. Station WKRC will be held responsible for deviation of more than 50 cycles even though permitted to operate without a frequency monitor.

WOW—Woodman of the World Life Insurance Association, Omaha, Nebr.—Granted extension of special temporary authorization to operate with power of 5 KW at night for the period beginning March 28, 1937, and ending in no event later than April 26, 1937.

WEEI—Columbia Broadcasting System, Inc., Boston, Mass.—Granted special temporary authorization to maintain and employ the present licensed transmitter as auxiliary unit without an approved frequency monitor (waiver of Rule 145), (station to be held responsible for deviations of more than 50 cycles from assigned frequency, even though it is permitted to operate without approved frequency monitor (Rule 144), for a period of thirty days from March 1, 1937, during program tests; also maintain present transmitter as auxiliary unit for period thirty days commencing date upon which pending application for license (B1-L-550) for new transmitter is granted.

WHDF—The Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authorization to operate from 12:30 p. m., to 2:30 p. m., March 26, 1937, in order to broadcast Union Services direct from the auditorium of the First Presbyterian Church of Calumet, Mich.

KFRO—Voice of Longview, Longview, Texas.—Granted special temporary authorization to operate from local sunset (6:30 p. m.) to 9 p. m., March 15 to 20, inclusive, and March 22 to 27, 1937, inclusive, in order to broadcast Lenten Church Services.

WHBB—W. J. Reynolds, Jr., J. C. Hughes and J. S. Allen, d/b as Selma Broadcasting Co., Selma, Ala.—Granted special temporary authorization to operate nighttime hours on March 10, 1937, in order to carry election returns on Alabama referendum on state repeal of 15th. amendment.

WMFR—Radio Station WMFR, Inc., High Point, N. C.—Granted special temporary authorization to operate from local sunset (6:30 p. m.) to 9 p. m., EST, March 11, 1937, in order to broadcast annual banquet of the High Point Chamber of Commerce from ballroom of the Sheraton Hotel.

WINS—Hearst Radio, Inc., New York, N. Y.—Granted special temporary authorization to operate from local sunset (8:15 p. m.), to the conclusion of President Roosevelt's speech on Tuesday, March 9, 1937.

WSUI—State University of Iowa, Iowa City, Iowa.—Granted special temporary authorization to operate a minimum of seven hours daily, instead of unlimited time, for the period beginning March 23, 1937, and ending in no event later than March 29, 1937, inclusive, in order to observe the spring vacation at the State University of Iowa.

WXYZ—King-Trendle Broadcasting Corp., Detroit, Mich.—Granted special temporary authorization to operate with a power not to exceed 25 watts on the following frequencies: **550, 590, 650, 710, 780, 830, 890, 940, 990, 1050, 1100, 1140, 1190, 1240, 1300, 1350, 1400, 1460, 1520, 1550,** and **1600 kc.**, between the hours of 1 a. m. and 6 a. m., for a period not to exceed three weeks from April 16, 1937, in order to obtain information on the performance of roof antennas by taking measurements of the field produced by new tower at various heights.

MISCELLANEOUS

KRKO—Lee E. Mudgett, Everett, Wash.—Granted petition asking Commission to continue for approximately 90 days hearing on application for C. P. for new radio broadcasting station to operate on **1420 kc.**, 100 watts night, 250 watts LS, unlimited time. Hearing now scheduled for March 29, 1937.

KFPY—Symons Broadcasting Co., Spokane, Wash.—Denied petition asking that hearing upon its application for modification of license to authorize operation on frequencies of **890 kc.**, 5 KW, unlimited, be held on or about March 29, 1937. This application is scheduled to be heard before the Broadcast Division at a date to be determined.

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—Granted petition to intervene in proceedings relative to application of Edward Hoffman for modification of license of station WMIN to change frequency from **1370 kc.** to **1360 kc.**, and to increase night power from 100 watts to 250 watts, day power to remain the same: 250 watts.

NEW—Fayette Broadcasting Corp., Uniontown, Pa.—Reconsidered action of December 1, 1936, and granted application for new radio broadcasting station at Uniontown to operate on **1420 kc.**, 250 watts, daytime only; KQV, Pittsburgh, Pa., has withdrawn protest. Action subject to approval by Commission of transmitter site.

KXYZ—Harris County Broadcasting Co., Houston, Tex.—Granted petition to intervene in hearing on application of Dr. William States Jacobs for C. P. to erect new 1 KW, unlimited time station, to operate on **1220 kc.** Hearing scheduled for April 5, 1937.

NEW—W. E. Whitmore, Roswell, N. Mex.—Denied petition asking Commision to reconsider action of January 19, 1937, and grant without hearing application for new radio broadcasting station at Hobbs, N. Mex., to operate on frequency of **1500 kc.**, 100 watts, daytime only.

KGNC—Plains Radio Broadcasting Co., Amarillo, Tex.—Granted petition to intervene in proceedings relative to application of Malcolm H. Clark for C. P. to authorize new broadcasting station at Amarillo, Tex., to operate on **1500 kc.**, 100 watts, unlimited time.

NEW—W. H. Hartman Company, Waterloo, Ia.—Granted motion asking Commission to continue for approximately 60 days hearing upon application for C. P. for new broadcast station at Waterloo, Ia., to operate on **1420 kc.**, 100 watts, unlimited time. Hearing now scheduled for April 2, 1937.

KGKO—Wichita Falls Broadcasting Co., Wichita Falls, Texas.—Granted informal request for further extension of the working date of Rule 132, with respect to equipment, for a period not to exceed 45 days, within which time the station shall have complied with Rule 132 and the station advised no further extension will be granted.

RATIFICATIONS

The Broadcast Division ratified the following actions authorized on the dates shown:

WSAU—Northern Broadcasting Co., Inc., Madison, Wis.—Granted extension program test period 30 days from March 1, 1937.

WGNY—Peter Goelet, Newburgh, N. Y.—Granted extension program test period 30 days from March 1, 1937.

W8XIK-W8XFO—Crosley Radio Corp., Cincinnati, Ohio.—Granted authority operate W8XIK as licensed on March 8, 15, 22 and 29 relaybroadcast street interviews program, "For Men Only." Also granted authority operate W8XFO as licensed on March 5, 12, 19 and 26 relaybroadcast polo matches at Cavalry Armory.

KPLC—Calcesieu Broadcasting Co., Lake Charles, La.—Granted extension program test period 30 days from March 5, 1937.

W9XPN-W9XPV—WDZ Broadcasting Co., Tuscola, Ill.—Granted authority operate as licensed for period 30 days beginning March 5 for relaybroadcast WPA projects and March 4 and 5 relaybroadcast material from plane over Decatur, Ill.

W10XV-W10XGC—National Broadcasting Co., Inc., New York, N. Y.—Granted authority operate as licensed March 6 and 7 in New York City relaybroadcast program "Feeding a City."

WAAK-W4XBT-W4NBZ—WSOC, Inc., Charlotte, N. C.—Granted authority operate as licensed on Tuesdays beginning March 23 for a period not to exceed 30 days ending April 21, 1937, for relaybroadcast from industries and other important points provided wire facilities are not available. Also to operate as licensed on March 17, from Shrine Country Club in Mecklenburg County for broadcast over WSOC.

WKRC—Columbia Broadcasting System, Inc., Cincinnati, Ohio.—Granted special temporary authority to use licensed 6-B 1 KW transmitter as an auxiliary for the period beginning February 12 and ending in no event later than March 13 during program test period.

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Granted extension special temporary authority to operate with power of 50 watts from local sunset to 11 p. m., EST (March sunset, 6:15 p. m.), on Tuesdays, Thursdays, Saturdays, and Sundays, during the month of March, 1937, pending compliance with Rule 131 on modification of license application requesting this authority.

KEX—Oregonian Publishing Co., Portland, Ore.—Granted special temporary authority to operate simultaneously with KOB from 5:30 p. m. to 6 p. m., PST, February 27, 1937, in order to broadcast talk by Governor LaFollette of Wisconsin in reply to Senator Wheeler's talk on judiciary proposal.

KFNF—KFNF, Inc., Shenandoah, Iowa.—Granted special temporary authority to operate simultaneously with WILL from 5 p. m. to 6 p. m., CST, daily, except Sundays, during the month of March, 1937.

The Broadcast Division waived Rule 106.22 and granted the motion of Ann Arbor Broadcasting Co., Inc., for authority to take depositions in support of its application reconstruction permit for new station, Docket No. 4178.

The Broadcast Division waived Rule 104.6 and accepted the appearance of Dr. William States Jacobs Broadcasting Company in the hearing on its application for construction permit for new station at Houston, Texas, Docket No. 4269, and denied the motions of Bayou Broadcasting Company, Southland Industries, Inc., and Wren Broadcasting Company to default the application for failure to file appearance within the time prescribed by Rule 104.6. The Broadcast Division directed that the hearing date of Dr. William States Jacobs Broadcasting Co. (Docket No. 4269) be changed from March 5 to April 5, 1937.

The Broadcast Division waived Rule 105.20 and granted the petitions of McClatchy Broadcasting Co., Fresno, Calif., and George Harm, Fresno, Calif., to intervene in the proceedings upon the application of Chase S. Osborn, Jr., for C. P. for a new station at Fresno, Calif., Docket No. 4366.

The Broadcast Division granted the petition of E. F. Peffer (KGDM), Stockton, Calif., to intervene in the proceedings upon the application of Peninsula Newspapers, Inc., Palo Alto, Calif., for C. P. for new station (Docket 3845).

The Broadcast Division granted the petition of Pacific Agricultural Foundation, Ltd. (KQW), San Jose, Calif., to intervene in the proceedings upon the application of Peninsula Newspapers, Inc., Palo Alto, Calif., for C. P. for new station.

The Broadcast Division granted petition of United Theatres, Inc., to intervene in the hearing upon the application of Juan Piza for C. P. for new station at San Juan, P. R., Docket 4309, and denied the petition of United Theatres, Inc., for postponement of hearing upon said application.

APPLICATIONS RECEIVED

First Zone

WEEI—Columbia Broadcasting System, Inc., Boston, Mass.—
590 License to cover construction permit (B1-P-1196) for new equipment, increase in power, and move of transmitter.

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—
1210 Special experimental authorization to operate simultaneously with WBRB, sharing as before with WGBB and WGNY, for regular license period.

WSNJ—Eastern States Broadcasting Corp., Bridgeton, N. J.—
1210 Modification of construction permit (B1-P-529) for approval of transmitter site at Centerton and Burlington Roads, Upper Deerfield, N. J., and studio at Pearl and Commerce Streets, Bridgeton, N. J.

NEW—Hearst Radio, Inc., Washington, D. C.—Construction per-
1230 mit for a booster station on **1310 kc.**, 250 watts, to operate synchronously with main transmitter of proposed broadcast station daytime only, site to be determined in or near Washington, D. C. Requests facilities of WOL, contingent on the granting of WOL's application for frequency of **1230 kc.**

NEW—Hearst Radio, Inc., Washington, D. C.—Construction per-
1230 mit for a booster station on **1310 kc.**, 250 watts, to operate synchronously with main transmitter of proposed broadcast station daytime only, site to be determined in or near Washington, D. C. Requests facilities of WOL, contingent on the granting of WOL's application for frequency of **1230 kc.**

Second Zone

WMMN—Monongahela Valley Broadcasting Co., Fairmont, W. Va.
890 —Construction permit to install a new transmitter and increase power from 500 watts, 1 KW day, to 1 KW night, 5 KW day. Amended to install directional antenna for night use.

NEW—John Stewart Bryan, Petersburg, Va.—Construction permit
1370 for a new station to be operated on **1370 kc.**, 100 watts, daytime. Amended to change name from John Stewart Bryan, Douglas Freeman and Tennant Bryan, co-partners, to John Stewart Bryan; change requested frequency from **1370 kc.** to **1210 kc.**, power from 100 watts to 100 watts night, 250 watts daytime, hours of operation from daytime to unlimited except Sunday, when WBBL operates between 10:30 a. m. to 1:30 p. m., 5:30 to 7 p. m., and 7:30 to 9:30 p. m., EST; and make changes in requested equipment. Requests facilities of WMBG.

NEW—Arlington Radio Service, Inc., Arlington, Va.—Construction
1510 permit for a new station to be operated on **850 kc.**, 250 watts, daytime. Amended to change frequency from **850 kc.** to **1510 kc.**, and hours of operation from daytime to unlimited, using 250 watts power.

WGAL—WGAL, Inc., Lancaster, Pa.—License to cover construc-
1500 tion permit (B2-P-1330) for move of transmitter and studio and install new antenna.

W8XIK—The Crosley Radio Corp., Cincinnati, Ohio.—License to cover construction permit for changes in equipment and increase in power.

W8XIL—The Crosley Radio Corp., Mobile.—License to cover construction permit for changes in equipment and increase in power.

WAAX—The Crosley Radio Corp., Cincinnati, Ohio.—License to cover construction permit for a new relay broadcast station.

NEW—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 10 watts.

NEW—Ashland Broadcasting Co., Ashland, Ky.—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.**, 40 watts.

Third Zone

KARK—Arkansas Radio & Equipment Co., Little Rock, Ark.—
890 Authority to transfer control of corporation from Radio, Inc., to T. H. Barton, 617 shares of common stock.

WBBZ—Adelaide L. Carrell, Representative, Estate C. L. Carrell,
1200 Deceased, Ponca City, Okla.—Construction permit to install new equipment, make changes in antenna, and increase day power from 100 watts to 250 watts. Amended to change name from Howard Johnson, Representative, Estate C. L. Carrell, Deceased, to Adelaide L. Carrell, Representative, Estate C. L. Carrell, Deceased.

WFTC—Jonas Weiland, Kinston, N. C.—License to cover con-
1200 struction permit (B3-P-944) as modified for a new station.

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Con-
1200 struction permit to change frequency from **1200 kc.**, to **620 kc.**; make changes in equipment; increase power from 100 watts, 250 watts daytime, to 500 watts day and night; and install directional antenna for night use.

WDSU—WDSU, Inc., New Orleans, La.—Construction permit to
1250 install a new transmitter, increase power from 1 KW to 5 KW, and make changes in antenna system.

NEW—The Enterprise Co., Beaumont, Tex.—Construction permit
1400 for a new station to be operated on **1400 kc.**, 500 watts, unlimited time.

WJPO—Baton Rouge Broadcasting Co., Baton Rouge, La.—Modi-
1420 fication of construction permit (B3-P-975) for new equipment, increase in power, change of frequency and hours of operation, further requesting changes in antenna, move of transmitter from Magnolia and 5th Street, Baton Rouge, La., to Baton Rouge, La.; change hours of operation from specified hours to unlimited time and extend commencement and completion dates. Amended to change requested hours of operation from unlimited time to unlimited time except 8 to 9 p. m. Monday.

WTFI—Liberty Broadcasting Co., Atlanta, Ga.—Modification of
1450 construction permit (B3-P-745) for move of transmitter and studio, requesting authority to install new equipment, for approval of transmitter site at Parkway Drive and East Avenue, Atlanta, Ga., and approval of antenna. Amended to change requested transmitter site from Parkway Drive and East Avenue to between Memorial Drive and Glenwood Drive, Atlanta, Ga.

WKEU—Radio Station WKEU, Griffin, Ga.—Construction permit
1500 to change frequency from **1500 kc.** to **1310 kc.**, hours of operation from daytime to unlimited time, using 100 watts power, and install vertical antenna.

NEW—Isle of Dreams Broadcasting Corp., Miami, Fla.—Construction permit for a new relay broadcast station to be operated on **1606, 2022, 2102, 2758 kc.**, 40 watts.

NEW—Isle of Dreams Broadcasting Corp., Miami, Fla.—License to cover construction permit above.

Fourth Zone

KUSD—University of South Dakota, Vermillion, S. D.—License
890 to cover construction permit (B4-P-1503) for a new transmitter.

WBAA—Purdue University, W. Lafayette, Ind.—Construction
890 permit to install new transmitter, make changes in antenna, change power from 500 watts, 1 KW day to 5 KW day, change hours of operation from specified hours to daytime only, and move transmitter ½ mile on Northwestern Ave., W. Lafayette, Indiana.

NEW—Southern Minnesota Broadcasting Co., Rochester, Minn.—
920 Construction permit for a new station to be operated on **920 kc.**, 1 KW night, 5 KW daytime, unlimited time. To use directional antenna night.

WISN—Hearst Radio, Inc., Milwaukee, Wis.—Modification of
1120 construction permit (B4-P-1566) to install vertical antenna, move transmitter, further requesting authority to install a new transmitter.

KFJB—Marshall Electric Co., Inc., Marshalltown, Iowa.—Modi-
1200 fication of construction permit (B4-P-1054) as modified, for changes in equipment, move of transmitter and new antenna, requesting extension of completion date from 3-18-37 to 5-18-37.

KIUL—Garden City Broadcasting Co. (Homer A. Ellison & Frank
1210 D. Conard), Garden City, Kans.—Voluntary assignment of license from Garden City Broadcasting Co. (Homer A. Ellison & Frank D. Conard), to KIUL, Incorporated.

KGLO—Mason City Globe Gazette Co., Mason City, Iowa.—
1210 Authority to determine operating power by direct measurement of antenna.

KOIL—Central States Broadcasting Co., Omaha, Nebr.—Modifi-
1260 cation of construction permit (B4-P-1473) for changes in equipment, new antenna, increase in power and move of transmitter, requesting changes in authorized equipment.

NEW—Key City Broadcasting Co., Kenneth Baker, Hartwell
1500 Gaus, and V. A. Bernier, Kankakee, Ill.—Construction permit for a new station to be operated on **1500 kc.**, 100 watts, unlimited time.

Fifth Zone

KSFO—Associated Broadcasters, Inc., San Francisco, Cal.—Modi-
560 fication of construction permit (B-P-1512) for new transmitter and antenna, increase in power and move of transmitter, further requesting move of transmitter from Block 490, South of Second St. to approximate S. E. corner Seawall, Lot No. 344, San Francisco, California.

KGIR—KGIR, Incorporated, Butte, Montana—License to cover
1340 construction permit (B5-P-1175) for new equipment, vertical antenna and move of studio and transmitter.

KGAR—Tucson Motor Service Co., Tucson, Arizona.—Modifica-
1370 tion of license to change frequency from **1370 kc.** to **890 kc.** and power from 100 watts night, 250 watts day to 250 watts day and night. Amended: To change requested frequency from **890 kc.** to **1340 kc.**

KRKO—Lee E. Mudgett, Everett, Wash.—Construction permit to
1370 make changes in equipment, install vertical antenna, increase power from 50 watts to 100 watts night, 250 watts daytime, and move transmitter and studio. (Violation Rule 104.7)

KOY—Salt River Valley Broadcasting Co., Phoenix, Arizona.—
1390 License to cover construction permit (B5-P-1516) as modified, for new equipment, move of transmitter.

NEW—C. W. Moses, R. W. Workman, J. Allan Moses, a partner-
1500 ship, Hobbs, New Mexico.—Construction permit for a new station to be operated on **1500 kc.**, 100 watts, unlimited time.

WDNC—Durham Radio Corp., Durham, N. C.—Construction
1500 permit to install a new transmitter and directional antenna for night use, change frequency from **1500 kc.** to **600 kc.**, power from 100 watts to 1 KW and move transmitter. (Sections 4 (a), 22 and 26.)

KRNR—Southern Oregon Publishing Co., Roseburg, Oregon.—
1500 Authority to make changes in automatic frequency control apparatus.

W6XB—Earl A. Nielsen, Mobile—Voluntary assignment of license from Earl A. Nielson to Salt River Valley Broadcasting Co.

KABF—James McClatchy Co., Mobile.—Voluntary assignment of license from James McClatchy Company to McClatchy Broadcasting Company.

Hawaiian Zone

KGMB—Honolulu Broadcasting Co., Ltd., Honolulu, Hawaii.—
1320 Modification of license to change frequency from **1320 kc.** to **580 kc.** Amended re antenna.

K6XCJ—Honolulu Broadcasting Co., Ltd., Honolulu, Territory of Hawaii.—License to cover construction permit for a new relay broadcast station.

MALONEY ENDORSEMENT BILL

H. R. 5300

IN THE HOUSE OF REPRESENTATIVES

March 3, 1937

Mr. Maloney introduced the following bill; which was referred to the Committee on Interstate and Foreign Commerce and ordered to be printed

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A BILL

To require that personal endorsements of articles by radio be accompanied by a statement that the endorsement is paid for.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 317 of the Communications Act of 1934 is amended by inserting "(a)" before "All" and by adding at the end thereof the following new subsection:

"(b) It shall be unlawful for any individual to broadcast by radio communication any recommendation of the use of any article and, in such broadcast, to indicate that such person has used such article, unless such individual shall, at the time of such broadcast, also broadcast the fact, if true, that the recommendation was secured by the promise or payment of money or other valuable consideration, or that such person has been promised or has received money or other valuable consideration for the broadcast of which such recommendation is a part."

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS ★ ★ ★ ★ ★ Vol. 5 - - No. 12
MAR. 18, 1937

Copyright, 1937. The National Association of Broadcasters

WASHINGTON RADIO HIGHLIGHTS

An investigating committee of its own members has been appointed by the FCC to look into alleged irregularities in practice before the Commission * * * * Senator Pittman introduced a resolution in the Upper House of Congress calling for an investigation into the practicability of broadcasting Congressional debates and other proceedings at the Capitol * * * * Connery talks before radio experts at meeting and forecasts passage of his resolution calling for a general investigation of radio and broadcasting * * * * Senator White of Maine asked complete radio investigation in speech on the floor of the Senate.

SENATOR WHITE ASKS RADIO INVESTIGATION

Senator Wallace H. White, Jr., of Maine, long time friend of the broadcasting industry, in a speech on the floor of the Senate on Wednesday asked for a complete investigation of the broadcasting and radio industry. He charged that inordinate amounts of money are being made by broadcasters. Senator White also took up the question of newspapers owning broadcasting stations and asked that this be included in any investigation that might be held. These ideas are in line with those of Senator Wheeler, of Montana, chairman of the Committee on Interstate and Foreign Commerce of which Senator White is a member.

FCC APPOINTS INVESTIGATING COMMITTEE

At a meeting of the full membership of the Federal Communications Commission, a special investigating committee members of the Commission was appointed to investigate alleged irregularities of practices at the Commission.

Commissioner Payne was made chairman of the committee and the other members include Commissioners Stewart and Brown. No official announcement has been made by the Commission either as to the scope or purpose of the investigation.

RADIO INVESTIGATION HEARING

Representative Connery of Massachusetts appeared a few days ago before the Rules Committee of the House, having before it the Connery resolution calling for an investigation of radio and broadcasting. Mr. Connery made a good many charges before the committee, including the fact that broadcasting stations are controlled by the so-called public utility trusts. The Rules Committee has taken no action yet on the resolution, pending further hearings, the dates of which have not yet been set.

CONGRESSIONAL BROADCAST RESOLUTION

Senator Pittman of Nevada has introduced a resolution in the Senate (S. Res. 93) providing for investigating the advisability of broadcasting the proceedings of Congress. The resolution, which has been referred to the Senate Committee on Interstate Commerce, is as follows:

"*Resolved*, That the Committee on Interstate Commerce, or any duly authorized subcommittee thereof, is authorized and directed to make a full and complete investigation of the advisability of broadcasting by radio the proceedings of the Congress upon matters of public importance and of having assigned to the various classes of radio stations for that purpose bands of frequencies of wave lengths. The committee shall report to the Senate as soon as practicable the results of its investigation, together with its recommendations.

"For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places during the sessions and recesses of the Senate in the Seventy-fifth Congress, to employ such clerical and

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other assistants, to require by subpena or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, to take such testimony, and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per hundred words. The expenses of the committee, which shall not exceed $———, shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman."

CONNERY ON RADIO INVESTIGATION

Contending that radio is a natural resource, Representative Connery of Massachusetts, addressing a meeting of the American Section of the International Committee on Radio at the Cosmos Club, this city, argued that it would be good for the broadcasting industry if Congress does have a radio investigation. Connery has a resolution pending in the House calling for such an investigation.

He said that there is a radio monopoly and he stated that in his opinion this vast power of reaching the people of the country should not be lodged in the hands of a few.

Mr. Connery contended that he is not an enemy of either radio or the broadcasters and he insisted that he has no axe to grind. A monopoly in radio, he said, is dangerous to American liberty. He stated that he had hundreds of communications from all over the country protesting against the radio monopoly. It is vital to the American people, he said, to have the investigation he proposes in his resolution. If radio is honest, he said, the industry will have nothing to fear from such a committee as he proposes to carry on a radio investigation.

Senator Wallace H. White, Jr., of Maine, retiring president of the American Section, stated that because of the temper of members of Congress, he believed that if the House did not make a radio investigation that one would be made by the Senate.

Senator Duffy of Wisconsin addressed the meeting on the subject of his copyright bill and he spoke at some length on the ASCAP situation, reading a number of letters from constituents in his state to show what the society has done in some instances. He predicted that the Senate Patents Committee would hold hearings on the copyright bill during this session.

Commander T. A. M. Craven, chief engineer of the FCC, was elected president of the American Section at the meeting. Other officers elected for the coming year include; Louis G. Caldwell, vice president; Howard S. LeRoy, treasurer; and F. P. Guthrie, secretary. Executive counsel includes: John W. Guider, chairman; A. L. Ashby, Thad H. Brown, William R. Vallance, J. H. Dellinger, and Francis C. DeWolf.

APPOINTMENT ANNOUNCED

Secretary of the Interior Harold L. Ickes has announced the appointment of Shannon Allen as assistant director of the W. P. A. Educational Radio Project in the Office of Education, U. S. Department of the Interior.

Mr. Allen, who was given a leave of absence as night manager of the National Broadcasting Company's Washington division, will assume his new duties as editor of the Educational Radio Project's script and editorial divisions immediately, succeeding Leo S. Rosencrans, who resigned to take a position with Wilding Motion Pictures, Inc. Mr. Allen brings with him more than 10 years of radio work training and some 15 years' experience as a newspaperman.

SECURITIES ACT REGISTRATION

The following companies have filed registration statements with the Securities & Exchange Commission under the Securities Act:

Rodama Gold Mines, Ltd., Vancouver, B. C., Canada. (2-2877, Form A-1)
The American Brake Shoe and Foundry Company, New York City. (2-2878, Form A-2)
Treasure State Oil Producing Co., Great Falls, Mont. (2-2879, Form A-1)
Cashay Corporation, New York City (2-2880, Form A-1)
The Kansas Pipe Line & Gas Company, Phillipsburg, Kansas. (2-2882, Form A-1).
Investors Fund C, Inc., Jersey City, N. J. (2-2883, Form A-2)
Schutter Candy Company, Chicago, Ill. (2-2884, Form A-2)
The Tappan Stove Company, Mansfield, Ohio (2-2885, Form A-2)
Hewitt Rubber Corporation, Buffalo, N. Y. (2-2886, Form A-2)
Memphis Commercial Appeal Company, Memphis, Tenn. (2-2887, Form A-2)
The Finance Company of America at Baltimore, Baltimore, Md. (2-2888, Form A-2)
Air Devices Corporation, Chicago, Ill. (2-2889, Form A-1)
Bireley's, Inc., Los Angeles, Cal. (2-2891, Form A-1)
Palmer-Bee Company, Hamtramck, Mich. (2-2892, Form A-2)
Sun Glow Industries, Inc., Mansfield, Ohio. (2-2893, Form A-2)
Securities Acceptance Corporation, Omaha, Neb. (2-2894, Form A-2)
Pittsburgh Metallurgical Company, Incorporated, Niagara Falls, N. Y. (2-2895, Form A-2)
The National Guarantee and Finance Company, Columbus, Ohio. (2-2896, Form A-2)
Railway Equipment & Realty Company, Ltd., Oakland, Cal. (2-2897, Form A-2)
Income Estates of America, Inc., Philadelphia, Penn. (2-2898, Form C-1)
The Bender Body Company, Cleveland, Ohio. (2-2899, Form A-2)
Ferro Enamel Corporation, Cleveland, Ohio. (2-2901, Form A-2)
The Mineral Point Mining Company, Denver, Col. (2-2902, Form A-1)
Motors Securities Company, Inc., Shreveport, La. (2-2903, Form A-1)
Merchants Distilling Corporation, Terre Haute, Ind. (2-2904, Form A-1)
The Granby Consolidated Mining, Smelting and Power Co., Ltd., Vancouver, B. C. (2-2906, Form A-2)
Key Company, East St. Louis, Ill. (2-2907, Form A-2)
Lion Oil Refining Company, El Dorado, Ark. (2-2908, Form A-2)
The Angostura-Wuppermann Corporation, Norwalk, Conn. (2-2909, Form A-2)
Toklan Royalty Corporation, Tulsa, Okla. (2-2910, Form E-1)
California Concentrators, Ltd., New Orleans, La. (2-2911, Form A-1)

IOWA STATION RECOMMENDED

The Sioux City Broadcasting Company applied to the Federal Communications Commission for a construction permit for the erection of a new station at Sioux City, Iowa, to use 1420 kilocycles, 100 watts and 250 watts LS, with unlimited time. C. W. Corkhill also applied to the Commission for a construction permit for the erection of a station at the same place to use the same frequency and unlimited time, with 100 watts power.

Examiner George H. Hill, in Report No. I-362, recommended that the application of the Sioux City Company be granted but that of Mr. Corkhill be denied. The Examiner found that no interference would be caused by the erection of the proposed station, and that sufficient talent is available. However, he states that Mr. Corkhill's "showing with respect to bank credit, which would be extended him to the amount of $6,500 or more, is not corroborated by any witness."

RECOMMENDS NEW SATELLITE STATION

The Merrimac Broadcasting Company, Inc., licensee of WLLH, Lowell, Mass., applied to the Federal Communications Commission for special experimental authority to construct a satellite station at Lawrence, Mass., to be operated synchronously with WLLH on 1370 kilocycles with variable power from 10 to 100 watts. On March 25, 1936, Hildreth & Rogers Company filed with the Commission a motion to designate for hearing the application, which motion was duly acknowledged by the Commission. On April 24, 1936, the Commission announced that the Broadcast Division had granted the application of the Merrimac Company.

Examiner George H. Hill, in Report No. I-361, recommended "that if the application of Hildreth & Rogers Company be denied, that the Commission affirm its grant of the application of Merrimac Broadcasting Company, Inc. (WLLH), for special experimental authority to construct and operate a satellite station to be located at Lawrence, Mass., and to operate synchronously with Station WLLH, at Lowell, Mass., on 1370 kilocycles, with variable power of from 10 to 100 watts, contingent upon the selection of an approved transmitter site." The Examiner states further that "the program of research and experimentation proposed by the applicant indicate reasonable promise of substantial contribution to the advancement of the radio art."

SUGGESTS ALABAMA STATION

Isadore Goldwasser applied to the Federal Communications Commission for a construction permit for the erection of a new broadcasting station at Anniston, Ala., to use 1420 kilocycles, 100 watts, and daytime operation.

Examiner Ralph L. Walker, in Report No. I-364, recommended that the application be granted. He found that "the proposed station would provide a signal of sufficient strength to give satisfactory service in a city which does not now receive such service during the day from existing stations." He states also that "the use of the assignment requested will not result in objectionable interference to any existing station."

DENIAL OF FLORIDA STATION RECOMMENDED

Bay County Publishers, Inc. applied to the Federal Communications Commission for a construction permit for the erection of a new broadcasting station at Panama City, Florida, to use 1420 kilocycles, 100 watts, and unlimited time on the air.

Examiner P. W. Seward, in Report No. I-366, recommended that the application be denied. He found that the "applicant does not seem to be financially qualified to construct and operate the proposed station." The Examiner said further that "the granting of this application would not serve public interest, convenience and necessity. If the application be granted it would afford this applicant a monopoly upon all means of advertising in the area proposed to be served, which is not considered to be in the public interest."

RECOMMENDS DENYING TEXAS STATION

The State Capitol Broadcasting Association filed an application with the Federal Communications Commission asking for a construction permit for the erection of a new station at Austin, Texas, to use 1120 kilocycles, 100 watts power, and specified hours of operation.

Examiner Ralph L. Walker, in Report No. I-363, recommended that the application be denied. The Examiner states in part that the testimony showed that "there is no suggestion of a need for an additional station except for the purpose of covering an area larger than that served by the existing station." He states further that "not only would the service area of the proposed station be limited to a lesser radius than that normally expected of a regional station, but such operation would result in serious and objectionable interference unreasonably curtailing the satisfactory service area of another station heretofore authorized."

NEW OREGON STATION RECOMMENDED

Harold M. Finlay and Eloise Finlay filed an application with the Federal Communications Commission asking for a construction permit for the erection of a new station at La Grande, Ore., to use 1420 kilocycles, 100 watts and 250 watts LS, and unlimited time on the air.

Examiner P. W. Seward, in Report No. I-367, recommended that the application be granted "provided a transmitter site is selected which meets the requirements of the Commission and that the antenna be constructed to comply with Commission Rule 131."

The Examiner states that "the evidence adduced indicates that a need does exist for a radio broadcast station in the area proposed to be served." He found that the proposed station would be in the public interest.

KENTUCKY STATION RECOMMENDED

The Lincoln Memorial University filed an application with the Federal Communications Commission asking for a construction permit for the erection of a new station at Middleboro, Ky., to use 1210 kilocycles, 100 watts night and 250 watts LS, and unlimited time.

Examiner P. W. Seward, in Report No. I-365, recommended that the application be granted. He found that "the evidence adduced at the hearing shows that a need exists for additional radio service in the area proposed to be served by the applicant." The Examiner found that no interference would be expected to result from the granting of the application and its construction would be in the public interest.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3070. Alleging unfair competition in the sale of perfumes and toilet article to retailers and peddlers a complaint has been issued against **Mills Sales Company of New York, Inc.,** 901 Broadway, **New York City,** and **David, Evelyn, Walter** and **Joseph Jacoby** and **Estelle J. Kruger,** individually and as officers of the company.

False and misleading advertising in catalogues, price lists and other printed matter is alleged to have had the effect of misleading consumers into mistakenly believing that certain merchandise sold by the respondents is of a superior quality because of the high retail prices marked thereon; that the respondents manufacture the products advertised, are large scale operators and have been in business for many years; that they are importers of perfumes, notions and other toiletries, and that certain perfumes sold by them are made in and imported from France, or other foreign countries.

The complaint points out the well known custom of manufacturers of marking on articles or the containers thereof the suggested retail prices for use of the retailers. It is alleged that the respondents marked prices in this manner far in excess of the ordinary retail price of the articles, thus giving the impression that the products so marked were of a superior quality.

No. 3071. A complaint has been issued charging **William H. Pearce & Co.,** 52 South Second St., **Philadelphia,** with unfair trade practices in connection with the sale of an appliance for use on open top gas stoves or ranges. **William H. Pearce** and **Philip S. Shassian,** partners in the firm, and **E. E. Brazelton,** 200 South Kennelworth Ave., **Elmhurst, Ill.,** in charge of field agents for the company, also are named respondents.

In circulars and pamphlets, the respondents allegedly advertise that their appliance, known as the "Pearce Stove Top," will reduce gas bills, increase the cooking capacity of the stove or range, prevent the burners from clogging, and add to the sanitary condition of the stove. They also represent, it is charged, that every appliance is properly ventilated to insure proper combustion, and that their company is the oldest and largest of its kind in the world.

No. 3072. Five respondents engaged in the sale of electromagnetic appliances known as "Harmony Belts," designed for self-therapeutic treatment of various diseases and ailments, have been served with a complaint charging use of unfair methods of competition in violation of Section 5 of the Federal Trade Commission Act. The belt is described as being so constructed that when it is connected to electric current a magnetic field is created within its circumference.

The respondents are **Joseph C. Bradley,** 4 St. Clair St., West, **Toronto, Canada; John M. Schulz,** 425 West Ferry St., **Buffalo; William M. Ireland,** 1423 South Boston St., **Tulsa, Okla.; Frieda E. Breslin,** 37 South Washington St., **Wilkes-Barre, Pa.,** and **A. R. Erbe,** 509 Luzerne Ave., **West Pittston, Pa.**

The complaint points out that the iron in the human system is non-magnetic and that electro-magnetism has no effect upon bacteria, which are the cause of many ailments and diseases, or upon their growth, reproduction or virulence. Use of the belt, the complaint charges, has not produced and cannot produce any demonstrable physical or physiological change or effect in the body in the prevention, cure or relief of any ailment, disease or pathological condition.

No. 3073. A complaint has been issued charging **Emile Carpentier,** trading as **Dr. Emile Carpentier,** 68 Chestnut St., **Hillsdale, N. J.,** with unfair competition in the interstate sale of a medicinal compound.

Assertions made by Carpentier in printed matter circulated among prospective customers, are alleged to have served, directly or through implication, as representations with respect to the efficacy and therapeutic value of the compound sold, to the effect that it would cure tuberculosis of the lungs, larynx, bones, intestines and the brain, also chronic bronchitis, chronic gastritis, and ulcerated duodenum, stomach and intestines.

No. 3074. Kolynos Co., New Haven, Conn., has been served with a complaint charging unfair competition in the sale of Kolynos tooth paste.

In the respondent company's advertising matter are alleged to have appeared representations to the effect that its tooth paste erases or removes stain and tartar; that it will whiten teeth several shades in a few days; and that it cleans teeth down to the white enamel without injury.

Other representations are alleged to have been made to the effect that Kolynos almost instantly kills millions of germs which cause most ailments of teeth and gums; that it keeps the teeth and mouth thoroughly clean and healthy on account of its germicidal and antiseptic properties, and that it will remove or conquer bacterial mouth.

No. 3075. Misleading representations in the sale of medicinal products are alleged in a complaint issued against nine individuals, trading as **Herbal Medicine Company** and **Natex Company,** 219 West Saratoga St., **Baltimore.**

The respondents named in the complaint are **George Earl McKewen, George McKewen, Mrs. George McKewen, Samuel Oler, Mrs. Samuel Oler, Albert W. Oler, Leroy Burdette, Mrs. Leroy Burdette, James Howard, Jr.,** and **Publicity Engravers.** These respondents are copartners trading under the two company names in the sale of "Herb Doctor Compound" and "Natex."

These preparations are alleged to have been advertised, either directly or through implication, in a manner representing that they form competent and effective cures, remedies or treatments for stomach troubles, rheumatism, neuritis, liver troubles, and other ailments, when, according to the complaint, these assertions were misleading and untrue.

No. 3076. Violation of the brokerage section of the Robinson-Patman Anti-Price Discrimination Act is alleged in a complaint issued against 11 chains of retail stores, dealing principally in food products, and their purchasing organization, **Procon Grocery Service Co., Inc.,** 205 East 42nd St., **New York City.**

The chain groups named as respondents, with their principal places of business, are as follows:

Kroger Grocery and Baking Co., 35 East 7th St., Cincinnati; American Stores Co., 424 North 19th St., Philadelphia; First National Stores, Inc., 5 Middlesex Ave., Somerville, Mass.; National Tea Co., 1000 Crosby St., Chicago; Safeway Stores, Inc., 5th and Jackson Sts., Oakland, Calif.; David Pender Grocery Co., Norfolk, Va.; Southern Grocery Stores, Inc., Atlanta, Ga.; Eisner Grocery Co., 202 South Market St., Champaign, Ill.; Steiden Stores, Inc., 414 Baxter Ave., Louisville, Ky.; Danahy-Faxton Stores, Inc., Bailer Ave. and Clinton St., Buffalo, and Fisher Grocery Co., 229

East Adams St., Springfield, Ill., in which Leon Fisher and Albert Eisner are partners.

The Commission's complaint was brought under that section of the Robinson-Patman Act which makes it unlawful

> "for any person engaged in commerce, in the course of such commerce, to pay or grant, or to receive or accept, anything of value as a commission, brokerage, or other compensation, or any allowance or discount in lieu thereof, except for services rendered in connection with the sale or purchase of goods, wares, or merchandise, either to the other party to such transaction or to an agent, representative, or other intermediary therein where such intermediary is acting in fact for or in behalf, or is subject to the direct or indirect control, of any party to such transaction other than the person by whom such compensation is so granted or paid."

No. 3077. The Texas Company, 135 East 42nd St., **New York,** distributor of petroleum products and automobile parts and accessories through more than 40,000 service stations, is charged, in a complaint with promoting a so-called exclusive dealing policy in the sale of accessories. The complaint alleges violation both of Section 3 of the Clayton Act and Section 5 of the Federal Trade Commission Act.

Violation of the exclusive dealing section of the Clayton Act is alleged through leasing and renewing leases of service stations at which Texas Company products are sold, and through making sales to and contracts with lessees, licenses and contracting dealers for sale of its merchandise, all on the condition and with the understanding that they shall not use or deal in the parts and accessories sold by certain of the respondent's competitors.

The respondent company is alleged to have entered into contracts with B. F. Goodrich Co., Firestone Tire & Rubber Co., Champion Spark Plug Co., Westinghouse Lamp Co., Handy Governor Corporation, of Detroit, and Anderson Company, of Gary, Ind., to purchase various accessories to be distributed for the most part through its lessees and contracting dealers, the respondent company receiving a commission on sales. Accessories made by such companies are alleged to have been furnished to and forced upon its dealers by The Texas Company on the condition and with the understanding that they should not deal in products competing with these manufacturers' makes of accessories for which The Texas Company had contracted. In certain instances the respondent company allegedly threatened cancellation of service station contracts to compel operators to deal exclusively in products of the manufacturers named.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 01533. B & P Company, Cleveland, selling "B & P Wrinkle Eradicators and Frowners," stipulates that it will stop representing that persons using these products may become free of wrinkles, and that these preparations will remove ridges, furrows and crow's feet from the face, enable one to attain charm and youthful appearance, and other similar representations. In its stipulation, the respondent company admits that although its products may tend to retard the formation of wrinkles and frowns, they will not remove either wrinkles or frowns after they are formed.

No. 01534. F. Ad. Richter & Co., Inc., Berry and South 5th Sts., Brooklyn, in the sale of Anchor Pain Expeller, agrees to discontinue advertising that the product is a competent remedy in treating rheumatism, neuritis or sciatica; that it drives out pain or agony and is the prescription of a famous doctor.

The respondent company admits that, according to reliable medical authority, its preparation is not competent in treating the pathological conditions advertised, and its therapeutic value is limited to palliative relief of minor pains. The respondent company also admits that there is no evidence that its preparation is the prescription of a famous doctor.

No. 01535. Samuel Bernstein Hair Company, 59 Temple Place, Boston, in the sale of "Avol Beauty Preparations," agrees to desist from the representation that its preparation "Kwiksett," will nourish the scalp; that "Fome" will recondition the hair and impart a luster or sheen to the hair, and that the use of "Fome" before waving, dyeing or bleaching the hair will assure the best results. The respondent company also stipulates that it will cease designating any of its products as "Cuticle Oil," "Cuticle Remover," "Muscle Oil," "Tissue Cream" or "Hair Conditioner."

No. 01536. Dr. Pierre Chemical Co., Chicago, in its stipulation, agrees to stop representing that Boro-Phenoform, a suppository, provides the safest and surest method of feminine hygiene yet discovered and that it is amazingly powerful.

No. 01537. Humphrey's Homeopathic Co., LaFayette and Prince Sts., New York, distributor of Humphrey's 77, agrees to stop representing that that product will cure a cold or will get rid of a cold the minute one feels it coming on. The respondent company will also cease asserting that its preparation is a scientific remedy or that Humphrey's remedies, backed by a reputation for dependability of almost 100 years, are based on modern scientific formulas. In its stipulation the respondent admitted that, according to the weight of scientific authority, any benefits derived from taking Humphrey's 77 for colds would be only palliative.

No. 01538. Kinox Co., Inc. Rutland, Vt., selling Callous-Ease for treating corns, callous spots and bunions, stipulates that it will discontinue asserting that its product absorbs corns, callouses, tender spots, or hard growths, and that it is a competent treatment for foot troubles, unless the representations are confined to relief of conditions of the foot for which the preparation may be efficacious.

No. 01539. Gramercy Chemical Co., Inc., 201 East 16th St., New York City, trading as Tarson Chemical Co., agreed to cease representing that its product designated "Tarson" is absolutely harmless to the hands and finest fabrics and may be used in washing woolens or silks; that it has no equal for removing odors and stains from clothing or for washing dishes, and that it is the greatest water softener and ten times quicker than soap. The company admitted the cleaning powder may be used safely in washing or cleaning washable fabrics, but cannot be recommended for all fabrics, especially silks and woolens.

No. 01540. D. Friedman, M. D., 6425 Hollywood Blvd., Hollywood, Calif., stipulates that he will stop representing a treatment for asthma, sinus, and hay fever, as giving complete relief just from a trial thereof, and that the formulas sold by him are scientific home treatments which will get at the root of the trouble and prevent a return of the symptoms, and other similar representations. The respondent admits that while the prescriptions submitted may temporarily relieve some acute symptoms of hay fever, asthma, and other forms of bronchitis, and may aid in connection with other treatments of sinus, they cannot be considered a complete treatment for the conditions mentioned. The respondent also agrees to stop representing that he is able to diagnose or to judge what treatments a patient may require from reading a symptom chart filled out by the patient.

No. 01541. Nu-Dell Manufacturing Company, 501 West Huron, St., Chicago, distributor of "Nu-Life Nail Conditioner," agrees to stop representing directly or otherwise that its preparation will lubricate and nourish the nails, or will keep them strong, healthy, smooth and pliable, or that it constitutes a competent treatment for chipping, breaking and peeling of nails. The stipulation also prohibits the representation that this product replaces or replenishes the natural oils of the nail or corrects hangnails.

No. 01542. William Omness, trading as Western Michigan Chemical Co., 1383 Lakeshore Drive, Muskegon, Mich., stipulated that he will discontinue advertising that his chemical solution called "Chlorite" is antiseptic, and will cease representing that it is a deodorant and kills bacteria, unless these claims are qualified by assertions that the product will not destroy all odors and will not kill all bacteria, including their spores. Omness also agreed to stop representing that Chlorite will disinfect bread boxes, drain pipes, garbage cans, sick room equipment, and other articles, unless directions are given for first thoroughly cleansing the surface to be disinfected and then stirring or rubbing the solution over the entire surface.

No. 01543. McKesson & Robbins, Inc., of Bridgeport, Conn., operating under the trade name of **Spurlock-Neal Co., Nashville, Tenn.,** agrees, in its sale of the product Carboil, that it will cease representing the preparation as a competent treatment for cuts, festers, burns, bites and risings, unless the assertions are limited to certain minor and temporary conditions. Also, Carboil is not to be advertised as being more than a mild antiseptic, counter-irritant and analgesic that tends to reduce inflammation and pain and hasten the maturity and suppuration of boils.

No. 01544. D. J. Hinman, 121 West 42nd St., **New York,** trading as **Hinman Publishing Co.,** has entered into a stipulation to discontinue unfair representations in advertising and selling a pamphlet entitled "The Secret of M. S. R." or the "Realization Secret."

In his stipulation, the respondent agrees to cease advertising that the pamphlet contains any "secret" or other information not generally available to students of various schools of mental science, or that it contains the ultimate secret of every religion, or of every system of metaphysics, or is the key that opens the way to either health or wealth.

No. 01545. R. M. Kallejian, trading as Prapion Laboratories, Los Angeles, in the sale of Prapion Remedy, agrees to stop advertising it as a competent treatment or effective remedy for all stomach disorders, or for nervous indigestion, hyperacidity, billiousness, dizziness and a dozen other ailments. In his stipulation, the respondent admits that although his preparation may be of value as a sedative, astringent, and laxative, it is not regarded by current medical opinion as a competent treatment or as an effective remedy in the various pathological conditions of the stomach.

No. 2745. An order to cease and desist has been issued against **Kalo Inoculant Co.,** 1007 Main St., **Quincy, Ill.,** prohibiting unfair competition in the sale of legume seed inoculants called "Humogerm," consisting of nitrogen-fixing bacteria in a humus base. Through wholesalers, retailers and jobbers of seed these inoculants are sold to growers of leguminous crops, who mix them with legume seed to promote the growth of crops and enrich the soil.

Among specific representations barred, under the order, is the assertion that the containers in which the respondent company's products are sold are packed with 15,000,000,000 legume germs, or any other definitely specified quantity or number and type of such germs, unless and until such data have been scientifically ascertained by a controlled bacteriological count made by a competent bacteriologist using scientifically approved methods.

The order bans representation that a definitely specified number and type of nitrogen-fixing bacteria are in the containers at any time other than the time of packing, by use of language indicating that the container is "guaranteed packed with" such definite number and type of bacteria.

No. 2938. Pike-Hansen, Inc., 113 North Franklin St., **Chicago,** has been ordered to cease and desist from unfair methods of competition in the sale of men's clothing.

According to the findings, salesmen travel throughout the country and solicit orders for clothing to be made at the respondent corporation's place of business. Findings are that because of lack of skill and experience on the part of the salesmen in taking measurements, or because of lack of skill on the part of the workmen in making the clothing, the garments delivered to purchasers do not fit in the same manner as tailor-made garments.

FTC CLOSES CASE

No. 2435. An order closing its case against **Distillers Co., Ltd.,** Edgar Road, **Linden, N. J.,** has been entered by the Federal Trade Commission. The Commission's complaint had charged the company with violation of Section 5 of the Federal Trade Commission Act through misuse of the word "Distillers" in its trade name and in advertising matter.

The case was closed when, upon consideration by the Commission of the complaint, together with the respondent company's motion and affidavit, it appeared that the company has engaged and is now engaged solely in the manufacture and sale of gins which it produces by a process of rectification whereby taxpaid purchased alcohol is redistilled over juniper berries and other aromatics.

Under existing laws and regulations, the respondent company is permitted to label gin so produced as distilled gin and required to state on labels who distilled it.

In closing the case, the Commission reserved the right to reopen it should future facts and circumstances warrant.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, March 22:

Monday, March 22

HEARING BEFORE AN EXAMINER

(Special Broadcast)

WAPO—W. A. Patterson, Chattanooga, Tenn.—C. P., **1420 kc.,** 100 watts, 250 watts LS, unlimited. Present assignment: **1420 kc.,** 100 watts, daytime.

Tuesday, March 23

HEARING BEFORE AN EXAMINER

(Broadcast)

KDON—Monterey Peninsula Broadcasting Co., Del Monte, Calif.—C. P., **1400 kc.,** 250 watts, 1 KW LS, unlimited. Present assignment: **1210 kc.,** 100 watts, unlimited time.

NEW—Salinas Newspapers, Inc., Salinas, Calif.—C. P., **1390 kc.,** 250 watts, daytime.

NEW—The Bend Bulletin, Bend, Ore.—C. P., **1310 kc.,** 100 watts, 250 watts LS, unlimited.

Wednesday, March 24

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Juan Piza, San Juan, Puerto Rico.—C. P., **1500 kc.,** 100 watts, 250 watts LS, unlimited time.

WSPA—Virgil V. Evans, d/b as The Voice of South Carolina, Spartanburg, S. C.—C. P., **880 kc.,** 5 KW, daytime. Present assignment: **920 kc.,** 1 KW, daytime.

Friday, March 26

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Geraldine Alberghane, Pawtucket, R. I.—C. P., **720 kc.,** 1 KW, daytime.

NEW—Bay State Broadcasting Corp., Providence, R. I.—C. P., **720 kc.,** 1 KW LS, limited time.

WHBB—W. J. Reynolds, Jr., J. C. Hughes, and J. S. Allen, d/b as Selma Broadcasting Company, Selma, Ala.—Modification of license, **1500 kc.,** 100 watts, unlimited time. Present assignment: **1500 kc.,** 100 watts, daytime.

WHBB—W. J. Reynolds, Jr., J. C. Hughes, and J. S. Allen, d/b as Selma Broadcasting Company, Selma, Ala.—Voluntary assignment of license, **1500 kc.,** 100 watts, daytime.

APPLICATIONS GRANTED

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Granted C. P. approving transmitter site at E. End Miller St., and installation of vertical radiator.

KPLT—North Texas Broadcasting Co., Paris, Tex.—Granted C. P. to make changes in equipment and increase day power from 100 to 250 watts.

KOY—Salt River Valley Broadcasting Co., Phoenix, Ariz.—Granted license to cover C. P. as modified, frequency **1390 kc.,** 500 watts night, 1 KW day, unlimited.

KTSM—Tri-State Broadcasting Co., Inc., El Paso, Tex.—Granted license to cover C. P., **1310 kc.,** 100 watts night, 250 watts day, S-WDAH, and authority to carry WDAH schedule.

WGAL—WGAL, Inc., Lancaster, Pa.—Granted license to cover C. P., **1500 kc.,** 100 watts night, 250 watts day, unlimited.

KUSD—University of South Dakota, Vermillion, S. Dak.—Granted license to cover C. P., **890 kc.,** 500 watts, S-KFNF and WILL.

WEEI—Columbia Broadcasting System, Inc., Boston, Mass.—Granted license to cover C. P., **590 kc.,** 1 KW night, 5 KW day, unlimited, using directional antenna system for day and night-time operation.

WISN—Hearst Radio, Inc., Milwaukee, Wis.—Granted modification of C. P. to install new equipment.

KTKC—Tulare-Kings Counties Associates, Chas. A. Whitmore, Pres., Visalia, Calif.—Granted modification of C. P. approving transmitter site and changes in equipment.

KOIL—Central States Broadcasting Co., Omaha, Nebr.—Granted modification of C. P. for changes in authorized equipment.

KGLO—Mason City Globe Gazette Co., Mason City, Iowa.—Granted authority to determine operating power by direct measurement of antenna.

WTEL—Foulkrod Radio Engr. Co., Philadelphia, Pa.—Granted authority to install automatic frequency control apparatus.

NEW—University of Alaska, College, Alaska.—Granted C. P. and license for special experimental station for the purpose of making ionosphere measurements in the polar regions; frequencies each even 100 kilocycles from **1500 to 16000 kc.,** provided licensee shall listen on each frequency to determine whether or not the transmission will cause interference to any service operating on that frequency or on an adjacent channel; 200 watts peak, .5 watt average; unlimited time.

KTFI—Radio Broadcasting Corp., Twin Falls, Idaho.—Granted conditionally extension of special experimental authorization to operate 1 KW night for the period 4-1-37 to 10-1-37.

KRNR—Southern Oregon Publishing Co., Roseburg, Ore.—Granted voluntary assignment of license to News-Review Co., **1500 kc.**, 100 watts night, 250 watts day, unlimited.

WNBR—Memphis Broadcasting Co., Memphis, Tenn.—Granted authority to transfer control of corporation from Memphis Commercial Appeal, Inc., to Memphis Commercial Appeal Co., 200 shares of common stock.

WMC—Memphis Commercial Appeal, Inc., Memphis, Tenn.—Granted voluntary assignment of licenses of WMC, W4XCA, W4XBS and WABG from Memphis Commercial Appeal, Inc., licensee, to Memphis Commercial Appeal Co., newly organized corporation.

W9XAZ—The Journal Co. (The Milwaukee Journal), Milwaukee, Wis.—Granted renewal of license of high frequency experimental broadcast station for the period 4-1-37 to 4-1-38; frequency **26400 kc.**, 500 watts.

W6XKG—Ben S. McGlashan, Los Angeles, Calif.—Granted renewal of high frequency experimental broadcast station license for the period 4-1-37 to 4-1-38; frequency **25950 kc.**, 1 KW.

W8XWJ—The Evening News Association, Detroit, Mich.—Granted 90-day extension of present high frequency broadcast station license; frequencies **31600, 35600, 38600** and **41000 kc.**, 100 watts.

SET FOR HEARING

NEW—Press-Union Publishing Co., Atlantic City, N. J.—C. P. amended to request **1200 kc.**, 100 watts night, 250 watts day, unlimited, exact transmitter site and type of antenna to be determined with Commission's approval.

NEW—George W. Taylor Co., Inc., Williamson, W. Va.—C. P. amended to request **1370 kc.**, 100 watts, daytime only.

NEW—R. W. Page Corporation, Phenix City, Ala.—C. P. for new station amended to request **1240 kc.**, 250 watts, unlimited, exact transmitter site and type of antenna to be determined with Commission's approval.

NEW—Watertown Broadcasting Corp., Watertown, N. Y.—Amended C. P. requesting new station at Watertown, N. Y., to operate on **1420 kc.**, 100 watts night, 250 watts day, unlimited time, site and antenna to be approved. (To be heard with related applications.)

W3XAU—WCAU Broadcasting Co., Philadelphia, Pa.—Application for modification of license to add frequency **1529 kc.** to present assignment **9590 kc., 6060 kc.**, 10 KW, unlimited.

WRAX—WRAX Broadcasting Co., Philadelphia, Pa.—Application for modification of license to increase power to 1 KW employing directional antenna day and night.

WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—Application for modification of license to increase power to 1 KW employing directional antenna system day and night.

NEW—WRBC, Inc., Cleveland, Ohio.—Application for C. P. for new station amended to request **880 kc.**, 1 KW unlimited using directional antenna for nighttime operation.

WTBO—Associated Broadcasting Corp., Cumberland, Md.—Authority to transfer control of corporation from Roger W. Clipp and Frank V. Becker, to: Delaware Channel Corp.—250 shares common stock. (Station operates on **800 kc.**, 250 watts day, unlimited SS at Dallas, Texas.)

SPECIAL AUTHORIZATIONS

KNX—Columbia Broadcasting System, Inc., Los Angeles, Calif.—Granted special temporary authority to rebroadcast the Easter Sunday services from the USS Pennsylvania over radio station KNX on **48500 kc.** on March 27 and 28, 1937.

W1XG—General Television Corp., Boston, Mass.—Granted special temporary authority to operate a portable test transmitter on present licensed frequencies of Station W1XG for a period not to exceed 10 days between the hours of 1 and 6 a. m., in order to make field intensity survey tests.

KWLC—Luther College, Decorah, Iowa.—Granted special temporary authority to remain silent March 25, 27, 28 and 29, 1937, and to operate a minimum of 1 hour on Friday, March 26, 1937, in order to observe the Easter holidays at Luther College.

KVI—Puget Sound Broadcasting Co., Inc., Tacoma, Wash.—Granted special temporary authority to operate formerly licensed transmitter at near Des Moines, Wash., as described in license dated 8/15/36, as an auxiliary for period not to exceed 30 days pending application for C. P., without approved modulation monitor.

WRVA—Larus & Bro. Company., Inc., Richmond, Va.—Granted extension of special temporary authority to operate a 50 watt portable transmitter on **1140 kc.**, in the area approximately 16 miles southeast of Richmond, Va., along and near the James River, from 7 a. m. to 1 hour before local sunset March sunset, 6:15 p. m., April sunset, 6:45 p. m.), for the period March 18 to April 2, 1937, in order to make site surveys.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to operate on **560 kc.**, with power of 1 KW at night, during month of April, 1937, pending filing of and action on license application to cover C. P. for this authority. Also granted special temporary authority to operate a 50 watt test transmitter on **560 kc.**, between the hours of 1 and 6 a. m., EST, for a period not to exceed 30 days, in order to make a site survey in Philadelphia and surrounding territory. However, such tests not permitted during monitoring schedule.

WNAD—University of Oklahoma, Norman, Okla.—Granted special temporary authority to operate from 2 to 5 p. m., CST, April 1, 5, 6, 7, 8, 12, 13, 14, 15, 19, 20, 21, 22, 26, 27; also 2 to 4 p. m., and 7:45 to 10:30 p. m., CST, April 28; 2 to 4 p. m. and 9:15 to 10:30 p. m., CST, April 29; and 2 to 5 p. m., CST, April 30, 1937 (provided KGFF remains silent), in order to broadcast special educational programs.

APPLICATIONS RETIRED TO CLOSED FILES

KEX—Oregonian Publishing Co., Portland, Ore.—Application for special temporary authority to operate simultaneously with KOB from 6:15 to 7 p. m., PST, March 12, 1937.

WGCM—WGCM, Inc., Mississippi City, Miss.—C. P. granted to change frequency power and hours of operation, was retired to the closed files, because the Commission on January 5, effective January 26, 1937, granted station WJBO at Baton Rouge, La., the facilities of WGCM's C. P.

Inasmuch as no application for further extension of time, or for a license has been filed, the following C. P.'s were retired to the closed files:

KFPI—Symons Broadcasting Co., Spokane, Wash.—Granted 5/1/36; date of expiration 1/1/37.

KREC—Radio Sales Corp., Seattle, Wash.—Granted 6/12/36; date of expiration 2/12/37.

KSLM—Oregon Radio, Inc., Salem, Ore.—Granted 11/10/36; date of expiration 3/2/37.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

NEW—Loyal K. King, d/b as Radio & Television Research Co., Los Angeles, Calif.—C. P. **1570 kc.**, 1 KW, unlimited.

KYOS—Merced Star Publishing Co., Inc., Merced, Calif.—Modification of license **1260 kc.**, 250 watts unlimited.

KDB—Santa Barbara Broadcasters, Ltd., Santa Barbara, Calif.—C. P. **1220 kc.**, 500 watts unlimited.

NEW—James R. Doss, Jr., Mobile, Ala.—C. P. **1500 kc.**, 100 watts; daytime

KGNF—Great Plains Broadcasting Co., North Platte, Neb.—Modification of license, **1430 kc.**, 1 KW, S. H.

NEW—Springfield Newspapers, Inc., Springfield, Ohio.—C. P. **1120 kc.**, 250 watts; daytime.

EXAMINERS' REPORTS SUBMITTED FOR THE PERIOD MARCH 6 TO 15, 1937

NEW—Ex. Rep. 1-360: Central States Broadcasting Co., Council Bluffs, Iowa.—Application for C. P. for new station; **1500 kc.**, 100 watts, unlimited time. Examiner Dalberg recommended grant of application.

WLLH—Ex. Rep. 1-361: Merrimac Broadcasting Co., Inc., Lawrence, Mass.—Applied for special experimental authority to construct a satellite station at Lawrence, Mass., to be operated synchronously with WLLH on **1370 kc.**, with variable power from 10 to 100 watts. Examiner Hill recommended a grant conditionally.

NEW—Ex. Rep. 1-362: Sioux City Broadcasting Co., Sioux City, Iowa.—Application for C. P. for new station to operate on **1420 kc.**, 100 watts, 250 watts LS, unlimited time. Examiner Hill recommended a grant. And C. W. Corkhill, Sioux City, Iowa.—Application for C. P. for new station to operate on **1420 kc.**, 100 watts, unlimited. Examiner Hill recommended denial.

NEW—Ex. Rep. 1-363: State Capitol Broadcasting Assn. (R. B. Anderson, Pres.), Austin, Texas.—Application for C. P. for new station; **1120 kc.**, 100 watts, specified hours. Examiner Walker recommended denial.

NEW—Ex. Rep. 1-364: Isadore Goldwasser, Anniston, Ala.—Application for C. P. for new station **1420 kc.**, 100 watts, daytime. Examiner Walker recommended grant.

WLMU—Ex. Rep. 1-365: Lincoln Memorial University, Middlesboro, Ky.—Application for C. P. to establish a new station to operate on **1210 kc.**, 100 watts night, 250 watts LS, unlimited time. Examiner Seward recommended grant.

NEW—Ex. Rep. 1-366: Bay County Publishers, Inc., Panama City, Fla.—Application for C. P. for new station to operate on **1420 kc.**, 100 watts unlimited. Examiner Seward recommended denial.

NEW—Exp. Rep. 1-367: Harold M. Finlay & Eloise Finlay, La Grande, Ore.—Application for C. P. for new station to operate on **1420 kc.**, 100 watts night, 250 watts LS., unlimited. Examiner Seward recommended grant.

ORAL ARGUMENT GRANTED

KWBG—Ex. Rep. 1-357: The Nation's Center Broadcasting Co., Inc., Hutchinson, Kans.—Oral argument to be held April 29, 1937.

ACTION ON EXAMINER'S REPORT

NEW—Ex. Rep. 1-307: North Jersey Broadcasting Co., Inc., Paterson, N. J.—Denied C. P. for new broadcast station to operate on **620 kc.**, 250 watts, daytime. Examiner John H. Bramhall sustained. Order effective May 18, 1937.

MISCELLANEOUS

WLB—University of Minnesota, Minneapolis, Minn.; WTCN—Minnnesota Broadcasting Corp., Minneapolis, Minn.; WCAI—St. Olaf College, Northfield, Minn.—Denied joint petition asking hearing before Broadcast Division en banc of application of WTCN for modification of license so as to operate full time on **1250 kc.** and the applications of WCAL and WLB to share time on **760 kc.**, 5 KW daytime. These applications are scheduled for hearing before an examiner but no date has been fixed.

Power City Broadcasting Corp., Niagara Falls., N. Y.—Denied petition asking Commission to reconsider its action in denying application for C. P. to erect new broadcast station at Niagara Falls, N. Y., to operate on **630 kc.**, 250 watts, daytime, and to grant the same.

WBBZ—Adelaide Lillian Carrell, Ponca City, Okla.—Granted extension for 30 days of Rule 132, pending action on application to install new equipment and vertical radiator, also to increase day power to 250 watts.

WHBB—Selma Broadcasting Co., Selma, Ala.—Denied petition asking order to take depositions in re application for modification of license to increase hours of operation from daytime to unlimited.

WJAR—The Outlet Co., Providence, R. I.—Granted petition to intervene at hearing of application of Geraldine Alberghane for C. P. for new station at Pawtucket, R. I., to operate on the frequency **720 kc.**, with 1 KW daytime. Her application has been set for hearing on March 26, 1937.

Washtenaw Broadcasters, Inc., Ann Arbor, Mich.—Granted petition to intervene at hearing of application of Ann Arbor Broadcasting Co., Inc., for C. P. to erect new broadcast station at Ann Arbor, Mich., to operate on frequency of **1550 kc.**, 1 KW, unlimited time.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Granted petition to intervene in proceedings relative to application of the Philadelphia Radio Broadcasting Co., Philadelphia, Pa., for a C. P. to erect a new special broadcast station at Philadelphia to be operated on frequency of **1570 kc.**, 1 KW, unlimited time.

S. O. Ward and P. C. Ward, d/b as Louisville Broadcasting Co., Louisville, Ky.—Hearing scheduled for May 14, 1937, on application for C. P. to erect and operate new broadcast station at Louisville, Ky., on **1210 kc.**, 100 watts, unlimited time, to be consolidated with hearing of application of Louisville Times Company for same facilities. Hearing on Louisville Times' application, set for hearing April 5, 1937, continued to May 14, 1937.

KLX—Tribune Building Co., Oakland, Calif.—Denied motion asking Commission to dismiss application of Chauncey W. Hammond for C. P. to establish a new broadcast station at Oakland Calif., to operate on **1280 kc.**, 1 KW, unlimited time.

EFFECTIVE DATE EXTENDED

In Report No. 126, dated March 9, 1937, the item appearing under this heading should have read:

KTFI—Ex. Rep. 1-249: Radio Broadcast Corp., Twin Falls, Idaho.—Effective date of order extended to March 23, 1937.

RATIFICATIONS

The Commission ratified the following acts authorized on the dates shown:

W8XFO—Crosley Radio Corp., Cincinnati, Ohio.—Granted authority to operate as licensed on March 17, for relaybroadcast professional tennis matches.

WIEF—Miami Broadcasting Co., Inc., Miami, Fla.—Granted authority to operate as licensed for the period 3-18 to 3-21, inclusive, rebroadcast 24th Annual Biscayne Bay Regatta in Miami.

WBAM-WBAN—Bamberger Broadcasting Service, Inc., Newark, N. J.—Granted authority to operate as licensed 3-15 and 3-16 in New York City for relaybroadcast program "It's Midnight in Manhattan."

KTSM—Tri-State Broadcasting Co., Inc., El Paso, Tex.—Granted extension program test period 30 days from March 10, 1937.

WJEP—Stromberg-Carlson Tel. Mfg. Co., Rochester, N. Y.—Granted authority to operate as licensed period March 15 to 24 for relaybroadcast Safety Campaign in Rochester.

W8XIR-WAAW—WGAR Broadcasting Co., Cleveland, Ohio.—Granted extension of authority 30 days to operate as licensed March 18 to April 16, inclusive, for relaybroadcast interviews with school children.

NEW—James D. Scannell, Lewiston, Me.—Application for C. P., **1420 kc.**, 100 watts, unlimited time, was dismissed at request of applicant and order forwarded to all interested parties.

WQDM—Regon & Bostwick, St. Albans, Vt.—Denied request to operate on **1370 kc.**, 100 watts, at location authorized by C. P.

The Broadcast Division granted motion of Charles C. Carlson (WJBW), New Orleans, La., for an order to take depositions in support of his application for renewal of license, Docket No. 4330.

The Broadcast Division granted the petition by Cornell University (WESG), Elmira, N. Y., to intervene in the proceedings upon the application of Elmira Star-Gazette, Inc., for C. P. for new station, Docket 4307.

The Broadcast Division granted the petition by WDOD Broadcasting Co. (WDOD), Chattanooga, Tenn., to intervene in the proceedings upon the application of F. W. Gleason, d/b as North Georgia Broadcasting Co., Rossville, Ga., for C. P. for new station, Docket No. 3979.

The Broadcast Division granted the petitions of Minneapolis Broadcasting Corp. (WTCN), Dr. Geo. W. Young (WDGY), and Edward Hoffman (WMIN) to intervene in the proceedings upon the application of Arthur H. Groghan for C. P. for new station at Minneapolis, Docket 4172.

The Broadcast Division granted the petition of the Waterloo Times-Tribune Publishing Co. to receive and consider the depositions taken in Docket 3884.

The Broadcast Division granted the petition of the West Texas Broadcasting Co., Wichita Falls, Tex., for leave to amend its application of C. P. for new station in Wichita Falls, Docket 4218, with regard to the site selected, and directed that the amendment to this application with regard to the site be accepted without interrupting the progress of the hearing now scheduled for March 29, 1937. The Broadcast Division also directed that all parties be notified immediately.

The Broadcast Division granted the petition of Hearst Radio, Inc., to intervene in the proceedings upon the application of the Adirondack Broadcasting Co., Inc. (WABY), Albany, N. W., for modification of C. P., Docket 4368.

The Broadcast Division granted the petition of the City of Dallas (WRR), Dallas, Tex., Intervenor, for postponement of oral argument on the exceptions to Ex. Rept. No. 1-341 on the application of the Dallas Broadcasting Co. for C. P. for new station at Dallas, Tex., Docket 3920, and directed that the date for said oral argument be continued to May 13, 1937.

The Broadcast Division waived Rule 104.6 (b), on its own motion, and accepted the answer filed on behalf of Interstate Broadcasting Co., Inc., to the appearance of Ann Arbor Broadcasting Co., Inc., applicant for new station at Ann Arbor, Mich., Docket No. 4178, and directed that said answer be made a part of the record.

APPLICATIONS RECEIVED

First Zone

NEW—Fall River Herald News Publishing Co., Fall River, Mass.—
1210 Construction permit for a new station to be operated on **1240 kc.**, 1 KW, unlimited time. To use directional antenna. Amended to make changes in equipment, change requested frequency from **1240 kc.** to **1210 kc.**, power from 1 KW to 100 watts night, 250 watts daytime, and install vertical antenna instead of directional antenna.

WMFL—National Broadcasing Co., Inc., Bound Brook, N. J.—Modification of license to replace RCA Composite Type Exp. VT transmitter of 10 KW with Westinghouse Composite Type VT 700 watts and add A1 and A2 to emission.

Second Zone

WCAU—WCAU Broadcasting Co., Philadelphia, Pa.—Authority
1170 to determine operating power by direct measurement of antenna.

NEW—The Ohio Broadcasting Co., East Liverpool, Ohio.—Con-
1270 struction permit for a new station to be operated on **1350 kc.**, 250 watts, daytime. Amended to change requested frequency from **1350 kc.** to **1270 kc.**, and make changes in proposed antenna system.

WCMI—Ashland Broadcasting Co., Inc., Ashland, Ky.—Construc-
1310 tion permit to install a new transmitter; make changes in antenna; change frequency from **1310 kc.** to **1120 kc.**, power from 100 watts night, 250 watts daytime, to 250 watts night, 1 KW day; move transmitter from 20th and Greenup Streets, Ashland, Ky., to site to be determined, Ashland, Ky.

W8XKD—The Toledo Broadcasting Co., Mobile.—Voluntary assignment of construction permit from the Toledo Broadcasting Co. to The Fort Industry Co.

WAAJ—The Toledo Broadcasting Co., Mobile.—Voluntary assignment of construction permit from The Toledo Broadcasting Co. to The Fort Industry Co.

NEW—Allen T. Simmons, Tallmadge, Ohio.—Construction permit for a new high frequency broadcast station to be operated on **31600, 35600, 38600, 41000 kc.**, 100 watts.

NEW—The Crosley Radio Corp., Cincinnati, Ohio.—Construction permit for a new high frequency broadcast station to be operated on **31600, 35600, 38600, 41000 kc.**, 200 watts. Amended to delete frequencies **31600, 35600, 38600, 41000 kc.** and add frequency **26550 kc.**

NEW—The Crosley Radio Corp., Cincinnati, Ohio.—Construction permit for a new high frequency broadcast station to be operated on **31600, 35600, 38600, 41000 kc.**, 200 watts. Amended to delete frequencies **31600, 35600, 38600, 41000 kc.** and add the frequency **26550 kc.**

Third Zone

KTSA—KTSA Broadcasting Co., San Antonio, Tex.—Voluntary
550 assignment of license from KTSA Broadcasting Co. to Hearst Radio, Inc.

WKY—WKY Radiophone Co., Oklahoma City, Okla.—License to
900 use RCA 1001-A, 1 KW transmitter as an auxiliary for emergency purposes only.

NEW—Southern Broadcasting Corp., New Orleans, La.—Construc-
1200 tion permit for a new station to be operated on **1200 kc.**, 100 watts, share WJBW, requests facilities of WBNO. Amended to make changes in requested equipment, change hours of operation from share WJBW to unlimited, power from 100 watts to 100 watts night, 250 watts daytime and studio site from 226 Carondelet Street to 527 Canal Street, New Orleans, La. Requests facilities of WJBW.

WRBL—WRBL Radio Station, Inc., Columbus, Ga.—Modification
1200 of construction permit (B3-P-1396) for new transmitter and antenna, increase in power and move of transmitter and studio, requesting approval of transmitter site at Talbotton Road, Columbus, Ga., and studio at 12th & Broadway, Columbus, Ga., and approval of vertical antenna. Amended to change requested transmitter site from Talbotton Road to 15th Avenue and 30th Street, Columbus, Ga.

WRBL—WRBL Radio Station, Inc., Columbus, Ga.—Modification
1200 of construction permit (B3-P-1396) for a new transmitter and antenna, increase power and move studio and transmitter locally, further requesting changes in transmitting equipment; change frequency from **1200 kc.** to **950 kc.**, power from 100 watts night, 250 watts day, to 250 watts night, 500 watts day, and make changes in antenna. Amended to change requested frequency from **950 kc.** to **1330 kc.**

KTAT—Tarrant Broadcasting Co., Fort Worth, Tex.—Modification
1240 of construction permit (B3-P-1472) for new transmitter and vertical antenna, further requesting authority to make changes in equipment and extend commencement and completion dates.

KAND—Navarro Broadcasting Assn., J. C. West, President, Corsi-
1310 cana, Texas.—Modification of construction permit (B3-P-703) for a new station, requesting changes in authorized equipment, change authorized transmitter site from Corner Main & Fifth Avenue to ½ mile north of city on Highway 75, Corsicana, Texas, and studio from Corner Main & Fifth Avenue to Corner Beaton & Collin Streets, Corsicana, and extend commencement and completion dates.

KFXR—Exchange Avenue Baptist Church of Oklahoma City,
1310 Oklahoma City, Okla.—License to cover construction permit (B3-P-1141) as modified for new equipment.

KFRO—Voice of Longview, Longview, Tex.—License to cover
1370 construction permit (B3-P-1308) as modified for new equipment and increase in power.

NEW—Standard Life Insurance Co. of the South, Jackson, Miss.—
1420 Construction permit for a new station to be operated on **1420 kc.**, 100 watts night, 250 watts daytime, unlimited time.

WACO—KTSA Broadcasting Co., Waco, Tex.—Voluntary assign-
1420 ment of license from KTSA Broadcasting Co. to Hearst Radio, Inc.

NEW—Spartanburg Junior Chamber of Commerce, Dr. D. Lesesne
1420 Smith, Pres., Spartanburg, S. C.—Construction permit for a new station to be operated on **1420 kc.**, 100 watts night, 250 watts daytime, unlimited time.

KNOW—KUT Broadcasting Co., Austin, Tex.—Voluntary assign-
1500 ment of license from KUT Broadcasting Co. to Hearst Radio, Inc.

KROD—Dorrance D. Roderick, El Paso, Tex.—Modification of
1500 construction permit (B3-P-947) for a new station, requesting authority to change authorized transmitter site from 900 Hammett Blvd. to 2,250′ south of Spruce Street on line of Boone Street extended southward, El Paso, Texas.

WDNC—Durham Radio Corporation, Durham, N. C.—Construc-
1500 tion permit to install a new transmitter and directional antenna for night use; change frequency from **1500 kc.** to **600 kc.**, power from 100 watts to 1 KW; move transmitter 5 miles from the Washington-Duke Hotel, Main Street, Durham, N. C., to Durham, N. C. Amended to give transmitter site as near Durham, N. C.

Fourth Zone

WJJD—WJJD, Inc., Chicago, Ill.—Modification of license to
1130 change time from 6 a. m., CST, until LS at Salt Lake City, Utah, to 6 a. m. Eastern Standard Time (Chicago, daylight saving) until local sunset at Salt Lake City, Utah.

KWTN—Greater Kampeska Radio Corp., Watertown, S. Dak.—
1210 Authority to install automatic frequency control.

KVGB—Ernest Edward Ruehlen, Great Bend, Kans.—License to
1370 cover construction permit (B4-P-1211) as modified for a new station.

WGL—Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—
1370 Construction permit to make changes in transmitting equipment and increase power from 100 watts to 100 watts, 250 watts daytime.

NEW—Minnesota Broadcasting Corp., Minneapolis, Minn.—Construction permit for a new high frequency broadcast station to be operated on **26100 kc.,** 150 watts, unlimited time.

W9XAI—The Journal Company, Milwaukee, Wis.—Construction permit for replacement of transmitter and increase in power from 7.5 watts to 50 watts.

NEW—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.,** 40 watts.

NEW—The Journal Company (The Milwaukee Journal), Milwaukee, Wis.—Construction permit for a new relay broadcast station to be operated on **1646, 2090, 2190, 2830 kc.,** 50 watts.

Fifth Zone

KVI—Puget Sound Broadcasting Co., Tacoma, Wash.—Construc-
570 tion permit to use old W.E. 106-B transmitter as an auxiliary and move transmitter from near Des Moines, Wash., to 950 Pacific Avenue, Tacoma, Wash.

KEHE—Evening Herald Publishing Co., Los Angeles, Calif.—
780 Voluntary assignment of license from Evening Herald Publishing Co. to Hearst Radio, Inc.

NEW—Robert E. Clements, Huntington Park, Calif.—Construc-
1160 tion permit for a new station to be operated on **1160 kc.,** 250 watts, daytime.

KRLC—H. E. Studebaker, Lewiston, Idaho.—Modification of con-
1420 struction permit (B5-P-733) for new equipment, increase in power, change of frequency and move of transmitter, requesting new equipment, vertical antenna and approval of transmitter site at Midway between Preston & Warner and 9th & 10th Streets, Lewiston, Idaho.

Hawaiian Zone

NEW—Honolulu Broadcasting Co., Ltd., Honolulu, Hawaii.—
1010 Construction permit for a new station to be operated on **1010 kc.,** 250 watts, unlimited time.

The National Association of Broadcasters
NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

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WASHINGTON RADIO HIGHLIGHTS

Representative Wigglesworth appearing this week before the Rules Committee of the House urging favorable action on Connery radio investigation resolution charges radio monopoly * * * * Calls attention to station sales at prices he charges are far in excess of replacement cost of station transferred * * * * Says thorough investigation of radio and broadcasting should go far to help many of present evils * * * * FCC Commissioner Stewart makes elaborate talk on radio at Duke University, again airing his ideas on newspaper-owned broadcasting stations and discussing whole broadcast situation in its many ramifications. * * * * FCC Amends its Rule 101.7 * * * * Both Houses of Congress pass radio operators bill.

WIGGLESWORTH SUPPORTS CONNERY RESOLUTION

Representative Wigglesworth of Massachusetts appeared before the Rules Committee of the House on Tuesday in support of the Connery resolution calling for a radio and broadcasting investigation by a committee of the House.

It is understood that the committee wishes to give Representative Connery another chance to appear before the committee before action is taken on the resolution. He is out of town and will not return until next week. Therefore, it is not expected that the Rules Committee will take any action on the resolution until sometime next week at the earliest.

"It is perfectly apparent," Mr. Wigglesworth told the committee on Tuesday, "that certain definite objectives were sought by Congress through the Federal Radio Act of 1927 and the Federal Communications Act of 1934. Among these objectives were the elimination of private ownership in the channels of interstate and foreign radio transmission, the elimination of undesirable trafficking in licenses issued by the Federal government and the elimination of monopoly or the evils of monopoly. No one can read the provisions of the Acts referred to without coming to this conclusion.

"Nevertheless, it appears today that we are confronted by a virtual monopoly in the hands of the three big broadcasting companies of the nation, National, Columbia and Mutual. It also appears in the absence of further explanation that we have failed to eliminate private ownership or its equivalent in radio channels as well as undesirable trafficking in radio licenses, with all the possibilities with which we have been familiar in the past in other fields for the capitalization of earnings and profits to the detriment of the American people.

"The evidence indicates that all of the 40 so-called clear channels are owned, operated or affiliated with the big 3 broadcasting chains. 96% of the broadcasting stations with full time or substantial power are said to be owned or in some way tied in with the three big chains. Of 2,500,000 watts of full time night power allocated to the industry, less than 60,000 watts or 3% is available to stations which are not affiliated with the big 3. No independent full time station is licensed to operate at night with a power of more than 1,000 watts in contrast to some 200 stations affiliated with the big 3, many of which have 50,000 watts, one of which has 500,000 watts. In several states such as North Carolina, Rhode Island and Utah it is said that there is no independent station operated at night. In other states, I am informed, including Arkansas, Connecticut, Florida, Georgia, Iowa, Kentucky, Massachusetts, Minnesota, Missouri, Nebraska, New Jersey, New York, Ohio, Virginia and Washington, less than 1% of the power authorized for use at night is available to independent stations. This and other evidence indicates in some measure at least, the extent of monopoly by the big 3.

"The evidence also indicates instance after instance of the transfer of licensed broadcasting stations for a consideration far in excess of the replacement cost of the station transferred. It includes other instances where

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the transfer has been in the form of a lease for periods in excess of the original license, limited by law to a maximum of three years.

"One of the most striking cases of this character is afforded in the transfer of Station KNX, Los Angeles, to the Columbia Broadcasting Station. The replacement value of the station amounted to about $217,000. After the deduction of accounts receivable, cash and good will, the value of the physical property amounted, I am told, to about $63,000. The consideration paid for the assignment was $1,250,000 or about twenty times the value of the physical property. Among the leases referred to is a lease of a station with replacement value of less than $500,000 for an annual rental of $219,000 for a period of seven years; the lease for a period of ten years with an option for renewal for another ten years and still another instance of a lease for a period of 99 years. The lessor in certain instances appears to obtain not only a fixed rental but a substantial percentage of the profits realized by the lessee.

"These transactions in the absence of further explanation appear to indicate that we have failed to date to bring about either the elimination of private ownership or its equivalent in radio channels or the undesirable trafficking in radio licenses. Unless this is accomplished the opportunity remains for the capitalization of government gratuities and for all the scandals of the past in other fields.

"A thorough going impartial investigation into the entire situation should serve to establish the extent and effects of monopoly in the broadcasting field. It should serve to determine the extent to which the elimination of private ownership and trafficking in licenses has been accomplished. It should serve to throw light on the matter of proper program control. It should serve to determine the earnings of the industry, whether or not rates charged are reasonable and what contribution, if any, the industry may be fairly asked to make to the Federal Treasury. The industry today is dependent for its very existence on Federal licenses. It pays nothing for these licenses, yet it commands a gross income which has been estimated for 1937 as amounting to between $125,000,000 and $135,000,000.

"A thorough going investigation seems to me imperative with a view to obtaining the objectives sought by Congress with proper protection for the American people."

FCC AMENDS RULE 101.7

At a meeting of the full membership of the Federal Communications Commission the following amendment to Rule 101.7 of the Commission's rules of practice and procedure, effective immediately, was adopted, with Commissioner Walker dissenting:

"Rule 101.7 is hereby amended by adding after the first sentence thereof a new sentence to read as follows:

" 'The provisions of this rule shall not apply to any person practicing, appearing or acting as an attorney in behalf of any municipality, or State or the Federal Government in any case, claim, contest, or other proceeding before the Commission or before any division or agency thereof.' "

The rule in its entirety, as amended, now reads:

"101.7. No person serving as an attorney at law in the Federal Communications Commission on or after July 1, 1935, shall be permitted to practice, appear, or act as an attorney in any case, claim, contest, or other proceeding before the Commission or before any Division or agency thereof until 2 years shall have elapsed after the separation of the said person from the said service. The provisions of this rule shall not apply to any person practicing, appearing or acting as an attorney in behalf of any municipality, or State or the Federal Government in any case, claim, contest or other proceeding before the Commission or before any Division or agency thereof. The term 'attorney at law' includes attorney-examiner. Nothing herein shall be construed to prevent any former officer or employee of the Federal Communications Commission from appearing as a witness in any hearing, investigation, or other proceeding before it."

RADIO OPERATORS BILL PASSES

The Senate has passed H. R. 3898, which has already passed the House and has gone to the President for signature before it becomes law. The bill amends section 318 of the Communications Act of 1934, dealing with operator's licenses. As it passed both Houses of Congress and becomes law it is as follows:

That section 318 of the Communications Act of 1934 is hereby amended to read as follows:

"Sec. 318. The actual operation of all transmitting apparatus in any radio station for which a station license is required by this Act shall be carried on only by a person holding an operator's license issued hereunder, and no person shall operate any such apparatus in such station except under and in accordance with an operator's license issued to him by the Commission: *Provided, however,* That the Commission if it shall find that the public interest, convenience, or necessity will be served thereby may waive or modify the foregoing provisions of this section for the operation of any station except (1) stations for which licensed operators are required by international agreement, (2) stations for which licensed operators are required for safety purposes, (3) stations engaged in broadcasting, and (4) stations operated as common carriers on frequencies below thirty thousand kilocycles: *Provided further,* That the Commission shall have power to make special regulations governing the granting of licenses for the use of automatic radio devices and for the operation of such devices."

SECURITIES ACT REGISTRATIONS

The following companies have filed registration statements with the Securities & Exchange Commission under the Securities Act:

The Trane Company, LaCrosse, Wis. (2-2912, Form A-2)
Windsor Land Company, Jersey City, N. J. (2-2913, Form A-1)
Shawnee Pottery Company, Zanesville, Ohio. (2-2914, Form A-1)
Broadway Department Stores, Inc., Los Angeles, Cal. (2-2915, Form A-2)
Hummel-Ross Fibre Corporation, Hopewell, Va. (2-2916, Form A-2)
The Hartford Electric Light Company, Hartford, Conn. (2-2917, Form A-2)
The Connecticut Power Company, New London, Conn. (2-2918, Form A-2)
San Jose Water Works, San Jose, Cal. (2-2919, Form A-2)
Girard Investment Company, Philadelphia, Pa. (2-2920, Form A-2)
Old Diamond Gold Mines Limited, Madoc, Ontario, Canada (2-2921, Form A-1)
Queensboro Gold Mines Limited, Toronto, Canada (2-2922, Form A-1)
Le Roi Company, West Allis, Wis. (2-2923, Form A-2)
Blair Distilling Company, Chicago, Ky. (2-2924, Form A-1)
Truax-Traer Coal Company, Chicago, Ill. (2-2925, Form A-2)
The Dobeckmun Company, Cleveland, Ohio (2-2927, Form A-2)
Commercial Discount Company, Los Angeles, Cal. (2-2928, Form A-2)
General Household Utilities Company, Chicago, Ill. (2-2929, Form A-1)
Gamble-Skogmo, Inc., Minneapolis, Minn. (2-2930, Form A-2)
Gulfboard Oil Corporation, Houston, Texas (2-2931, Form A-1)
Western Auto Supply Company, Kansas City, Mo. (2-2932, Form A-2)
Aetna Ball Bearing Manufacturing Company, Chicago, Ill. (2-2933, Form A-2)
Marine Midland Corporation, Jersey City, N. J. (2-2934, Form E-1)
Boston Fund, Inc., Boston, Mass. (2-2935, Form A-1)
Sonoco Products Company, Hartsville, S. C. (2-2936, Form A-2)
Committee for the Protection of Gold Debentures of Utilities Power & Light Corporation, New York City (2-2937, Form D-1)
Noblitt-Sparks Industries, Inc., Columbus, Ind. (2-2938, Form A-2)
Fedders Manufacturing Company, Inc., Buffalo, N. Y. (2-2940, Form A-2)
The Hinde & Dauch Paper Company, Sandusky, Ohio (2-2941, Form A-2)
United Stockyards Corporation, Chicago, Ill. (2-2942, Form A-1)
G. C. Murphy Company, McKeesport, Pa. (2-2943, Form A-2)

MORE TIME FOR WBAX

Broadcasting Station WBAX, Wilkes-Barre, Pa., applied to the Federal Communications Commission for a change from specified hours on the air to unlimited time. The station operates on 1210 kilocycles, with 100 watts power.

Examiner John P. Bramhall in Report No. I-371, recommended that the application be granted "conditioned upon compliance with Rule 131." He found that "need for additional service in the area proposed to be served has been conclusively shown."

APPLICATION RECOMMENDED FOR DENIAL

John R. and Joe L. Peryatel and Richard R. Beauchamp filed an application with the Federal Communications Commission for a constructive permit for the erection of a new broadcasting station at Raton, N. M., to use 1210 kilocycles, 100 watts power and unlimited time on the air.

Examiner P. W. Seward in Report No. I-369 recommended that the application be denied without prejudice. When the case came on for hearing no appearance was made by the applicants nor was an appearance entered by any attorney representing the applicants. The Examiner has therefore recommended that the application be denied without prejudice.

NORTH CAROLINA STATION RECOMMENDED

H. W. Wilson and Ben Farmer applied to the Federal Communications Commission for a construction permit for the erection of a new station at Wilson, N. C., to use 1310 kilocycles, 100 watts and daytime operation.

Examiner P. W. Seward in Report No. I-368 recommended that the application be granted. He found that a need does not exist in the area proposed to be served for additional daytime broadcast service and that granting of the application would be in the public interest.

STATION DENIAL RECOMMENDED

The Falls City Broadcasting Corporation, filed an application with the Federal Communications Commission asking for a construction permit for the erection of a new station at Falls City, Nebr., to use 1310 kilocycles, 100 watts power and unlimited time on the air.

Examiner Ralph L. Walker in Report No. I-370 recommended that the application be denied. He states that "operation of the proposed station at night will cause objectionable interference, seriously curtailing the service area of an existing station. No objectionable interference will result from operation daytime only." He states on the other hand that "at least two existing stations provide satisfactory signals for primary day service in Falls City, and the area as a whole has good service from a number of additional stations."

DENIAL OF KRLH CHANGES RECOMMENDED

Broadcasting station KRLH, Midland, Texas, filed an application with the Federal Communications Commission asking that its frequency be changed from 1420 to 1210 kilocycles. The station operates on 100 watts and daytime only.

Examiner P. W. Seward in Report No. I-376 recommended that "in view of the fact that applicant seems to have abandoned his application for change of frequency and has failed to prosecute same on the date set by the Commission, it is recommended that the same be denied for want of prosecution."

ALABAMA STATION DENIAL RECOMMENDED

H. O. Davis filed an application with the Federal Communications Commission asking for a construction permit for the erection of a new broadcast station at Mobile, Ala., to use 610 kilocycles, 250 watts night and 500 watts L. S. unlimited time on the air.

Examiner P. W. Seward in Report No. I-374 recommends that the application be denied, because the applicant failed to appear and prosecute his application when the case was called for hearing.

DENIAL RECOMMENDED FOR STATION

Harold Thomas applied to the Federal Communications Commission for a construction permit for the erection of a new station at Pittsfield, Mass., to use 1310 kilocycles, 100 watts night and 250 watts LS unlimited time operation.

Examiner P. W. Seward in Report No. I-375 recommended that the application be denied. He found that "the evidence adduced at the hearing does not establish a need for additional radio service and particularly is the evidence insufficient to show that the station would have adequate commercial support to insure its proper and efficient operation."

RECOMMENDS DENIAL OF PERMISSION TO TRANSMIT PROGRAMS

J. L. Statler doing business as the Baker Hospital at Muscatine, Iowa, applied to the Federal Communications Commission for permission to transmit programs to stations in Canada and Mexico.

Examiner Ralph L. Walker in Report No. I-373 recommends that the application be denied. He found that the testimony concerning the financial condition of the applicant and plans "for technical operation is confined to his own broad general statements, without detailed facts sufficient to form the basis for a definite conclusion with reference thereto." The Examiner found that the granting of the application would not serve the public interest.

RECOMMENDS DENYING APPLICATIONS

J. R. Roberts applied to the Federal Communications Commission for an extension of time to construct a station at Gastonia, N. C., which was to operate with 1420 kilocycles, 100 watts and unlimited time. Also Virgil V. Evans asked for a construction permit at the same place to use the same frequency, power and time.

Examiner John P. Bramhall in Report No. I-378 recommended that both of the applications be denied. He found that granting either of the applications would not be in the public interest.

RECOMMENDATIONS FOR PITTSFIELD AND NEW HAVEN

Broadcasting station WELI, New Haven, Conn., now operating on 900 kilocycles, 500 watts power and daytime applied to the Federal Communications Commission to modify its license to use 930 kilocycles, 250 watts night and 500 watts LS and unlimited time on the air. Also Lawrence K. Miller applied to the Commission to construct a new station at Pittsfield, Mass., to use 930 kilocycles, 250 watts and daytime operation.

Examiner P. W. Seward in Report No. I-372 recommended that the changes requested by WELI be granted but that the application of Miller be denied. Granting of the first application would not cause interference the Examiner found and but in the case of the Miller application he states that the evidence did not show the need for additional radio service in the area proposed to be served.

STEWART DISCUSSES HIS VIEWS ON BROADCASTING

An elaborate presentation of his views on broadcasting was made on Tuesday night by Commissioner Irvin Stewart, vice chairman of the Federal Communications Commission in an address at Duke University.

In connection with his talk Commissioner Stewart said that "the public control of radio is of a fairly recent date. If I have left you with the impression that there are more problems than answers at the present time, I have but reflected the truth. The problems are there. To refuse to admit their experience will not solve them. Upon their solution will depend the eventual reception of radio by the public; and upon that depends the future not only of the public control of radio, but of radio itself."

In connection with his remarks dealing with broadcasting Mr. Stewart said in part:

> The person who has the largest stake in American broadcasting is the listener. While the investment of the individual listener in his receiving set is small compared to that of the broadcast station owner or that of the large advertiser, in the aggregate the total investment in receiving sets is far greater than that in transmitting stations or in advertising time. In theory, broadcasting is for the benefit of the listener. It should be; for its heart is an uncompensated use of public property, and the listener is the man who foots the bill for broadcasting when he pays the cost of governmental regulation and when he buys the advertised product.
>
> One corollary of the American system in which broadcasting is supported by advertising revenue is generally overlooked. Somewhat over-simplified for emphasis, it is that a broadcasting system supported by advertising is one in which broadcast stations are located where the advertisers want them, not where they will best serve the country as a whole. This corollary is not entirely free in its operation for Congress, in setting up the regulatory authority, has said that in granting facilities, the Commission must so distribute them "as to provide a fair, efficient, and equitable distribution of radio service" to each state. This general statutory requirement has operated as a limitation upon the complete freedom of broadcast station owners to locate their stations where the prospect of advertising revenue was the greatest.

Another characteristic of the American system of broadcasting is that the initiative in the establishment of stations for the most part comes from persons who have a private interest, usually financial, in the ownership of the stations. Their primary purpose is not to locate the proposed station so as to serve that portion of the population of the United States most in need of radio service. Generally speaking, the primary consideration of the applicant is that of financial return, not of service rendered. In practice this means intense competition for stations in areas with large population, and little demand for stations where population is comparatively sparse. The result is a distribution of broadcast stations in the United States which no engineer would attempt to defend as an efficient way to deliver broadcasting service to the country as a whole.

SERVICE AREAS

From the standpoint of the transmitted signal, broadcast stations have a primary service area and a secondary service area. In the former the program is transmitted by the ground wave directly and the service is good from the standpoint of the strength and consistency of the received signal. In the latter, the program is transmitted by the sky wave which is reflected back to earth. In strength and consistency, the signal received in the secondary service area varies with the seasons from good, through mediocre, to completely unusable.

Partly as a result of the fortuitous distribution of broadcast stations, a considerable portion of the population of the United States residing in most of its area is dependent upon secondary service. In December 1933, over one-third of the population of the United States residing in more than three-fourths of its total area was dependent upon secondary service at night. These figures have undoubtedly been slightly improved since that time, but there still remains a substantial portion of the population residing in the larger part of the area of the United States which has no radio service reliable at all times.

In 1928, the Federal Radio Commission set up a classification under which broadcast channels were divided into three categories: clear, regional and local. Local channels were designed to provide urban coverage by stations of low power duplicated on the same frequency at frequent intervals. Regional channels were designed to provide coverage for a city and a small surrounding area by stations with intermediate power, two or more stations with sufficient geographical separation being licensed to use the same frequency.

CLEAR CHANNELS

Clear channels were designed to provide rural coverage. On such channels, there was to be but one station operating with comparatively high power, having its secondary service area interference-free in order that large areas might be served.

At this point, the economics of the American system of broadcasting come into play. With clear channel stations designed to provide rural coverage, most of them are located in the larger cities. The New York metropolitan area has four clear channel stations, Chicago four, Philadelphia two and Los Angeles two. Due to the breaking down of certain clear channels, there are now a total of 47 stations operating on the 40 clear channels. Twenty of them are located in metropolitan areas having a population of a million or more; fourteen in metropolitan areas having a population ranging from a quarter-million to a million. Forty-three of the 47 clear channel stations are located in metropolitan areas having a population of 100,000 or over. Thus our urban farmers are bountifully cared for. Perhaps these figures were in the mind of the president of the company which owns all the stock in one of the broadcasting networks, when he recently said: "The rural listener is served on a parity with the city dweller." Or perhaps he had in mind that while over three-quarters of the area of the United States has no primary service, there are 30 broadcast stations in New York City and 19 each in Chicago and Los Angeles.

CHAINS

This leads me to another phenomenon in the American broadcasting picture, the networks or chains. In addition to about 40 local or regional chains there are three chains providing coast-to-coast service at the present time. All of the high power clear channel stations upon which the rural areas depend for broadcast service are owned or are affiliated with one of these three. A result of this is that a considerable portion of the population of the United States is largely dependent upon programs from chain stations. The duplication of programs on chain stations may make it more certain that persons in those parts of the United States dependent upon unreliable secondary service will be able, on any given evening, to receive a particular program from one or more stations. The duplication also means, unfortunately, that the choice of programs is very severely limited. It must be disconcerting to be able to receive only two or three stations satisfactorily and find the same program on all of them, especially if it is not a program that appeals to one's particular taste. The duplication of programs on clear channels raises the fundamental question as to how successfully clear channels are meeting their declared purpose when they are used to pound the same program in on the listener from several stations rather than to give him a selection from which to choose the program to which he wishes to listen.

The three coast-to-coast networks own a comparatively small number of stations, but they provide programs for a total of 249 out of the 696 broadcast stations in the United States, including practically all of the more powerful stations. In affiliating with a chain, the local station usually loses control over some of its most desirable hours for broadcasting, the important evening hours. The national advertiser dealing with the chain has first call upon those hours. The local program, whether sustaining or commercial, can be used during the hours reserved by the chain only if the national claim is not exercised.

CHAIN PROGRAMS

Undoubtedly the chains have made available to small communities programs which it would have been difficult for them to receive otherwise. They have made it possible for national audiences to listen to programs of national importance. But, with three organizations in a position to determine what programs shall be carried on the most powerful broadcast stations all over the country at the times when most people are free to listen, it is small wonder that the cry of monopoly has been raised. At the present time there is pending before the House of Representatives a resolution providing for an investigation of charges of the existence of a monopoly in radio broadcasting.

While Congress in the Radio Act of 1927 and again in the Communications Act of 1934 specifically gave to the Commission power to issue special regulations applicable to radio stations engaged in chain broadcasting, there are no such regulations at the present time, nor have any ever been in effect.

TRANSFERS OF LICENSES

One matter in which there has been a great deal of interest recently is that of transfers of broadcast station licenses. It will be recalled that, in granting station licenses, the Commission is limited by the applications filed with it. Similarly, in connection with applications for consent to the transfer of station licenses, the Commission passes only upon the would-be transferee who has been selected as his successor by the present licensee. Assuming the qualifications of the transferee, there remains an interesting question with respect to the price to be paid for the assignment of the license.

You will recall that broadcast station licenses are issued for six month periods. The licensee has certain physical assets in the form of a transmitter, studios and associated equipment. When he sells his station, subject to the approval of the Commission, what is he selling? Can he transfer an expectancy of the renewal of the license? There has been no determination that he can. Has he any interest beyond that of the value of the physical equipment, and, if so, what is its nature?

According to one school of thought, the consideration paid for the transfer is a matter between the two individuals in which the Commission has no interest. According to another school of thought, the law has been so carefully drawn by Congress to exclude any possibility of any rights in the licensee other than those granted on the face of the license itself, that the Commission should be on guard against anything looking toward the building up of a vested right in a station license.

RADIO LICENSE

My own views coincide with those of the latter group. A radio station license is personal to the licensee, granted after a finding that his holding the license will be in the public interest. There is nothing in that finding which says that he may sell the license to the highest bidder who may be technically qualified. Station licenses are not pieces of merchandise; they are evidences of a privilege to serve the public. Surely this must have been one reason why Congress carefully restricted the license period to not more than three years and the Commission has further restricted it to six months.

There have been suggestions that, if the Commission does not explore its own powers to check sales of broadcast stations at inflated prices, Congress might recapture for the public the profit on the transfer of public property. Bear in mind that broadcasters pay nothing for the privileges they receive from the government, and that the taxpayers pay the cost of the administration which makes it possible for the broadcasters to operate at a profit. Sooner or later broadcasters may be asked what would be unfair about an act of Congress taking in the form of taxes the excess of the sale price over the value of the physical equipment transferred.

The transfer of licenses at prices far in excess of the value of the physical equipment involved will sooner or later offer a tempting field for the middleman.

While licensees have agitated for longer license periods, at the same time they have acted as though they were to be the beneficiaries of an indefinite grant of public facilities. Thus, in one instance, a price of $1,250,000 was paid for a broadcast station where the original cost of the fixed assets was approximately $177,000. This would seem a high price for the privilege of being on the air for the remainder of a six-month period.

LEASE EQUIPMENT

Again holders of a six-month license have leased their physical equipment for periods of from one to fifteen years at annual rentals approximating the value of the equipment. Yet physical equipment without the privilege of transmitting would have only a junk value.

Further, contracts of affiliation between station licensees and the broadcasting chains sometimes run for two years or even for five years, although the station licenses run only for six months.

A fairly recent device has been the sale of stock in certain licensee corporations to the public in a manner to yield the promoters far more than the entire cost of the station while leaving them in control of the station with a majority of the stock.

Some of the things I have mentioned have been with the approval of our Commission and our predecessor, the Federal Radio Commission. I have some fear of the outcome, some fear that the claim may be made that the Government, through the Commission, has in a measure estopped itself. If the short-sightedness and cupidity of station licensees should eventually lead to Government ownership (and I am not an advocate of Government ownership), the Government will undoubtedly be met with wholly fictitious values which it will be claimed it has approved. Likewise, if Congress should in a measure equalize opportunity for the use of broadcasting by making broadcast stations common carriers, a highly inflated rate base is in sight.

A related matter which merits serious attention is the rapid increase in the number of situations where two or more broadcast stations are coming under the same control. This development is occurring through the transfer of existing stations even more than through the construction of new stations. At times it takes the form of a single control of all, or of the more important, stations in a particular community. Again it is in the form of single control of stations in different localities. When the Commission is awarding an invaluable public property of limited proportions, carrying great power with it, and for which there is great demand, how much of it should be allotted to one man for his own benefit? The Commission must find the answer to that question.

NEWSPAPER CONTROL OF BROADCAST STATIONS

Another matter which is in the public eye at the moment is that of newspaper control of broadcast stations. As of February 16, 1937, of the less than 700 broadcast stations, exactly 200 were controlled by or affiliated with newspapers. One factor of great interest in these figures is the length of time in which the newspaper interest has been present in the stations.

Of the 200 newspaper controlled or affiliated stations 99 have a newspaper interest which began sometime in the 13-year period between January 1, 1921, and January 1, 1934, and 101 have a newspaper interest which began sometime in the slightly more than three years between January 1, 1934, and February 16, 1937. On the latter date there were pending 111 applications the granting of which would result in other stations coming under newspaper control. So it is that after a most prodigal grant of newspaper applications, there remain pending what is probably the largest number of newspaper applications in the history of radio.

Is there any element of public interest in this rapid extension of newspaper control over broadcasting? I believe that, at least in certain situations, there is. The community has long been dependent upon the newspaper for its news and its advertising. Its thinking has been influenced by the columns of the newspapers, by the method of presentation as well as by the editor's choice of what he will print and what he will not.

RELIEVES CITIZENS

To some extent the broadcast stations have relieved the citizen of his dependence on the newspaper. The fact that a newspaper does not print all or part of a particular speech loses some of its significance if a man can hear the speech in its entirety on his receiving set. News services are now available to the broadcast station owner as they are to the newspaper. When the newspaper and the station are separately controlled, one can be checked against the other. When they are under the same ownership, how long will this be true? To my mind there is an important public interest involved in that question.

The subject is one on which there is a wide divergence of views. Probably not many people gave much thought to the situation when newspapers had an interest in comparatively few stations. The rapid increase in newspaper stations in the last three years has given rise to fear in some quarters that the public interest might be adversely affected. If the acceleration of the last three years continues for long into the future, the entire broadcasting picture may change.

There is a bill pending in the House of Representatives to divorce newspapers and broadcast stations. Another of similar intent has been promised for the Senate. If either bill is pressed, the ensuing hearings should be as interesting as they promise to be bitter. The cry of monopoly of news and information is being heard to some extent. I think we shall hear more of it. And soon the question will be raised as to whether America is so short of men who can be trusted to control the avenues through which information is passed on to the public, that we must entrust the two principal avenues to the same group of men.

Men will differ in the weight they attach to the matter of newspaper control of broadcast stations as well as in the treatment they will propose. I can not agree with those who contend that the matter has no element of public interest which may be considered by a Commission granting applications under a statutory standard of "public interest, convenience or necessity."

ADVERTISING

One of the complaints most frequently raised against broadcasting is the character of advertising permitted and the length of time occupied by advertising blurbs. The Commission's powers in this field are not well defined and they have never been thoroughly explored. On the one hand, there is the flat statutory bar against censorship of broadcast programs. On the other, there is the equally flat requirement that broadcast stations may be licensed only when public interest, convenience or necessity will be served thereby. May and should the Commission consider the type of advertising and the character of products advertised in passing upon public interest?

The Commission has declined to renew station licenses in three cases where the stations were used largely for the promotion of questionable ventures in which the station owners were interested. It has called a number of stations for hearing in connection with the advertising of certain products, chiefly patent medicines. It has indicated its displeasure in certain extreme cases where the station owner and the advertiser were so heedless of public responsibility that they joined hands in pushing products the use of which might lead to death or permanent disability—to the profit of the broadcaster and of the advertiser.

How effectively the Commission can regulate advertising has never been shown and need never be shown if broadcast station licensees will accept the public responsibilities that go with a broadcast station license. Good taste can not be legislated, and I suspect that it can not even be administratively required. Good taste, a sense of public responsibility and elementary decency on the part of broadcast licensees should make it unnecessary for the Commission ever to explore the possibilities of its power effectively to regulate advertising.

PROSPERITY FOR BROADCASTERS

At the present time the rising tide of prosperity for the broadcasters may simplify the problem of objectionable advertising. With the increased demand for the inflexible number of hours available on any station, the station owner is in a position to use the increased demand to require better programs and better taste in both programs and advertising announcements on the part of those sponsors whose contracts he accepts. He is equally in a position to increase his rates and to sell the time to the advertiser who will pay the higher rates rather than the one whose programs and whose products are in better taste. This is merely another of the numerous instances where broadcasters are privileged to choose between an enlightened far-sighted selfishness and a short-sighted "bird-in-the-hand" variety. The extent to which the Commission's powers will need to be explored rests upon the decisions of the broadcasters.

PROGRAMS

Broadcast programs vary widely in their quality Variation of content is desirable, of course, as the tastes of individuals vary. The variation in quality, however, is enormous. There are numerous high quality programs of all types. But there are also numerous, perhaps more numerous, programs of all types of mediocre or extremely low caliber. Program content offers an interesting sphere of speculation about Commission power, although it is one in which the Federal Radio Commission and our Commission have done little. On the technical side, the Commission has steadily increased its requirements that a broadcaster should have physical equipment meeting high engineering standards before he receives a license to operate. The necessity for such a requirement seems elementary, and no one today would seriously question the Commission's right and its duty to impose high technical standards.

Is there an analogy in the program field? Can the Commission set up minimum standards of program quality which all licensees would have to meet? Standards of engineering efficiency are fairly easy of formulation and of application. Standards of program quality would be difficult both of formulation and of application. I for one, however, am not prepared at this time to state that standards of program quality are impossible either of formulation or application. The field is one in which the Commission has done nothing—it may possibly remain one in which the Commission will do nothing. The answer must depend upon the broadcaster. Programs of uniformly high caliber voluntarily provided by broadcast station licensees would probably leave the question of the Commission's power to impose program standards and the practicability of the exercise of such power untested and unexplored. Failure of licensees to provide programs of uniformly high quality might lead to an exploration of this field as perhaps more desirable than certain other alternatives.

As elsewhere in dealing with broadcasting we must hold public interest paramount. "Public interest" is more than a phrase to which an applicant for broadcast facilities must give lip service. It is a constant reminder that the station licensee has the temporary use free of all charge of an invaluable facility which belongs to all the people. The American people control the frequencies which are the *sine qua non* of broadcasting; they have merely made a temporary and conditional loan of those frequencies to the present licensees of broadcast stations. The condition is that the operation of their stations will be in the public interest. That should mean good programs at the very least.

CENSORSHIP

As it may be claimed that a requirement that broadcast stations furnish good programs amounts to censorship, I shall discuss that subject next. Indeed no discussion of the public regulation of radio would be complete without some reference to censorship.

Last year the country went through a bitter political campaign. All shades of opinion were expressed in varying degree—in many cases to the point of complete boredom of the listeners—and there was no complaint that the Commission was trying to censor anybody. In three widely publicized incidents which reached the Commission the cry of censorship was raised, but not against the Commission.

In one instance two California stations refused to carry an address of the President of the United States without payment. When some individuals in California complained against this refusal, the Commission stated that the stations acted within their legal rights in declining to carry the President's address.

In the second case the owner of a broadcast station who had carried—for pay—the speeches of Candidates Roosevelt and Landon, refused to carry—for pay—the speeches of Candidate Browder, although the law is very specific that if a station's facilities are made available to any candidate for a public office, they must be made available to all candidates for that office. When the Commission asked the station owner to explain his conduct in the matter, he decided to let Candidate Browder speak.

The third incident was the debate between a Senator and a phonograph record, which some stations refused to carry. Although there was a half-hearted attempt in some quarters to show that the Commission was in some way censoring the Senator, I think that most people, certainly including the Senator himself, realize that the affair was one between the Senator and the broadcast chain which could not make up its mind whether to carry his speech.

I know of no instance of censorship or attempted censorship of broadcasting by the Federal Communications Commission. To complete the picture I want to add, however, that the Commission has the right to look into a licensee's conduct of his station as an aid in determining from a study of his past conduct whether public interest would be served by the renewal of his license. In nine years of Commission regulation under that power, five renewals of licenses have been refused primarily because of past programs. Where appeals were taken from those decisions, the Commission was sustained by the courts, which agreed with the Commission that the past conduct of the licensees indicated that their future holding of station licenses would not be in the public interest. The courts shared the views of the Commission that this was quite different from censorship.

There is another place at which censorship can be sought, however: at the station itself. Congress has not seen fit to make broadcast stations common carriers. In consequence, the station owner can carry such programs as he pleases, and refuse such as he wishes within the broad limits of the Commission's findings on public interest. So it is that the station owner can, and upon occasion does, refuse to carry programs contrary to his own views or his own interests. For a discussion of the subject of censorship by the stations themselves I suggest the pamphlet report by the American Civil Liberties Union entitled "Radio Is Censored!"

Facts regarding censorship are hard to obtain because there is no requirement of records showing refusals of time and the reasons therefor. A bill now before Congress would require each station to keep such records. To date it has not been acted upon.

The refusal of a station owner to permit the use of his facilities for the expression of views inimical to his own may have serious results. In a large part of the country only a very few stations can be heard consistently. When a minority group is refused expression of its views over a single broadcast station, it means that those views can not be heard in a section of the country where that station is the only one received.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3078. University Forum, Inc., and **Delta Theta Chi Sorority,** of 1811 Prairie Ave., **Chicago,** and 354 O'Farrell St., **San Francisco,** respectively, are charged with unfair competition in the sale of books, in a complaint.

Selling and distributing a series of books entitled "University Forum" and "Effective Speech," the respondent corporations are alleged to have represented to prospective customers in different cities that alleged chapters of Delta Theta Chi were being established in such cities as a sorority for professional or business women. It was represented, according to the complaint, that while the prime purpose of the sorority was social, it had certain cultural aspects. Prospective members agree to pay $45 initiation or membership fee, and other annual dues, it is charged.

Prospective members are alleged to have been informed that to further the cultural aspect of the sorority an alleged local chapter would be given two sets each of the "University Forum" and "Effective Speech" series, one set to remain at the local chapter rooms for use of members, the other to be placed in possession of the educational director of the chapter. Prospective members are also alleged to have been told that they would receive instruction under supervision of a college or university professor.

The complaint charges that the representation that Delta Theta Chi Sorority is a professional or business women's sorority is not true, and that the sorority is only an outlet for the publications offered for sale. Delta Theta Chi Sorority is not a sorority in any sense of the word, according to the complaint, and representations to the effect that members would receive supervised instruction under a university professor are not true, it is alleged.

No. 3079. Phoebe Phelps Caramel Co., 74 Fulton St., **Boston,** is charged in a complaint with unfair competition in the sale of candies to wholesalers, jobbers and retailers.

Assortments of candy were so packed and assembled by the respondent company as to involve use of a lottery scheme when resold to consumers, according to the complaint.

No. 3080. A complaint has been issued charging **Louis Kipilman,** trading as **Majestic Laboratories,** 128-04 111th Ave., **Richmond Hill, Long Island, N. Y.,** with unfair competition in the interstate sale of "Kipzeme Ointment."

This product, according to the complaint, was advertised in a manner having a tendency to mislead buyers into believing that Kipzeme heals all leg sores, and is an adequate remedy in the treatment of old, aggravated leg sores, skin eruptions, eczema, and kindred ailments.

The fact is, according to the complaint, that the respondent's representations are false and misleading and the preparation will not accomplish in all cases the results claimed for it.

Nos. 3081 and 3083. Sale of merchandise by means of plans involving lottery schemes, in violation of Section 5 of the Federal Trade Commission Act, is alleged in two complaints.

Albert J. Tarrson, 230 East Ohio St., **Chicago,** is respondent in one complaint. Trading as **National Advertisers Co., A. J. Sales & Manufacturing Co., The Tarrson Co.,** and **Pla-Pal Radio & Television Co.,** Tarrson is engaged in the sale of cameras, pen and pencil sets, radios, safety razors, clocks, and other merchandise.

In the second complaint, the respondents are **Mitchell Bazelon** and **Charles Harris,** 946 Diversey Parkway, **Chicago,** who trade as **Park-Lane Candy Co.,** and **Charris Specialty Co.,** and sell candy, cocktail shakers, watches, pipes, cigarette cases and lighters, and other novelty products.

The respondents in both cases allegedly employ push-card or punch-board lottery methods in selling their merchandise. They are said to distribute the merchandise, together with push cards or punch boards, to retailers direct, or through wholesalers; thus placing in the hands of others the means of conducting lotteries in the sale of such merchandise to ultimate purchasers.

No. 3082. A complaint has been issued charging **The Solvotone Co.,** 4303 Cottage Grove Ave., **Chicago,** and **Jessie Rogers,** individually and as president of the corporation, with unfair competition in the interstate sale of "Solvotone," a medicinal preparation.

This product, according to the complaint, was advertised in a manner tending to mislead buyers into believing that it is a cure for serious and dangerous conditions of the body, such as gallstones, appendicitis, and ulcer of the stomach, and that its use prevents the necessity of surgical operations to relieve such conditions.

No. 3084. A complaint alleging false and misleading representations in connection with the sale of medicinal preparations, designated as "Dr. Warner's Remedies," has been issued against **Warner's Renowned Remedies Co.,** 13 East 25th St., **Minneapolis.**

The complaint charges that use of the preparations in the treatment of certain ailments does not have the beneficial therapeutic value claimed, and that the products are not, as implied in advertising matter, manufactured under the supervision or formula of a member of the medical profession, nor are they generally prescribed by Dr. H. H. Warner.

The preparations which the respondent company is alleged to have falsely advertised in booklets, circulars and show-window displays are known as "Warner's Renowned Vaginal Creme," "Warner's Renowned Frem Pills" and "Warner's Renowned Vigo Tablets."

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 01546. David H. Fulton, trading as The Vendol Co., 1 West Biddle St., Baltimore, will stop representing that either Vendol or Vendol Laxative Tablets is a herb, a root or vegetable compound; that Vendol will correct any physical ailment, and that it is an effective remedy for certain disorders of the stomach, liver and kidneys, unless confined to the relief of such ailments and when they may be due to conditions that can be benefited by use of Vendol. Fulton agrees to cease publishing any statement purporting to be the formula for any of his preparations, unless it contains all of the ingredients of the preparation, and will stop using the symbol "Rx" to indicate that Vendol was prescribed by a physician.

No. 01547. Gordon E. and Maynard E. Jenks, trading as Jenks Brothers, 144 Bank St., Elkhart, Ind., stipulate that they will desist from representing in advertising matter that the Rectal Ointment they sell is a competent remedy in the treatment of hemorrhoids or piles, and that Lax-A-Ton Herb Tea is a competent remedy in the treatment of constipation or any more effective than ordinary laxatives in relieving temporary constipation. Assertions that Lax-A-Ton Herb Tea is a tonic or recommended by herbial authorities or botanists, will be discontinued.

No. 01548. Konjola, Inc., 18 North Water St., East Port Chester, Conn., agreed that in the sale of Konjola it will cease representing, among other things, that the product is a competent treatment for rheumatism, neuritis, or disorders of the digestive tract, unless limited to palliative relief; that it banishes stomach, digestive or skin disorders; helps rid the system of poisons and relieves nervousness or pains caused by intestinal trouble, and that it is a new discovery and nature's remedy for stomach distress.

No. 01549. Omega Chemical Co., 33 34th St., Brooklyn, signed a stipulation to cease advertising that Omega Oil, a preparation for external application, relieves deep-seated or stubborn pain, unless such representations are so qualified as to exclude those pains which cannot be benefited by the product's therapeutic action, and are so worded as not to imply that the product will have therapeutic effect upon the underlying causes of pain in every instance. Other representations to be discontinued are that the medical profession is agreed that the formula for Omega Oil makes it outstanding; that the preparation will afford complete relief within any definite period of time, and that it is a more competent treatment than other preparations of similarly effective ingrediency in the treatment of colds, or quicker or safer in affording palliative relief from the ordinary pain and discomfort of colds.

No. 01550. H. P. Clearwater, Ph.D., Hallowell, Me., engaged in the sale of Clearwater's Treatment, agrees to discontinue advertising that by use of the treatment one may get rid of rheumatism, neuritis, arthritis, sciatica or lumbago, in the sense of preventing further attacks due to the same or other causes. He also will cease representing that rheumatism is caused only by the absorption of poisonous toxins, chemically developed in the intestines by putrefaction of certain undigested food elements, and that uric acid does not cause rheumatism.

Nos. 01551-01553. R. E. Stults, 1623 West Grand Avenue, Chicago, selling a course in detective training, and **Jim Lund, River Falls, Wis.,** vendor of a book entitled "One Thousand Ways to Get Rich," have entered into stipulations to discontinue unfair advertising practices in the sale of these commodities.

Stults, trading as The United Detective System, agrees to stop advertising in connection with the sale of his course that experience is unnecessary in order to be a detective and that the training obtained through his course will of itself actually prepare a person for a good paying and permanent position; enable one to operate a detective business in his own home, no matter where he lives, and that there are thousands of detective positions open each year.

Lund, under his stipulation, will cease advertising that his book, "One Thousand Ways to Get Rich," affords a most unique opportunity, enabling one to make money at home, and that it offers an opportunity worth its weight in gold, gives "twenty ways to make a million," and contains 1,000 formulas, plans and secrets for making money in spare time at home.

No. 01552. H. R. Walde, Lake Wales, Fla., selling Walde's Wonder Salve, agrees to stop advertising it as an effective treatment for all kinds of infections, boils, burns, wounds, sores or sprains and as a protection against infection of any kind, particularly wounds from rusty nails.

No. 01554. American Maize Products Co., 100 East 42nd St., New York, agrees to stop advertising its syrups by means of assertions that dextrose is a "mysterious" element, that it replaces burned-up body tissues, revives tired muscles and nourishes starved nerves. The company also will stop asserting that any of its syrups is "extra rich" or "extra plentiful" in dextrose, and that any of its products has been "recommended," as distinguished from "accepted," by the American Medical Association. The respondent company admits that the composition and functions of dextrose in the body's metabolism have been known for several years, and are not mysterious, and that the company's syrups do not contain dextrose in amounts sufficient to warrant it in representing them as "extra rich" or "extra plentiful" therein.

No. 01555. Trading as **B. C. Remedy Co., Germaine Bernard and C. T. Council, of Durham, N. C.,** stipulate that they will cease representing B. C. Remedy as ranking first in the Nation, unless reliable statistics show this to be true, and will stop advertising that, by use of this remedy, one may "banish" headaches or muscular aches or cause them to "vanish." They also agree to cease asserting that B. C. relieves pain within three or four minutes or within any other definite time.

No. 01556. Trading as **Peter Falor Co., Elmer J. Jacobs, 301 West 9th St., Kansas City, Mo.,** has entered into a stipulation to discontinue false and misleasing advertising in connection with the sale of clothing.

Jacobs agrees to cease representing that sweater coats are given free, for advertising purposes, to persons making written requests for them; that any person writing for a free sweater coat will receive one without being required to purchase anything, and that a free sweater is given to only one person in each locality.

No. 01557. Associated Pharmacists of Baltimore, Inc., 6 East Mulberry St., Baltimore, agrees to stop representing that its product, Q-623, is a competent treatment or an effective remedy for rheumatism, neuritis, sciatica, or lumbago, unless the assertion is limited to the relief of pain resulting from such conditions, and that the product is "a prescription of a famous specialist." In its stipulation the respondent company admitted that while the product may be of some benefit in relieving the pains resulting from the conditions for which it is represented as a remedy, the preparation cannot be depended on to produce results to the extent advertised. The respondent company also admitted that its product is not the prescription of a famous specialist.

No. 01558. Manikin Products, Inc., 200 5th Ave., New York, in the sale of "Manikin Tea," agrees to cease advertising that its use will enable a person to have the sylph-like figure of a fashion manikin, and will produce a fashionable figure or a youthful, athletic figure. The respondent company also agrees to stop representing that Manikin Tea is "pure and harmless" or "safe," and that it is a competent treatment or an effective remedy for obesity. In its stipulation, the company admits that a preparation of the composition of its product would have laxative and diuretic properties, but in and of itself would have no appreciable effect in reducing weight. The company also admits that any preparation containing senna or bladderwrach is, according to the concensus of medical opinion, if taken in sufficient quantities over a period of time, capable of producing harmful effects.

No. 01559. Dr. A. F. Jacobson and Arthur Carlsten, 29 East Madison St., Chicago, trading as D'Arten Pharmacol Co., agree to discontinue advertising that D'R 10 Cream Liniment affords an effective relief from the aches, pains and soreness of rheumatism or arthritis; that it is a "new scientific" compound of "penetrating oils," and that nothing like it was ever offered before or that it has no equal.

No. 01560. Under a stipulation entered into the **Clorox Chemical Co., 850 42nd Ave., Oakland, Calif.,** agrees to discontinue representing that its washing fluid, sold under the name "Clorox," kills typhoid, diphtheria, scarlet fever and many other infectious germs in less than ten seconds.

The company also will cease advertising that Clorox will remove stains and destroy odors, unless such representations are properly qualified. The company admitted that it is not generally practical to use Clorox to kill odors in the air, and that the product will not remove some stains.

No. 1916. Refrigeration Engineering Institute, Inc., 260 West Federal St., Youngstown, Ohio, has entered into a stipulation to discontinue unfair methods of competition in connection with the sale of courses of instruction in electric refrigeration and air conditioning.

The corporation agreed to desist from use of the word "Institute" as part of or in connection with its corporate name; use of the words "Institute" or "Institution" so as to imply that it is an organization of members of the refrigeration engineering industry for the purpose of considering and solving the problems of such industry, and from use in advertising matter, or in sales talks by its agents, of representations implying, in any manner contrary to the facts, that members of the industry are cooperating in conducting the school, that they are glad to employ its graduates, or otherwise lend the school their aid.

Nos. 1936, 1938, 1939, 1941, 1943, 1944, 1950. Six New York retail stores and one in Brooklyn have entered into stipulations to discontinue false and misleading advertising in which they improperly describe the materials or fabrics composing certain merchandise sold in interstate commerce.

The **New York** companies signing the stipulations are **James McCreery & Co.,** 5th Ave. & 34th St.; **Gimbel Brothers, Inc.,** 33rd St. & Broadway, which also has a store in **Philadelphia; Hecht Brothers Co., Inc.,** 53 West 14th St., which also has stores in **Baltimore** and **Washington; Roaman's,** 32 West 39th St.; **Lane Bryant, Inc.,** 1 West 39th St., and **Dunham Men's Shop, Inc.,** 315 5th Ave. The **Brooklyn** store signing a stipulation is **Frederick Loeser & Co., Inc.,** Fulton & Bond Sts.

According to the stipulations, the companies misused one or more of such terms as "silk," "satin," "linen," and "Harris Tweed," as descriptive of women's wearing apparel, neckties, men's robes, coats, and linings for luggage.

Each of the companies agreed to cease and desist from using the word "silk," either alone or with other words, as descriptive of articles of merchandise, or of the fabrics used in making such merchandise, when, in fact, they are not composed of silk; and from the use of the word "silk" in any manner so as to imply that the products to which the word "silk" is related are composed of silk, when such is not a fact.

FTC DISMISSES COMPLAINT

No. 2839. The Federal Trade Commission has dismissed its complaint against **Louis Schear** and **Jack Schrader,** 239 Fourth Ave., **New York,** charging them with unfair competition in the sale of novelties. Trading as **Schear and Schrader,** the respondents were alleged to have sold a novelty game called "Hindu Cones" in imitation of the product of a competitor.

FEDERAL COMMUNICATIONS COMMISSION ACTION

There was no meeting of the Broadcast Division of the Commission this week due to hearings before the entire Commission. A meeting will be held later this week.

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, March 29:

Monday, March 29

HEARING BEFORE AN EXAMINER
(Broadcast)

NEW—Robert Raymond McCulla, Oak Park, Ill.—C. P., **1500 kc.,** 100 watts, daytime.

FURTHER HEARING BEFORE AN EXAMINER

NEW—West Texas Broadcasting Co., Wichita Falls, Texas.—C. P., **1380 kc.,** 1 KW, unlimited time.

NEW—Wichita Broadcasting Co., Wichita Falls, Texas.—C. P. **620 kc.,** 250 watts, 1 KW, LS, unlimited time.

NEW—Faith Broadcasting Co., Inc., Wichita Falls, Texas.—C. P., **1380 kc.,** 1 KW, 5 KW, LS, unlimited time.

KFPL—C. C. Baxter, Dublin, Texas.—Voluntary assignment of license, **1310 kc.,** 100 watts, 100 watts LS (C. P. 100 watts, 250 watts LS), unlimited time.

KFPL—WFTX, Incorporated, Wichita Falls, Texas.— C. P., **1500 kc.,** 100 watts, 250 watts LS, unlimited time. Present assignment: **1310 kc.,** 100 watts, 250 watts LS, unlimited time.

Wednesday, March 31

HEARING BEFORE AN EXAMINER
(Broadcast)

NEW—Wm. W. Ottaway, Port Huron, Mich.—C. P., **1370 kc.,** 250 watts.

WCAZ—Superior Broadcasting Service, Inc., Carthage, Ill.—C. P., **1070 kc.,** 250 watts, daytime. Present assignment: **1070 kc.,** 100 watts, daytime.

NEW—Frazier Reams, Mansfield, Ohio.—C. P., **1370 kc.,** 100 watts, daytime.

Thursday, April 1

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

KGGC—Ex. Rep. No. I-104: The Golden Gate Broadcasting Co. (Robert J. Craig), San Francisco, Calif.—Modification of license, **1420 kc.,** 100 watts, unlimited time. Present assignment: **1420 kc.,** 100 watts, specified hours.

NEW—Ex. Rep. No. I-324: John S. Allen and G. W. Covington, Jr., Montgomery, Ala.—C. P., **1210 kc.,** 100 watts, daytime.

NEW—Ex. Rep. No. I-334: Clarence C. Dill, Washington, D. C.—C. P., **1390 kc.,** 1 KW, unlimited time.

FURTHER HEARING BEFORE AN EXAMINER
(Broadcast)

NEW—Pacific Acceptance Corp., San Diego, Calif.—C. P., **1200 kc.,** 100 watts, daytime.

Friday, April 2

HEARING BEFORE AN EXAMINER
(Broadcast)

WABY—Adirondack Broadcasting Co., Inc., Albany, N. Y.—Modification of C. P., **1370 kc.,** 100 watts, 250 watts LS, unlimited time. Present assignment: **1370 kc.,** 100 watts, unlimited time.

WSCC—WSOC, Inc., Charlotte, N. C.—C. P., **600 kc.,** 250 watts, 1 KW LS, unlimited time. Present assignment: **1210 kc.,** 100 watts, 250 watts LS, unlimited time.

NEW—Charles Porter and Edward T. Eversole, Festus, Mo.—C. P., **1420 kc.,** 100 watts, daytime.

APPLICATIONS RECEIVED
First Zone

WDEV—Charles B. Adams, Executor estate of Mary M. Whitehill
550 and Administrator of estate of Harry C. Whitehill, Waterbury, Vt.—Construction permit to install new equipment and increase power from 500 watts to 1 KW. Amended to change name from Mary M. Whitehill, Executrix of estate of Harry C. Whitehill to Charles B. Adams, Executor estate of Mary M. Whitehill and Administrator of estate of Harry C. Whitehill.

WBRB—Monmouth Broadcasting Co., Red Bank, N. J.—License
1210 to cover construction permit (B1-P-1514) for changes in equipment.

WFBL—Onondaga Radio Broadcasting Corp., Syracuse, N. Y.—
1360 Modification of license to change power from 1 KW night, 5 KW day to 5 KW day and night.

W3XL—National Broadcasting Co., Inc., Bound Brook, N. J.—Modification of license to add the frequencies **31100, 31600, 34600, 35600, 37600, 38600, 40600, 41000, 86000-400000, 401000, kc.,** and above, and add A1 and A2 emission.

Second Zone

NEW—The Ohio Broadcasting Co., Salem, Ohio.—Construction
780 permit for a new station to be operated on **1420 kc.,** 100 watts, daytime. Amended to change requested frequency from **1420 kc.** to **780 kc.,** power from 100 watts to 250 watts, change type of transmitting equipment and make changes in proposed antenna system.

NEW—The Ohio Broadcasting Co., Marion, Ohio.—Construction
1200 permit for a new station to be operated on **880 kc.,** 250 watts, daytime. Amended to change requested frequency from **880 kc.** to **1200 kc.,** power from 250 watts to 100 watts, make changes in transmitting equipment and antenna.

NEW—The Ohio Broadcasting Co., Steubenville, Ohio.—Construc-
1420 tion permit for a new station to be operated on **780 kc.,** 250 watts, daytime. Amended to change requested frequency from **780 kc.** to **1420 kc.,** power from 250 watts to 100 watts, change type of transmitting equipment and make changes in proposed antenna system.

WRTD—The Times Dispatch Publishing Co., Inc., Richmond, Va.
1500 —Modification of construction permit (B2-P-728) for a new station, requesting approval of vertical antenna, transmitter site at Belle Isle, Richmond, Va., and studio site at 107 S. Seventh Street, Richmond, Va. Amended to make changes in transmitting equipment.

NEW—WAVE, Inc., Louisville, Ky.—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.,** 50 watts.

Third Zone

KTBS—Tri-State Broadcasting System, Inc., Shreveport, La.—
620 Modification of license to change frequency from **1450 kc.** to **620 kc.,** power from 1 KW to 500 watts night, 1 KW daytime.

WFLA-WSUN—Clearwater Chamber of Commerce, Clearwater,
620 Fla.—Modification of license requesting that the license of WFLA-WSUN be severed in order to form two stations under the call letters WFLA and WSUN, to operate specified hours. WFLA—unlimited Monday, Wednesday and Friday; share, WSUN, Sunday. WSUN—unlimited Tuesday, Thursday and Saturday; share, WFLA, Sunday. WFLA studio at Auditorium Music Hall, Clearwater, Fla. WSUN studio at Recreation Pier, St. Petersburg, Fla.

WBHP—Wilton Harvey Pollard, Huntsville, Ala.—Modification of
1200 construction permit (B3-P-840) as modified for a new station, requesting changes in equipment.

NEW—G. Kenneth Miller, Tulsa, Okla.—Construction permit for
1310 a new station to be operated on **1310 kc.,** 100 watts, unlimited time. Amended to make changes in equipment, change in power from 100 watts day and night to 250 watts day and hours of operation from unlimited time to daytime only.

NEW—A. Annas, K. C. Elliott, C. L. Green and C. D. Newton,
1370 d/b as Hickory Broadcasting Co., Hickory, N. C.—Construction permit for a new station to be operated on **1370 kc.,** 100 watts, daytime.

KTOK—Oklahoma Broadcasting Co. (formerly KGFG), Oklahoma
1370 City, Okla.—License to cover construction permit (B3-P-1463) as modified for equipment changes and move of transmitter and studio locally.

KTEM—Bell Broadcasting Co., Temple, Texas.—Construction per-
1370 mit to make changes in equipment and change power and hours of operation from 100 watts daytime to 100 watts night, 250 watts day, unlimited time. Amended to change hours of operation from unlimited to daytime.

Fourth Zone

KGFX—Ida A. McNeil, Pierre, S. D.—Involuntary assignment of
630 license from Dana McNeil to Ida A. McNeil. Amended to give assignee's name as Ida A. McNeil, Administratrix of the estate of Dana McNeil, deceased, and change transmitter and studio sites to 203 instead of 510 Summit Avenue.

KFEQ—KFEQ, Inc., St. Joseph, Mo.—Construction permit to in-
680 stall a new vertical antenna and move transmitter 8 miles from Pauline and Elwood Streets, St. Joseph, Mo., to 6¾ miles southeast of St. Joseph, Mo.

WILL—University of Illinois, Urbana, Ill.—Modification of con-
890 struction permit (B4-P-1219) for directional antenna and move of transmitter, requesting extension of completion date from 5-22-37 to 7-22-37.

KSOO—Sioux Falls Broadcast Association, Inc., Sioux Falls, S. D.—
1110 Construction permit to make changes in equipment and increase power from 2½ KW to 5 KW.

KFOR—Cornbelt Broadcasting Corp., Lincoln, Nebr.—Construc-
1210 tion permit to install a new transmitter and directional antenna for night use, change frequency from **1210 kc.** to **1450 kc.,** power from 100 watts night, 250 watts day to 1 KW night, 5 KW day and move transmitter from 4706 S. 48th Street, Lincoln, Nebr., to Stevens Creek Township, Sec. 21, near Lincoln, Nebr.

WHBU—Anderson Broadcasting Corp., Anderson, Ind.—Authority
1210 to install automatic frequency control.

KROC—Southern Minnesota Broadcasting Co., Rochester, Minn.—
1310 Construction permit to make changes in equipment and increase power from 100 watts to 100 watts night, 250 watts daytime.

NEW—Clark Standiford, L. S. Coburn and A. C. Sidner, Fremont,
1370 Nebr.—Construction permit for a new station to be operated on **1420 kc.,** 100 watts, unlimited time. Amended to add the name of A. C. Sidner to partnership, change frequency from **1420 kc.** to **1370 kc.,** and make changes in proposed antenna system.

WROK—Rockford Broadcasters, Inc., Rockford, Ill.—License to
1410 cover construction permit (B4-P-1430) for changes in equipment, new antenna and increase in day power.

NEW—Gazette Printing Co., Janesville, Wis.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.,** 2 watts.

Fifth Zone

KRKD—Radio Broadcasters, Inc., Los Angeles, Calif.—Authority
1120 to transfer control of corporation from Frank P. Doherty to J. F. Burke, Sr., and Loyal K. King 10,000 shares of common stock.

NEW—Dan B. Shields, Provo, Utah.—Construction permit for a
1210 new station to be operated on **1200 kc.,** to 100 watts, unlimited time. Amended to change frequency from **1200 kc.** to **1210 kc.**

KSRO—The Press Democrat Publishing Co., Santa Rosa, Calif.—
1310 Modification of construction permit (B5-P-759) for a new station, requesting changes in authorized equipment, approval of transmitter site at Sebastopol Road, Santa Rosa, Calif., approval of vertical antenna and change studio site from 425-427 Mendocino Avenue to Sebastopol Road, Santa Rosa, Calif. Amended to change requested transmitter site from Sebastopol Road to Stony Point Road, Santa Rosa, Calif., and studio from Sebastopol Road to Press Democrat Building, Santa Rosa, Calif.

NEW—Anne Jay Levine, Palm Springs, Calif.—Construction per-
1370 mit for a new station to be operated on **1200 kc.,** 100 watts night, 250 watts daytime, unlimited time. Amended to change requested frequency from **1200 kc.** to **1370 kc,** change geographic location of proposed transmitter site and make changes in proposed antenna.

KLS—S. W. Warner and E. N. Warner, d/b as Warner Brothers,
1440 Oakland, Calif.—License to cover construction permit (B5-P-1451) for a new antenna and move of transmitter and studio.

The National Association of Broadcasters

NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.

JAMES W. BALDWIN, Managing Director

NAB REPORTS ★ ★ ★ ★ ★

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WASHINGTON RADIO HIGHLIGHTS

Havana Radio Conference ends with claims of achievement and signals further conference in Havana in November purpose agreeing on use radio frequencies in North and South America * * * * U. S. Senator Sheppard (Texas) introduced Copyright Bill (S. 2013) which would (1) make it necessary for authors, composers and publishers to identify the use they make of material in the public domain; (2) place the responsibility for the public performance of music on the person originating the performance; (3) leave the question of damages to the discretion of the court.

NAB BOARD TO MEET

The spring meeting of the NAB Board of Directors will be held at the Washington Hotel, Washington, D. C., on April 7. The purpose of the meeting is to appraise current problems.

MRS. McNARY RESIGNS

Members of the NAB who have visited the Washington office will regret to learn of the resignation of Mrs. Bert Siebert McNary as secretary to the Managing Director, effective April 1.

Mrs. McNary, the very efficient secretary to Mr. Baldwin, has been with the association for the past six years, having joined its staff shortly after the association was moved to Washington.

Leonard D. Callahan, who was recently designated as assistant to the Managing Director, will take over a large share of Mrs. McNary's duties.

COPYRIGHT AMENDMENT INTRODUCED

Senator Sheppard of Texas introduced a bill in the Senate this week (S. 2031) to amend the copyright act approved March 4, 1909, having direct effect on the broadcasters of the country. The bill, which has been referred to the Senate Committee on Patents, is as follows:

That section 6 of the Act entitled "An Act to amend and consolidate the Acts respecting copyright," approved March 4, 1909, as amended, is hereby amended by striking out the period at the end thereof and inserting in lieu thereof the following: "*Provided,* That the application for registration, and the printed notices of copyright on the work shall specify under which version or versions of works copyright is claimed."

SEC. 2. (a) Section 25 of such Act is amended by adding after subsection (b) the following new subsection:

"(c) To pay to the copyright proprietor, in the case of an infringement by radio broadcasting, such damages as to the court shall appear to be just: *Provided,* That the responsibility and liability for the use of copyrighted material in broadcasting on two or more stations simultaneously shall rest solely with the station originating the performance: *And provided further,* That the responsibility and liability for the use of copyrighted material in electrical transcriptions and other forms of recording made exclusively for broadcasting purposes shall rest solely with the maker of such electrical transcriptions and other forms of recordings and his agents for distribution thereof to broadcasters."

(b) Subsections (c), (d), and (e) of section 25 of such Act are hereby amended to read subsections (d), (e), and (f), respectively.

SEC. 3. Section 44 of such Act is hereby amended by striking out the period at the end thereof and inserting in lieu thereof the following: "and such default shall be a defense against any legal proceeding brought by the assignee as a result of use made of the copyrighted material subsequent to the date of assignment."

HAVANA RADIO CONFERENCE IS CONCLUDED

The technical radio conference which began at Havana on March 15 concluded its work on March 29. It was participated in by representatives from the United States, Canada, Cuba and Mexico. It is expected that a further detailed conference will be held on November 26 at Havana.

While no official statement has been made public by any

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American governmental body, Commander T. A. M. Craven, chief engineer of the Federal Communications Commission and chairman of the American delegation to the Havana conference, made the following statement at the close of the conference:

"The accomplishments to date at this preliminary conference have been outstanding in that for the first time in the history of their radio relations, a common understanding has been reached by the countries represented on the technical principles that are basic, adoption of which is deemed essential if coordination is to be accomplished.

"We have also paved the way for study of the facts and conditions that exist today in the chaotic and unsatisfactory situation in short-wave communications in this hemisphere with the view that, at the approaching November conference, all the American nations will be in far better positions to suggest effective means for meeting this situation.

"The specific recommendations of the conference include an increase in the regular broadcast band used for the national broadcasting services from 550-1,500 kilocycles to 540-1,600, thus increasing the available channels from ninety-six to 107.

"Fifty-eight of these would be set aside as clear channels to be used by high-power stations in each nation, to render service over wide areas. The remaining forty-nine channels would be assigned for use by regional and local stations providing, through engineering principles and location of stations, against the present objectionable interference, on which the delegates have reached a common definition for the first time.

"There is also a recommendation for a change in the existing amateur band from 1,750-2,050 kilocycles to 1,715-2,000 and for extension of the existing bands allocated to State or Provincial police.

"A study looking toward elimination of interference by radio therapeutic machines and other apparatus will be made by all the attending countries and an international plan will be drawn up to provide for emergency communications in the event of disruption of normal channels of communication by hurricanes, earthquakes and other disasters.

"Likewise, study will be given to adoption of suitable regulations with respect to frequency bands above 1,600 kilocycles that might permit interchange of international police communications.

"The delegations have refrained from touching on the political phase of international radio problems, but it is undeniable that this is likely to prove the greatest stumbling block at the coming conference.

"It will be highly necessary for each nation to establish standards of control for its own stations. In Cuba, for example, due to lack of adequate regulations, the interference of stations has become so intense, not only with each other but with stations in the United States, that a wave of protest has swept the nation. However, the economic situation of the island's stations and political influences have thus far prevented enactment of efficient measures of control."

NEW TEXAS STATION RECOMMENDED

Radio Enterprises, partnership of J. R. Curtis and R. Lacy, and the Red Lands Broadcasting Association both applied to the Federal Communications Commission for a construction permit for a new station at Lufkin, Texas, and both asked the same facilities, namely, 1310 kilocycles, 100 watts, and daytime operation.

Examiner P. W. Seward, in Report No. I-377, recommended that the application of Radio Enterprises be denied and that of the Red Lands Broadcasting Association be granted. He found that a need does exist for additional radio facilities during the day in the area proposed to be served. The Examiner states that the applicants connected with Radio Enterprises "reside in a different area than that proposed to be served and that neither one of the partners in this application has spent any considerable time in the Lufkin or Nacogdoches area." On the other hand the applicants connected with the Red Lands Broadcasting Association do reside in Lufkin and Nacogdoches and therefore the Examiner feels "these applicants are better qualified to know the needs of the area."

MONTANA COPYRIGHT LAW

On March 3 the Montana state legislature enacted a law making copyrighted music licensing pools illegal. It was approved by the Governor on March 12.

A similar bill was passed by the State of Washington legislature and also approved by the Governor.

Legislation designed to regulate music copyright licensing pools is also pending in Illinois, Iowa, Minnesota, Nebraska, Ohio and Wisconsin. An Indiana bill to license and tax music licensing pools was passed by the House and reported favorably in the Senate but was not passed by that body prior to final adjournment. The Montana law is as follows:

MONTANA

(House Bill No. 396)

(Regular Session)

AN ACT in aid of the Federal Copyright Laws, to assist in effectuating their true intent and their enforcement in the State of Montana by removing and declaring illegal certain monopolistic abuses and activities wrongfully practiced under the guise of copyrights within the state by price fixing combinations, monopolies and pools; to enforce the Montana constitutional provisions prohibiting price fixing monopolies, and combinations in restraint of commerce and trade, providing penalties for combining rights granted by the copyright laws where the effect of such combinations results in the use of copyright privileges as instrumentalities of oppression and extortion within the state in violation of constitutional provisions; and encouraging the rendition, creation and production of copyrighted works among the school children and citizens of the State of Montana, encouraging the marketing and acceptance of copyrighted works, created by the citizens of this state; repealing certain Acts; creating a state anti-monopoly board for a particular function to be exercised only in the event of abuses and violations hereof; defining its duties, and the jurisdiction and duties of courts of record; the duties of the prosecuting attorneys, county auditors, the state treasurer and the secretary of state; and providing for the appointment of a receiver in certain instances; defining certain terms; providing for service of process on nonresidents; prohibiting certain Acts; and providing penalties for violation hereof.

Be it enacted by the Legislative Assembly of the State of Montana:

Section 1. It shall be unlawful for any person to, without the consent of the owner thereof, cause to be publicly performed for profit any dramatic composition, or dramatic musical composition commonly called an opera, or other copyrighted works, or any substantial part thereof, which has been copyrighted under the laws of the United States, or for any person to knowingly participate in the performance or representation of any substantial part thereof, or by knowingly selling a substantial copy of any substantial part thereof. Provided, however, that nothing contained in this Act shall affect or be construed to affect motion pictures.

Section 2. It shall be unlawful for two or more persons holding or claiming separate copyrighted works under the Copyright Laws of the United States, either within or without the State, to band together, or to pool their interests for the purpose of fixing the prices on the use of said copyrighted works, or to pool their separate interests or to conspire, federate, or join together, for the purpose of collecting fees in this State, or to issue blanket licenses in this State, for the right to commercially use or perform publicly their separate copyrighted works; provided, however, such persons may join together if they issue licenses on rates assessed on a per piece system of usage; provided further, this Act shall not apply to any one individual author or composer or copyright holder or owner who may demand any price of fee he or she may choose for the right to use or publicly perform his or her individual copyrighted work or works; provided further, such per piece system of licensing must be based on and in proportion to the use made of such copyrighted works and in no case in excess of any other per piece system in operation in other states where any group or persons affected by this Act does business, and all groups and persons affected by this Act, are prohibited from discriminating against the citizens of this State by charging higher and more inequitable rates per piece for music licenses in this State than in other States; provided further, where the owner, holder, or person having control of any copyrighted works has sold the right to the single use of said copyrighted work, where its sole value is in its use for public peformance for profit, and has received any consideration therefor, either within or without the State, then said person or persons shall be deemed to have sold and parted with the right to further restrict the use of said copyrighted work or works; Provided this does not apply to selling the use of any copyrighted work or works at a different time.

Section 3. In the event two or more persons holding separate copyrighted musical works, or any rights flowing therefrom, whether by assignment, agency agreements, or by any form of agreement, pool their interest, or combine, or conspire, federate, or join together in any way, whether for a lawful purpose or otherwise, a complete list of their copyrighted works or compositions shall be filed once each year with additions or revisions made monthly in the office of the Secretary of State of the State of Montana, together with a list of the prices charged or demanded for their various copyrighted works; no payment or filing fee shall be required by the Secretary of State, and said persons, corporations, or associations, foreign or domestic, shall state therein under oath, that said list is a complete catalogue of the titles of their claimed compositions, whether musical or dramatic or of any other classification, and in addition to stating the name and title of the copyrighted work it shall recite therein the date each separate work was copyrighted, and the name of the author, the date of its assignment, if any, or the date of the assignment of any interest therein, if any, and the name of the publisher, the name of the present owner, together with the addresses and residences of all parties who have at any time had any interest in such copyrighted work. The Secretary of State shall require two copies of said list, one of which he shall keep on file, the other shall be forwarded to the office of the State Treasurer at Helena.

Section 4. The foregoing list of names and titles, provided for in the preceding section, shall be made available by the Secretary of State to all persons for examination, in order that any user of copyrighted works in this State may know the rights and titles to such copyrighted works as may be claimed by any of said combinations, pools, associations, or persons as aforesaid, said lists shall be prepared so that all persons may avoid using said copyrighted compositions, if they so desire, and may avoid conflict therewith, and avoid committing innocent infringements of said works; and said lists so filed shall constitute constructive notice to all persons of the matters contained therein; and in order to further effectuate the copyright laws of the United States, the Secretary of State shall, if he deems it necessary to protect the citizens of this State from committing innocent violations of the Copyright Laws of the United States, publish such list once each year in a newspaper of general circulation, in order that all citizens of the State may respect any and all individual rights granted by the United States Copyright Laws.

Section 5. No person, corporation, or association, domestic or foreign, whether doing business in this State as hereinafter defined or not, shall be absolved from the foregoing duty of filing said list of holdings as required in the preceding sections of this Act, if their music or copyrighted works are used commercially in this State, or have been used herein, whether originating from a point within the State or from without, and as long as any rendition thereof is received or heard within the State, or is intended to be so received by the originator of any musical program; provided, however, any individual owner of a copyrighted work or works, not a party to or not connected in any way with any pool, conspiracy, combination, or groups, or association of persons, as prohibited by this Act, need not file any such list.

Section 6. It is hereby declared that the production and creation of music and the commercial use of music and of copyrighted works within this State, whether originating at a point from within or without the State, as long as the same shall be rendered and publicly received within the confines of this State, whether mechanically or by radio communication, is a business clothed and affected with the public interest, and the adult educational advantages engendered by the public use of music and its creation, makes this business one of public necessity, and necessary for the education and training of the youth of this State; that many abuses are practiced under a false guise of Federal protection which only the State with its police power can easily and lawfully restrain, and in order to prohibit, discourage and prevent monopolistic practices, and to prevent extortion, to encourage free bargaining between the citizens of this State with each other and with those without the State, and in order to give greater effect to the Constitutional provisions relating to monopoly and price-fixing, and in the general interest of the public, therefore, the legislature in the interest of the peace and dignity of the State, in the interest of good morals and the general welfare of the people of this State, and for greater educational advantages to the public, declares that said business shall be subject to the police power and reasonable regulation of the State government, and such police and regulating power shall be administered by the Courts and other officials of this State in a manner consistent with, in aid of, and never in conflict with, the Copyright Laws of the United States. The provisions of this Act, and the administration thereof, shall at all times effectuate the enforcement, the true intent, and meaning of the United States Copyright Laws in order to prevent abuses from being practiced within this State from points within or from points without the State, by any individual, corporation, or organizations, who attempt to use the Federal Courts as innocent instrumentalities in the furtherance of any systematic campaign or scheme designed to illegally fix prices for the commercial use of copyrighted works in this State through the use of extortionate means and terrorizing practices based on threats of suits, and an abuse of both State and Federal process, all of which are declared to be in violation of this Act and of the State Constitution; it is further declared that any person or persons, or combines, as aforesaid, who shall violate this Act shall be deemed to have used their property within this State in such a way that the same shall have acquired a legal situs, analogous to the situs of other personal tangible property within the State, even though separate from the domicile and residence of the owner; provided further, the legal situs of any copyrighted work is a coextensive about the State, and a copyrighted work used or sold for public use or public performance for profit, if intended to be heard from a point without the State or from a point within the State, is hereby declared to be a commercial commodity, and its legal situs is hereby declared to be within the State of Montana.

Section 7. All persons, groups, corporations, associations, foreign or domestic, violating this chapter, shall be deemed to have been doing business within this State and amendable to the process of the state courts, when any such persons, combinations, or groups shall have issued licenses either from within or from without the State, for the privilege of using commercially and publicly any copyrighted work or works pooled in a common group or entity, or when any of the functions of said entity, organization, pool or combine, is or has been performed in this State; and the business of spying upon and the warning of users of the copyrighted works of such combinations, in addition to the presence within the State of such persons, and the activities of such persons or their agents at any time or occasion for the detection of infringements within this State, shall be conclusive evidence that such combinations and persons, even though non-residents, have accepted the privileges of doing business within this State, and such persons, if they abide by the provisions of this Act, shall be granted the privilege of conducting business within this State in a legal manner, and may invoke the benefits of the State government and its political subdivisions in their behalf, and they may use all of the privileges available to the citizens of this State in general, and the use at any time of any general privilege available to any citizen of this State, by any of such agents, their attorneys, or representatives, or investigator, or by any aidor and abettor, or any non-resident person, group, entity, or combination as aforesaid, shall be deemed to be an acceptance of the provisions of this Act; and all licensees of any violator of this Act shall be deemed as aiders and abettors of said persons and subject to the provisions of this Act unless they forthwith indicate their obedience herewith; and the acceptance of the general privileges of the State of Montana by any non-resident copyright holder or owner, or combination, defendant, or person, or organization of any kind, or entity, through an investigator, attorney, agent representative, or through any aider and abettor as herein defined, and the acceptance by such persons of the rights, police protection, or of any general privilege conferred by the law of this State to any of its citizens, including the use of the roads and highways, or the privileges of any of its political subdivisions, as evidenced by their presence within the State at any time, shall be deemed equivalent to and construed to be an appointment by such non-resident or non-residents, as the case may be, of the Secretary of State of Montana to be his or their true and lawful attorney upon whom may be served all summons and processes against him or them and growing out of a violation of this Act, in which said non-resident may be involved, and said acceptance of the privileges of this State, as aforesaid, shall be signification of his or their agreement that any summons or process against him or them which is so served shall be of the same legal force and validity as if served on him or them personally within the State of Montana. Service of such summons of process shall be made by leaving a copy thereof with a fee of $2.00 with the Secretary of the State of Montana, or in his office, and such service shall be sufficient and valid personal service upon any such non-resident defendant, copyright holder or owner, persons, or defendants, combination, entity, or organization, as aforesaid; provided, that notice of such service and a copy of the summons of process shall be forthwith sent by registered mail requiring personal delivery, by the Prosecutor bringing any action under this Act, to any defendant at his last known address, and the defendant's return receipt and the Prosecutor's affidavit of compliance herewith are appended to the process and entered as a part of the return thereof; provided further, the Court in which any action is brought may order such continuances as may be necessary to afford any non-resident defendant or groups, or entity, a reasonable opportunity to defend the action; provided further, the Secretary of State shall keep a record of all such summons and process which shall show the day and time of service; and valid personal service shall thus be had on non-resident persons or individuals, entities, firms, or corporations violating this Act.

Section 8. In the event any person, or groups of persons, or any combination or pool as aforesaid, whether a non-resident corporation, person, or an association, or domestic, refuse to abide by the provisions hereof, or attempt to evade or render ineffectual the true enforcement of any provision of this Act, then the Prosecuting Attorney of any county where complaint is made of any violation, shall institute injunction proceedings against said persons in the District Court, and valid personal service may be had upon any non-resident defendant as set forth in the preceding section; and the Court shall enjoin all persons from violating the provisions of this Act and the Constitutional provisions prohibiting price-fixing, monopolies, and combinations, and all copyrighted works and the public performance rights thereto when sold or used for profit and hereby declared to be a commercial commodity, and all persons, aiders, and abettors, and agents, shall be enjoined by the Court from aiding or furthering in any way a continuation of any violation of this Act, either by the payment of money to said defendants or in any way; and if any defendant or defendants persist in defying the judgment of the Court, the Court shall, in order to effectuate its judgment and orders, order three days' notice be given said defendant or defendants, as the case may be, by having a copy of such notice served on the Secretary of State as heretofore provided if defendants are without the State, or served personally if within the State, and have the same published in some daily paper in the State of general circulation, and at the end of said period, if any defendant or defendants refuse to obey the order of the Court, then the Court shall appoint the County Auditor as Receiver for the copyrighted works and property of defendants, tangible or intangible, and of all other effects and moneys derived therefrom, and the Receiver shall take over and preserve the commercial rights to all of said copyrighted works, together with such other property of any defendant, combination, pool, corporation, or entity through which they are acting, that he can locate within the State, and the Receiver shall administer the same under the direction of the Court, and said receivership shall be considered only as an incident to the main injunction suit of the Prosecutor, and for the purpose of enforcing the Court's orders; the said receiver shall seize the copyrighted works of all of the copyright holders and owners in said defendant combination, including all of the rights to suits for infringement and damages in both State and Federal Courts, and all choices of action, and all sums due on contracts and licenses, and hold the same subject to the order of the Court; and all persons holding licenses or contracts with any defendant combination or entity, shall pay the fees and sums due thereon to the receiver for such time as the court may need to effectuate the provisions of this Act and to compel any defendant to abide herewith; provided any sums paid on licenses violating this Act shall only be continued in the Court's discretion or until such time as the Court can award defendants complete and full due process of law before entering a final order thereon, or until such time as a legal and equitable system of licensing can be determined according to the subsequent provisions of this Act; provided further, in the event any defendant or defendants attempt to withdraw their said copyright works or property from the State in order to violate and render this Act or the Court's orders ineffectual, or to deprive the citizens of this State of such commodity, or to hamper the enforcement of any provision of this Act, or to injure any citizen or use of music in any way, then the Court shall immediately order the Receiver to compile a complete list of all of the copyrighted works of said defendants which have been used in this State, and the Court shall then convene the State Anti-Monopoly Boards, as herein now created, consisting of the State Treasurer and the State Auditor, and said Board shall meet in the County where the suit is filed, and the District Judge hearing the Cause shall be an advisory member of said Board; and said Board, of which the State Treasurer shall be chairman, shall have only one function, the discouragement of price-fixing and monopolies, and the Court shall then submit to said Board the single question of the establishment of license rates for the use of these copyrighted works controlled by the defendants so proceeded against, and for the purpose of aiding in the abolition of monopolies and price-fixing, and preventing the violations of this Act, the Board shall determine a fair and just rate that the Receiver should charge for the single and separate public performance for profit of each copyrighted work or works of said defendants, on a per piece system and basis of licensing, and the Court shall not be deemed thereby to have divested itself of any of its jurisdiction by so doing; after determining such rate, the said Anti-Monopoly Board shall immediately advise the Receiver of its findings, and of its fair rate, and the same shall be filed of record in the cause, and the Receiver may then, if said finding is approved by the Court, issue licenses for the use of said music at such approved rate on a basis of so much money per each time a piece of music is played or used in a public performance for profit; that said property shall be thus administered by the Receiver for a period of one year, or until such time as the defendants, or the individual copyright owners of any combination so proceeded against take oath that they will abide by the rulings of the Court and the provisions of this Act; and all fees and funds collected by the Receiver shall be turned over to the State Treasurer, and no receivers fees or attorneys fees shall be allowed, and the Prosecuting Attorney shall be the Attorney for the Receiver, and the State Treasurer shall keep said money in a separate and special fund, subject to the order of the Court only for whatever portion thereof that the Court may order used to defray the actual expenses of the Board and the Receivership; at the end of one year, if the defendants and copyright owners or holders in any combination thus proceeded against, continue to wilfully disobey the Court's orders, then the Court shall issue an order, which shall be published in three public places, to the effect that unless the defendants obey all of the orders of the Court within ten days from the date of said order, that the Court will proceed to permanently deprive said defendants and each of them of their property; and the Court shall then order said defendants to show cause within ten days why they should not be involuntarily compelled to assign all of their copyrighted works to the Receiver forthwith, and to show cause why all of the funds as collected in the manner aforesaid from licenses, together with all of the copyrighted works including the performing rights thereto of said defendants and members of said combine, should not escheat and be forfeited forever to the State of Montana, and be subject thereafter to administration by the State in the same manner as all other personal property belonging to the State of Montana; if any of said defendants and copyright holders, or owners, do appear before the end of said ten day period, and take oath that they will abide by the future orders of the Court and the provisions of this Act, then the Court shall release their copyrighted works and order the State Treasurer to return any and all of their money which has been received or seized; provided, however, the Court shall retain such jurisdiction over their persons for such time as the Court may deem necessary to insure strict compliance with the terms of the Court's judgment and the provisions of this Act; if any of said defendants or copyright owners or holders shall ignore or refuse to obey the show cause order, as aforesaid, or fail to appear at the end of ten days as ordered and abide by the Court's judgment, then the Court shall make an order and enter judgment to the effect that all of the copyrighted works, including the performance rights thereto, of said defendants and the members of any defendant combination, shall be construed as having been escheated and forfeited to the State of Montana, and the Court shall thereupon appoint some officer of the Court to execute an involuntary assignment of all of the legal and equitable titles to all of the copyrighted works of each of said defendants and members of any defendant combination to the Receiver, in the event the defendants or any of their members fail to execute a voluntary assignment, and the Receiver shall immediately file said involuntary assignment at the United States Copyright Office at Washington, D. C.; and the Court shall then order the Receiver to close the estate, and turn the titles to said copyrighted works over by proper assignment from the Receiver to the State Treasurer of the State of Montana, who shall thereafter administer, issue licenses for the use of the same in a manner consistent with this Act, and conserve the same as State personal property in his possession, and according to law; and any funds left in the State Treasury from said receivership shall escheat and be forfeited to the State and become part of the general fund; provided further, the State Treasurer shall make a report to the legislature on each biennium of the amount of money received from such licensing and the amount of property he has on hand through the enforcement of this Act.

Section 9. That in the event any person, or any of the defendants, or non-residents, or non-resident copyright owners or holders, are proceeded against as herein outlined, and are served with process according to law, or any non-resident is served with process as outlined in the preceding sections of this Act, and if any of said defendants, or persons, or aiders and abettors named as defendants, appear in any such proceeding by counsel or otherwise, or institute any special proceeding attacking such proceeding, or make any motion therein, either special or general, or if any of them appear to obtain the judgment of the Court solely upon the sufficiency of the service of the process upon them, or upon any phase of particularity of said injunction proceedings, such special proceeding or appearance, or motion, or appearance, as the case may be, shall nevertheless be deemed as a general appearance even though the process may have been insufficient, and said parties and defendants as may thus appear in this action, for any reason or cause, whether they seek special or affirmative relief, shall thereafter be subject to the general orders and jurisdiction of the Court for all purposes, and if any of said defendants or persons appear in any Court proceeding instituted to effectuate this Act solely for the purpose of challenging the validity of service of process upon them they shall be deemed to have surrendered themselves and as having submitted to the general jurisdiction of the Court; provided however, this section shall not be construed as denying, and no attempt shall be made at any time in any proceeding in connection with the enforcement of this Act, to restrain or deny any of said defendants, resident or non-resident, copyright holders or owners, or any person, or members of any defendant combination, entity, pool, or monopoly of their rights or property without full and complete due process of the law. Provided, however, that nothing contained in this Act shall affect or be construed to affect motion pictures.

Section 10. Every person, in addition to the other penalties, provided in this Act, who violates or who procures, or aids or abets in the violating of any provision of this Act, or who conspires to render ineffectual any valid order or decision of any Court in the enforcement of this Act, or who procures, conspires with, or aids or abets any person or persons in his or their failure to obey the provisions of this Act, or to render ineffectual any valid order of any court in connection with the enforcement of this Act shall be deemed guilty of a gross misdemeanor, and upon conviction, shall be punished by a fine not exceeding Five Hundred Dollars ($500.00), or imprisonment in the county jail for not more than six months, or both such fine and imprisonment.

Section 11. In case any part or portion of this Act shall be held unconstitutional, such holding shall not affect the validity of this Act as whole or any other part or portion of this Act, and if any clause, sentence, paragraph, or subdivision, section or part of this Act shall for any reason be adjudged invalid such judgment shall not affect, impair, or invalidate the remainder of the Act, but shall be strictly confined in its operation and holding to the specific clause, sentence, paragraph, subdivision, section or part thereof, directly involved in the controversy in which such judgment shall have been rendered; and all other Acts and laws in conflict herewith are hereby repealed.

Section 12. In the event more than one injunction suit provided for in this Act is instituted in this State, in different counties by different prosecuting attorneys, but against the same defendants, the respective District Judges hearing the causes may issue orders against said defendant in any county, but in the event any of the various county proceedings enter into the state of receivership, as herein provided, then the Judges hearing the respective causes shall order those causes where the defendants are the same, to be consolidated in one action in one particular county, and in such county as the Judges may decide, to the end that only one receivership may be appointed for the entire State for the property of the same defendant or defendants.

Section 13. All Acts and parts of Acts in conflict herewith are hereby repealed.

Section 14. This Act shall be in full force and effect from and after its passage and approval.

Approved, March 12, 1937.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3085. Allegedly misrepresenting domestic-made toffee as being manufactured in or imported from England, the **British American Toffee Co.,** 102 Hill St., **New Haven, Conn.,** has been named respondent in a complaint charging unfair methods of competition.

The respondent company, the complaint alleges, sells certain confections in packages bearing the names "English Toffee" or "Piccadilly Toffee," together with pictorial representations of the Tower of London, London Bridge, a coat of arms, and figures simulating British soldiers in dress and appearance. Such phrases as "Delicious English Toffees" and "England's Most Popular Sweet," and the respondent's corporate name are said to be printed upon certain of the packages.

The false and misleading representations are alleged to place in the hands of wholesalers, retailers and jobbers the means whereby they may defraud purchasers by enabling dealers to sell the respondent company's toffee products either as imported or as made in the United States in conjunction with or under license from English manufacturers.

No. 3086. M. J. & H. J. Meyer Co., Inc., 145 Hudson St., **New York,** is charged in a complaint with unfair methods of competition in selling a table sauce under the trade brand "Pride of England Worcestershire Sauce," the product allegedly simulating in certain respects Lea & Perrins' Worcestershire Sauce.

It is alleged that the respondent corporation uses bottle wrappers or labels simulating those of Lea & Perrins as to type of paper, color, wording and other distinctive features in the printed matter, including a script signature of the respondent corporation written in black ink diagonally across the face of the wrapper.

These simulations, according to the complaint, have the tendency to induce the public to form the erroneous belief that the respondent corporation's product is the sauce manufactured and sold by Lea & Perrins, as a result of which mistaken belief substantial numbers of purchasers have bought the respondent's product, thereby unfairly diverting trade to the respondent.

No. 3087. Misleading representations in the sale of a medicine are alleged in a complaint issued against **William Everette,** 509 North Fifty-Eighth St., **Philadelphia,** trading as **W. E. & M. E. Medicine Co.**

Newspaper and magazine advertising sponsored by the respondent is alleged to have represented that "W.E. & M.E. Herb Tonic" will purify the blood, and is a body builder, and that its use will relieve constipation, chills, backaches, liver, kidney, stomach, skin, and other disorders and that no ingredient in it is harmful.

No. 3088. Violation of the so-called brokerage clause of the Robinson-Patman Anti-Price Discrimination Act is alleged in a complaint issued against **Oliver Brothers, Inc.,** 417-421 Canal St., **New York,** supplying market information and purchasing service to wholesalers, jobbers and other dealers in various parts of the country. Eleven buying and selling companies also are named respondents.

Oliver Brothers, Inc., is alleged to have been the medium through which a large group of buyers purchased commodities, mostly hardware, from a group of sellers. The complaint charges that Oliver Brothers, Inc., while acting as agent or representative of the buyers and subject to their direct or indirect control, accepted from the selling group so-called brokerage fees or commissions, varying from 1 to 10 per cent of the quoted agreed sales prices, without rendering service of any kind to the sellers in connection with these transactions of sale or purchase of goods. Such commissions, it is charged, were in turn paid over by Oliver Brothers to its buyer clients, without the latter rendering any service to the sellers in connection with the particular transactions involved. Each amount paid the individual buyer was the amount paid by the individual seller in a given transaction, according to the complaint.

No. 3090. California Rice Industry, a trade association with headquarters in **San Francisco,** 16 of its officers and eight rice milling member companies credited with milling and distributing practically all the rice produced in California, are charged in a complaint with unlawfully restricting the sale of their products through fixing and maintaining uniform prices, and with other practices, under an agreement and conspiracy in violation of Section 5 of the Federal Trade Commission Act.

Member companies are said to control and dominate the round grain or Japanese type rice industry in the United States and to direct and dominate purchasers of such rice for resale throughout the world.

The eight milling company members are: **C. E. Grosjean Rice Milling Co., Capital Rice Mills, Growers Rice Milling Company, Pacific Trading Company, Inc., Phillips Milling Co.,** and **Rosenberg Brothers & Co.,** all of **San Francisco; Woodland Rice Milling Co., Woodland, Calif.,** and **Rice Growers' Association of California, West Sacramento, Calif.**

They are charged with entering into the alleged combination and agreement late in August, 1935, such undertaking allegedly having resulted in undue restrain of trade in rice and rice products, enhancement of prices and maintenance of prices at artificial levels, elimination of competition, and a tendency to create monopoly.

No. 3091. A complaint has been issued alleging that 35 companies, producing and selling 90 per cent of the output of cast iron soil pipe in the United States, have, through use of the Birmingham Plus pricing system, substantially lessened price competition within their industry and discriminated in price among certain buyers of their products. The complaint charges violation of both the Federal Trade Commission Act and the Robinson-Patman Anti-Price Discrimination Act.

The **Cast Iron Soil Pipe Association, Birmingham, Ala.,** which is the trade organization of the industry, and its officers, also are named respondents in the complaint.

For more than ten years, according to Count One of the complaint which alleges violation of the Federal Trade Commission Act, the respondents have combined and agreed to lessen and restrain competition, and to that end have used the Birmingham Plus pricing system, under which, to the extent that the system is followed, all cast iron soil pipe, wherever produced, is sold at delivered prices, which are equivalent to the base price fixed at Birmingham, Ala., plus the freight rate from Birmingham to the buyer's freight station, wherever located. From the delivered prices there are deducted, it is said, trade discounts which vary for buyers of different classes, but are uniform to buyers of the same class.

Under the Birmingham Plus system, each respondent company, the complaint alleges, makes a delivered price, identical with that made by every other producer adhering to the system, to any given customer wherever located, such uniform pricing being carried on by each respondent company with the knowledge that all other producers following the system will quote and charge identical delivered prices.

No. 3092. Eleven companies said to control and dominate the production and distribution of blue print paper and other reproduction paper, cloths and allied articles used in the engineering and building trades, are named respondents in a complaint against them and their trade association, the **Scientific Apparatus Makers of America,** 20 North Wacker Drive, **Chicago,** and the Surveying-Drafting-Coaters Section of that association.

The complaint charges these respondents and various officers, directors and other members with combining and conspiring to fix and maintain prices, control bidding, and other unfair practices in connection with the sale of their particular type of products, in violation of Section 5 of the Federal Trade Commission Act.

Members of the association and its Surveying-Drafting-Coaters Section named as respondents are: Charles Bruning Co., Inc., 102 Reade St., and Eugene Deitzen Co., 218 East Twenty-Third St., both of New York City; Keuffel & Esser Co., 300 Adams St., Hoboken, N. J.; The Huey Co., 17 South Wabash Ave., The Frederick Post Co., 3636 North Hamlin St., Economy Blue Print Products, Inc., 1714 North Damen Ave., The C. F. Pease Co., 813 North Franklin St., and United States Blue Print Paper Co., 207 Wabash Ave., all of Chicago; Keystone Blue Paper Co., 910 Filbert St., Charles W. Speidel & Co., 112 North Twelfth St., and J. H. Weil & Co., 1315 Cherry St., all of Philadelphia.

The Surveying-Drafting-Coaters Section, one of seven divisions of the general trade association, each division acting as a trade association to protect the interests of its own group, has approximately forty members, but this number, according to the complaint, varies from time to time because of the dropping out of old and the addition of new members so that at any one time it is impracticable to name all members as parties respondent.

The complaint names the eleven members separately and as representatives of all other members as a class, such members, according to the complaint, constituting practically all the sellers to wholesalers of, dealers in and consumers of the various products sold, especially blue print and other reproduction papers and cloths.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

Nos. 1917 and 1918. Two **New York** dealers in cosmetic products have entered into stipulations to discontinue unfair representations in the sale of their preparations. They are: **Northam Warren Sales Co., Inc.,** 191 Hudson Street, **New York,** and **Laure Co., Inc.,** 9 West 29th St., **New York.**

Northam Warren Sales Co., in the sale of "Cutex Lipstick," agrees to abandon use of the word "nourishing" so as to imply that its article nourishes or feeds the lips and causes them to become smooth, moist, velvety or non-greasy in appearance as a result of such purported nourishment.

Laure Co. stipulated that it would cease employing the word "Paris," alone or in conjunction with other words, in the form of a signature, on display or shipping cartons or packages containing its perfume products, or in advertising matter relating to them, in a manner tending to convey the impression that these preparations are compounded or manufactured in Paris, France, or that Laure Co., Inc., has offices there, when these are not the facts.

No. 1920. Eastern Wine Corporation, Bronx Terminal Market, Bronx, New York City, stipulated that it will cease labeling wine with the words "Vintage-1928," when in fact the products so described were of vintages subsequent to 1928, and will stop using any labels or vintage strips which do not accurately and truthfully represent the age of the wine. The corporation also agreed to discontinue use on labels or in advertising matter of the words "Highest award wherever exhibited," alone or with pictorial representations simulating medals, or of any other equivalent words or expressions, so as to imply that it has exhibited its wine at any exposition or fair or has been awarded medals for the excellence of its products, when such is not a fact.

No. 1924. Red Top Brewing Co., 1747 Central Parkway, Cincinnati, agreed to cease using on labels affixed to kegs the words "Double Brew" as descriptive of beer which is not double brewed, and to stop using the words "Double Brew," alone or with any other words, so as to imply that the product so designated has been brewed twice, when such is not a fact.

No. 1922. Selling baby chicks, **George F. Pinaire,** trading as **Clover Valley Poultry Farm and Hatchery, Ramsey, Ind.,** has entered into a stipulation to discontinue use in advertising matter of words or representations implying that all the baby chicks he sells are hatched from eggs produced by his own or by blood-tested flocks, when such is not a fact.

According to the stipulation, the chicks sold by Pinaire were not all hatched from eggs produced by blood-tested flocks, and he purchased from hatcheries other than his own a substantial part of the chicks required to fill orders he received.

No. 2550. An order to cease and desist has been issued prohibiting **Mutual Stores, Inc.,** 9th and D. Streets, and 9th and E Streets, N. W., **Washington, D. C.,** from using the words "Army and Navy," or either of them, to describe merchandise offered for sale, unless these descriptions be used specifically in connection with goods actually procured from the United States Army or Navy.

Findings are that inventory of the respondent has never revealed more than 10 to 15 per cent of its goods as being surplus, refuse or reject goods from the Army or Navy. Since 1932, no substantial amount of such goods, suitable for resale in retail stores of the respondent company's type, has been offered for sale by the Army or Navy, according to the findings.

No. 2667. An order to cease and desist has been issued requiring **Havana-Florida Cigar Co., Inc.,** 501 North Madison St., **Quincy, Fla.,** to discontinue use of the word "Havana" to describe cigars unless they are made entirely from Cuban-grown tobacco.

The respondent company's representations were held to have constituted unfair competition in violation of Section 5 of the Federal Trade Commission Act.

No. 2752. Prohibiting certain unfair representations in the sale of fish and other sea food an order has been issued to cease and desist against **M. F. Foley Co.,** Friend and Union Streets, **Boston,** a wholesaler.

This company is directed to stop representing, directly or indirectly, through use of the word "whitefish," that fish of the salt water species known as "cusk" are whitefish.

Another practice barred is use of the word "whitefish," alone or with other words, to represent that fish of any species other than the fresh water, Great Lakes variety known as Lake Erie, Lake Superior or Selkirk whitefish, or as whitefish, are in fact whitefish.

No. 2943. David F. Kemp, 225 Fifth Avenue, **New York,** trading as **United States School of Music,** has been ordered to discontinue certain unfair methods of competition in connection with the sale of correspondence courses in music.

Among the representations prohibited are that Kemp has taught 700,000 pupils to play musical instruments; that all pupils studying the course, regardless of their degree of talent, can be taught to play a musical instrument in one-half the time usually required, and that, at the end of the course, the average pupil is sufficiently proficient to pass a teacher's examination.

FTC CLOSES CASES

No. 2888. The Federal Trade Commission has closed a case involving charges of unfair competition against Four California companies alleged to have violated Section 5 of the Federal Trade Commission Act by representing their "Acme Beer" as superior to other beers because made under a "non-fattening formula."

Closing of the case followed approval by the Commission and the signing by the respondent companies of a stipulation as to the facts. In closing the case, the Commission retains its right to reopen it at any time, should the facts warrant.

Signers of the stipulation are: **Cereal Products Refining Corporation,** 762 Fulton St., **San Francisco,** now known as **Acme Breweries,** and also doing business under the fictitious name of **California Brewing Association** as owner and successor of **California Brewing Association,** a corporation, named in the Commission's Complaint, but now dissolved; **Acme Brewing Co.,** 2080 East 49th St., **Los Angeles,** and **Bohemian Distributing Co., Ltd.,** 2060 49th St., **Los Angeles.**

Under their stipulation, the respondent companies specifically agree to cease representing their beer as containing no carbohydrates or fat-producing properties, and as being without properties for producing or inducing increase in body weight, and to stop asserting that such representations are, or may be taken to be, applicable and true for all consumers of beer.

Other advertising assertions to be discontinued are that this beer has a non-fattening quality due to a "non-fattening formula" peculiar to Acme as distinguished from other beer products, and that certain of Acme's ingredients give it a capacity to "slenderize" persons of excess weight.

Under the stipulation, the respondent companies reserve the power to advertise their beer as a food or food-beverage, and to qualify the term "non-fattening" so as to make it publicly known that this beer as a food or food-beverage is relatively "non-fattening" by comparison with other foods and as an item of normal diet. It is provided, however, that these representations be consistent at all times with the stipulated agreement.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, April 5:

Monday, April 5

HEARING BEFORE AN EXAMINER

(Broadcast)

KROY—Royal Miller, Sacramento, Calif.—Modification of C. P., **1340 kc.,** 250 watts, 1 KW LS, unlimited. Present assignment: **1210 kc.,** 100 watts, daytime.

KABR—Aberdeen Broadcast Co., Aberdeen, S. Dak.—C. P., **1390 kc.,** 500 watts, 1 KW LS, unlimited time. Present assignment: **1420 kc.,** 100 watts, unlimited time.

WMBO—Roy L. Albertson and Auburn Publishing Co., Auburn, N. Y.—Authority to transfer control of corporation; **1310 kc.,** 100 watts, unlimited.

WSAU—Northern Broadcasting Co., Inc., Wausau, Wis.—Modification of C. P., **1370 kc.,** 100 watts, 100 watts LS, unlimited. Present assignment: **1370 kc.,** 100 watts, daytime.

Tuesday, April 6

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Okmulgee Broadcasting Corp., Okmulgee, Okla.—C. P., **1210 kc.,** 100 watts, daytime.

NEW—Times Publishing Co., Okmulgee, Okla.—C. P., **1210 kc.,** 100 watts, daytime.

NEW—The Record Publishing Co., Okmulgee, Okla.—C. P., **1210 kc.,** 100 watts, daytime.

NEW—Beaumont Broadcasting Assn., B. A. Steinhagen, Pres., Beaumont, Tex.—C. P., **1420 kc.,** 100 watts, 100 watts LS.

KGA—Louis Wasmer, Spokane, Wash.—Modification of license, **950 kc.,** 1 KW, 5 KW LS, unlimited time. Present assignment: **1470 kc.,** 5 KW, unlimited time.

Wednesday, April 7

HEARING BEFORE AN EXAMINER

(Broadcast)

WBCM—James E. Davidson, Bay City, Mich.—Modification of license, **1410 kc.,** 500 watts, 1 KW LS, unlimited. Present assignment: **1410 kc.,** 500 watts, 500 watts LS, unlimited.

KADA—C. C. Morris, Ada, Okla.—Modification of license, **1200 kc.**, 100 watts, 100 watts LS, unlimited. Present assignment: **1200 kc.**, 100 watts, daytime.

KFVD—Standard Broadcasting Co., Los Angeles, Calif.—Modification of license, **990 kc.**, 1 KW, 1 KW LS, limited time. Present assignment: **1000 kc.**, 1 KW, 1 KW LS, limited time.

Thursday. April 8

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. 1-104:

KGGC—The Golden Gate Broadcasting Co. (Robert J. Craig), San Francisco, Calif.—Modification of license, **1420 kc.**, 100 watts, unlimited time. Present assignment: **1420 kc.**, 100 watts, specified hours. Other participants: None.

Examiner's Report No. 1-324:

NEW—John S. Allen and G. W. Covington, Jr., Montgomery, Ala.—C. P., **1210 kc.**, 100 watts, daytime. Other participants: WSFA, Montgomery, Ala.; Seaboard Investment Co., Inc., Montgomery, Ala.

Examiner's Report No. 1-338:

NEW—Harmon LeRoy Stevens and Herman LeRoy Stevens, d/b as Port Huron Broadcasting Co., Port Huron, Mich.—C. P., **1370 kc.**, 250 watts, daytime.

Examiner's Report No. 1-339:

WMAS—WMAS, Inc., Springfield, Mass.—C. P., **560 kc.**, 1 KW, unlimited time.

Examiner's Report No. 1-342:

WGBI—Scranton Broadcasters, Inc., Scranton, Pa.—Modification of license, **880 kc.**, 500 watts, 1 KW LS, shares-WQAN. Present assignment: **880 kc.**, 500 watts, shares-WQAN.

Examiner's Report No. 1-351:

NEW—Golden Empire Broadcasting Co., Marysville, Calif.—C. P., **1140 kc.**, 250 watts, daytime.

Friday, April 9

HEARING BEFORE AN EXAMINER

(Broadcast)

KGLO—Mason City Globe Gazette Co., Mason City, Iowa.—C. P., **1210 kc.**, 100 watts, 250 watts LS, unlimited time. Present assignment: **1210 kc.**, 100 watts, unlimited time.

NEW—Twin City Broadcasting Corp., Longview, Wash.—C. P., **780 kc.**, 250 watts, daytime.

NEW—Edgar L. Bill, Peoria, Ill.—C. P., **1040 kc.**, 250 watts, daytime.

NEW—Asheville Daily News, Harold H. Thoms, Owner, Asheville, N. C.—C. P., **1370 kc.**, 100 watts, unlimited time.

APPLICATIONS GRANTED

WSGN—The Birmingham News Co., Birmingham, Ala.—Granted license to cover C. P., **1310 kc.**, 100 watts night, 250 watts day, unlimited time. The license is granted upon condition it shall in no wise be construed as a finding upon the application for renewal of license of WSGN, or upon the application of B. H. Hopson for the facilities of WSGN, or upon any of the issues thereby raised, nor that the operation of this station is or will be in the public interest beyond the express terms hereof.

WBBZ—Adelaide L. Carrell, Representative Estate of C. L. Carrell, deceased, Ponca City, Okla.—Granted C. P. as amended with respect to name, for installation of new equipment, erection of vertical radiator, and increase in day power from 100 to 250 watts, conditionally upon the same limitations as at present contained in station's license.

WGCM—WGCM, Inc., Gulfport, Miss.—Granted authority to transfer control of corporation from Sam Gates to P. K. Ewing; **1210 kc.**, 100 watts night, 250 watts day, unlimited.

WTFI—Liberty Broadcasting Co., Atlanta, Ga.—Granted modification of C. P. approving transmitter site and installation of vertical radiator and new equipment.

WSNJ—Eastern States Broadcasting Corp., Bridgeton, N. J.—Granted modification of C. P. approving transmitter and studio sites and installation of vertical radiator.

KSJS—R. J. Laubengayer, Salina, Kans.—Granted modification of C. P. authorizing change in transmitter and studio sites, installation of new equipment, changes in antenna, and increase in day power from 100 to 250 watts.

WHDL—Olean Broadcasting Co., Inc., Olean, N. Y.—Granted modification of license to change name from Olean Broadcasting Co., Inc., to WHDL, Inc.

KWTN—Greater Kampeska Radio Corp., Watertown, S. Dak.—Granted authority to install automatic frequency control equipment, upon condition it shall not be construed as a finding upon the application for renewal of license nor upon any of the issues involved therein, nor that the Commission has found that the operation of this station is or will be in the public interest beyond the express terms thereof.

WCAU—WCAU, Inc., Philadelphia, Pa.—Granted authority to determine operating power by direct measurement of antenna input in compliance with terms of Rule 137.

WNBF—Howitt-Wood Radio Co., Inc., Binghamton, N. Y.—Granted C. P. to make changes in composite equipment and increase day power from 100 to 250 watts.

KFRO—Voice of Longview, Longview, Tex.—Granted license to cover C. P. and modification; **1370 kc.**, 250 watts, daytime only.

WRBL—WRBL Radio Station, Inc., Columbus, Ga.—Granted modification of C. P. approving transmitter and studio sites and vertical radiator.

WAAJ—The Toledo Broadcasting Co., Toledo, Ohio (Mobile).—Granted voluntary assignment of C. P. from The Toledo Broadcasting Co. to the Fort Industry Company.

W8XKD—The Toledo Broadcasting Co., Toledo, Ohio (Mobile).—Granted voluntary assignment of C. P. from The Toledo Broadcasting Co. to the Fort Industry Company.

KABF—James McClatchy Company, Sacramento, Calif. (Mobile).—Granted voluntary assignment of license from James McClatchy Company to McClatchy Broadcasting Co.

W6XB—Karl A. Nielsen, Phoenix, Ariz. (Mobile).—Granted voluntary assignment of license from Earl A. Nielsen to Salt River Valley Broadcasting Co.

WPRP—Julio M. Conesa, Ponce, Puerto Rico.—Granted renewal of license for the period January 1 to July 1, 1937.

WJAY—The Cleveland Radio Broadcasting Corp., Cleveland, Ohio.—Granted renewal of license for the period March 1 to September 1, 1937.

WWL—Loyola University, New Orleans, La.—Granted renewal of license for the period February 1 to August 1, 1937.

WLAK—Lake Region Broadcasting Co., Lakeland, Fla.—Granted authority to transfer control from E. I. Mack to J. P. Marchant; **1310 kc.**, 100 watts, unlimited time. Also granted renewal of license for the period December 1, 1936, to June 1, 1937.

KGFX—Ida A. McNeil, Pierre, S. Dak.—Granted involuntary assignment of license from Dana McNeil to Ida A. McNeil, administratrix of the estate of Dana McNeil, deceased. Also granted renewal of license for the period March 1, to September 1, 1937.

KTOX—Oklahoma Broadcasting Co., Inc., Oklahoma City, Okla.—Granted license to cover C. P. as modified. Also granted renewal of license upon a regular basis.

WHBI—Wodaam Corporation, Newark, N. J.—Granted renewal of license for the period April 1 to October 1, 1937.

WWJ—The Evening News Assn., Inc., Detroit, Mich.—Granted extension of present license for a period of 30 days.

WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—Granted extension of present license for a period of 30 days.

WMFN—Attala Broadcasting Corp., Grenada, Miss.—Granted voluntary assignment of C. P. from Attala Broadcasting Corp. to P. K. Ewing.

WHIO—Miami Valley Broadcasting Corp., Dayton, Ohio.—Granted extension of present license for a period of 60 days.

NEW—Ashland Broadcasting Co., Ashland, Ky. (Mobile).—Granted C. P. for new relay station; frequencies **1622, 2058, 2150** and **2790 kc.**, 40 watts.

NEW—Isle of Dreams Broadcasting Corp., Miami, Fla. (Mobile).—Granted C. P. for new station; frequencies **1606, 2022, 2102** and **2758 kc.**, 40 watts. Also granted license covering same.

NEW—Indianapolis Broadcasting, Inc., Indianapolis, Ind. (Mobile).—Granted C. P. for new relay station; frequencies **1622, 2058, 2150** and **2790 kc.**, 40 watts.

NEW—WAVE, Inc., Louisville, Ky. (Mobile).—Granted C. P. for new relay station; frequencies **1522, 2058, 2150** and **2790 kc.**, 50 watts.

NEW—The South Bend Tribune, South Bend, Ind. (Mobile).—Granted C. P. and license for new relay station; frequencies **1622, 2058, 2150** and **2790 kc.,** 50 watts.

NEW—The South Bend Tribune, South Bend, Ind. (Mobile).—Granted C. P. for new relay station; frequencies **31100, 34600, 37600** and **40600 kc.,** 1 watt. Also granted license covering same.

WDAY—WDAY, Inc., Fargo, N. Dak. (Mobile).—Granted C. P. for new relay station; frequencies **3110, 34600, 37600** and **40600 kc.,** 7 watts.

NEW—Pennsylvania Broadcasting Co., Philadelphia, Pa. (Mobile).—Granted C. P. for new relay station; frequencies **31100, 34600, 37600** and **40600 kc.,** 10 watts.

NEW—Gazette Printing Co., Janesville, Wis. (Mobile).—Granted C. P. for new relay station; frequencies **31100, 34600, 37600,** and **40600 kc.,** 2 watts.

W4XF—Isle of Dreams Broadcasting Corp., Miami, Fla. (Mobile).—Granted license to cover C. P. for relay broadcast station; frequencies **31100, 34600, 37600** and **40600 kc.,** 10 watts.

WAAX—The Crosley Radio Corp., Cincinnati, Ohio (Mobile).—Granted license to cover C. P. for low frequency broadcast relay station; frequencies **1622, 2058, 2150** and **2790 kc.,** 50 watts.

W8XIK—The Crosley Radio Corp., Cincinnati, Ohio (Mobile).—Granted license to cover C. P. for increase in power of high frequency relay broadcast station to 50 watts.

W8XIL—The Crosley Radio Corp., Cincinnati, Ohio (Mobile).—Granted license to cover C. P. for increase in power of high frequency relay broadcast station to 50 watts.

SET FOR HEARING

NEW—Gallatin Radio Forum, Bozeman, Mont.—C. P. for new station to operate on **1420 kc.,** 250 watts, daytime only.

NEW—Leon M. Eisfeld, Burlington, Iowa.—C. P. for new station to operate on **1310 kc.,** 100 watts, unlimited time.

NEW—Glen E. Webster, Decatur, Ill.—C. P. for new station to operate on **1290 kc.,** 250 watts daytime; exact transmitter site to be determined with Commission's approval.

NEW—Harold F. Cross, Lansing, Mich.—C. P. for new station to operate on **580 kc.,** 500 watts night, 1 KW day, unlimited time, using directional antenna system for both day and night-time operation.

NEW—Robert E. Clements, Huntington Park, Calif.—C. P. for new station to operate on **1160 kc.,** 250 watts, daytime only, exact transmitter site and type of antenna to be determined with Commission's approval.

NEW—John Stewart Bryan, Petersburg, Va.—C. P. for new station to operate on **1210 kc.,** 100 watts night, 250 watts day, unlimited except Sundays when WBBL operates between 10:30 a. m. to 1:30 p. m., 5:30 to 7 p. m., and 7:30 to 9:30 p. m., EST. Desires facilities of WMBG. Exact transmitter site and type of antenna to be determined with Commission approval.

NEW—Gerald A. Travis, LaPorte, Ind.—C. P. for new station to operate on **1500 kc.,** 100 watts night, 250 watts day, unlimited time.

NEW—L. L. Coryell, Sr., and L. L. Coryell, Jr., d/b as L. L. Coryell & Son, Lincoln, Nebr.—C. P. for new station amended to request —**1450 kc.,** 250 watts night, 1 KW day, unlimited time.

NEW—Citizens Broadcasting Corp., Schenectady, N. Y.— C. P. for new station amended to request **1240 kc.,** 1 KW night using directional antenna, 5 KW day, unlimited time.

NEW—Standard Life Ins. Co. of the South, Jackson, Miss.—C. P. for new station to operate on **1420 kc.,** 100 watts night, 250 watts day, unlimited time; exact transmitter site to be determined with Commission's approval.

NEW—B. H. Hopson, Birmingham, Ala.—C. P. for new station amended to request **1310 kc.,** 100 watts night, 250 watts day, unlimited time. (Requests facilities of WSGN, contingent upon granting of application of Birmingham News Co. for new station to operate on **590 kc.,** 1 KW unlimited.) Exact transmitter site to be determined with Commission's approval.

NEW—Birmingham News Co., Birmingham, Ala.—C. P. for new station amended to request frequency **590 kc.,** 1 KW, unlimited time.

NEW—Southern Broadcasting Corp., New Orleans, La.—C. P. for new station amended to request frequency **1200 kc.,** 100 watts night, 250 watts day, unlimited time; exact transmitter site and type of antenna to be determined with Commission's approval. Desires facilities of WBNO.

NEW—Arlington Radio Service, Inc., Arlington, Va.—C. P. for new station amended to request frequency **1510 kc.,** 250 watts, unlimited, exact transmitter site and type of antenna to be determined with Commission's approval. To be heard before Broadcast Division on date to be fixed by the Division.

WGL—Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—C. P. to make changes in equipment and increase day power from 100 watts to 250 watts.

NEW—Phillip Jackson, Brunswick, Ga.—C. P. for new station, **1420 kc.,** 100 watts, daytime only.

WMMN—Monongahela Valley Broadcasting Co., Fairmont, W. Va.—C. P. amended so as to request installation of directional antenna system for nighttime use, install new equipment, increase night power from 500 watts to 1 KW and day power from 1 KW to 5 KW.

WCLS—WCLS, Inc., Joliet, Ill.—Modification of license to install a radiating system to comply with Rule 131 and change time of operation from specified hours to unlimited time.

WKBH—WKBH, Inc., LaCrosse, Wis.—Authority to transfer control of corporation from Joseph C. Callaway to Harry Dahl.

WSAN—WSAN, Inc., Allentown, Pa.—Application for voluntary assignment of license from WSAN, Inc., licensee, to WSAN, Inc., a newly organized corporation (**1440 kc.,** 500 watts, S-WCBA).

WCBA—B. Bryan Musselman, Allentown, Pa.—Application for voluntary assignment of license from B. Bryan Musselman to WSAN, Inc. (**1440 kc.,** 500 watts, S-WSAN).

KFYO—Plains Radio Broadcasting Co., Lubbock, Texas.—Application for renewal of license for the period December 1, 1936, to June 1, 1937. Temporary license granted pending outcome of hearing. **1310 kc.,** 100 watts night, 250 watts day, unlimited.

KCNC—Plains Radio Broadcasting Co., Amarillo, Texas.—Same, except **1410 kc.,** 1 KW night, 2½ KW day, unlimited.

WWL—Loyola University, New Orleans, La.—Application for C. P. amended to request installation of new equipment and increase in power from 10 to 50 KW.

NEW—The Enterprise Co., Beaumont, Tex.—C. P. for new station to operate on **1400 kc.,** 500 watts, unlimited. Exact transmitter site to be determined with Commission's approval.

RENEWAL OF LICENSES

The Commission granted renewal of licenses for the regular period to the following:

KDYL, Salt Lake City; KFBB, Great Falls, Mont.; KFIO, Spokane, Wash.; KFKU, Lawrence, Kans.; KGBX, Springfield, Mo.; KGCU, Mandan, N. Dak.; KGGF, Coffeyville, Kans.; KGVO, Missoula, Mont.; KHSL, Chico, Calif.; KLCN, Blytheville, Ark.; KLPM, Minot, N. Dak.; KMA, Shenandoah, Iowa; KMBC and auxiliary, Kansas City, Mo.; KOIL, Omaha, Neb.; KOL, Seattle; KPAC, Port Arthur, Texas; KQW, San Jose, Calif.; KRKD, Los Angeles; KROW, Oakland, Calif.; KRSC, Seattle; KTAT, Fort Worth, Texas; KTRH, Houston, Texas; KTW, Seattle; KUOA, Siloam Springs, Ark.; KWLC, Decorah, Iowa; KWSC, Pullman, Wash.; KYA, San Francisco; WAAT, Jersey City, N. J.; WASH, Grand Rapids, Mich.; WAVE, Louisville, Ky.; WBRC, Birmingham, Ala.; WCAD, Canton, N. Y.; WCAM, Camden, N. J.; WCOP, Boston; WCSH, Portland, Maine; WDAE, Tampa, Fla.; WDAY, Fargo, N. Dak.; WDBJ, Roanoke, Va.; WDOD, Chattanooga, Tenn.; WEBC and auxiliary, Duluth, Minn.; WFBM, Indianapolis, Ind.; WFBR and auxiliary, Baltimore; WHA, Madison, Wis.; WHN and auxiliary, New York City; WISN, Milwaukee; WJAS, Pittsburgh, Pa.; WKAQ, San Juan, P. R.; WNAC, Boston; WNAD, Norman, Okla.; WNBX, Springfield, Vt.; WNBZ, Saranac Lake, N. Y.; WNEL, San Juan, P. R.; WNOX, Knoxville, Tenn.; WCOD, Grand Rapids, Mich.; WORC, Worcester, Mass.; WRC and auxiliary, Washington; WREN, Lawrence, Kans.; WRR and auxiliary, Dallas, Texas; WTAW, College Station, Texas; WTCN, Minneapolis; WTOC, Savannah, Ga.; WXYZ, Detroit, Mich.; KFOX, Long Beach, Calif.; KFWB, Hollywood, Calif.; KOIN, Portland, Ore.; KRGV, Weslaco, Texas; KTFI, Twin Falls, Idaho; KVOA, Tucson, Ariz.; KVOR, Colorado Springs; WCAL, Northfield, Minn.; WDEL, Wilmington, Del.; WDSU, New Orleans; WHBI, Newark, N. J.; WJDX, Jackson, Miss.; WLB, Minneapolis; KFSG, Los Angeles, Calif.; KGCA, Decorah, Iowa; WIBA, Madison, Wis.

WCAE—WCAE, Inc., Pittsburgh, Pa.—Granted renewal of license on a temporary basis only, subject to whatever action may be taken upon renewal application.

WCAE—WCAE, Inc., Pittsburgh, Pa., Auxiliary.—Granted renewal of license on a temporary basis only, subject to whatever action may be taken upon renewal application.

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Granted renewal of license for the period ending Sept. 1, 1937.

WLBL—State of Wisconsin Department of Agriculture and Market, Stevens Point, Wis.—Granted renewal of license for the period ending Sept. 1, 1937.

WPHR—WLBG, Inc., Petersburg, Va.—Granted renewal of license for the period ending Sept. 1, 1937.

KGGM—New Mexico Broadcasting Co., Albuquerque, N. Mex.—Present license extended on a temporary basis only for the period ending in no event later than May 1, 1937, pending receipt and action on renewal application.

WCAP—Radio Industries Broadcast Co., Asbury Park, N. J.—Present license extended on a temporary basis only for the period ending in no event later than May 1, 1937, pending receipt and action on renewal application.

WTNJ—WCAX, Inc., Trenton, N. J.—Present license extended on a temporary basis only for the period ending in no event later than May 1, 1937, pending receipt and action on renewal application.

KGBU—Alaska Radio & Service Co., Inc., Ketchikan, Alaska.—Present license extended on a temporary basis only for the period ending in no event later than May 1, 1937, pending receipt and action on renewal application.

KOAC—Oregon State Agricultural College, Corvallis, Ore.—Present license extended on a temporary basis only for the period ending in no event later than May 1, 1937, pending receipt and action on renewal application.

The following renewals of high frequency broadcast (experimental) station licenses were granted for the period April 1, 1937 to April 1, 1938, on an experimental basis, subject to change without prior notice or hearing:

W2XDV, New York City; W9XHW, Minneapolis; W2XDG, New York City; W2XHG, New York City; W9XBS, Chicago; W9XPD, St. Louis, Mo.; W9XOK, St. Louis, Mo.; W8XAI, Victor Township, N. Y.; W8XH, Buffalo, N. Y.; W1XKA, Boston; W1XKB, East Springfield, Mass.; W3XKA, Philadelphia; W8XKA, Pittsburgh, Pa.; W5XAU, Oklahoma City; W1XER, Quincy, Mass.

The following stations were granted renewal of high frequency broadcast station licenses for the period April 1, 1937 to April 1, 1938, in exact conformity with existing licenses:

W1XEQ, Fairhaven, Mass.; W3XEY, Baltimore; W4XH, Spartanburg, S. C.; W9XJL, Superior, Wis.; W3XES, Baltimore; W4XBW, Chattanooga, Tenn.; W3XEX, Norfolk, Va.

W6XAS—Julias Brunton & Sons Co., San Francisco, Calif.—Present high frequency broadcast station license extended for a period of one month from April 1 to May 1, 1937, on a temporary basis only, pending receipt of and action on renewal application.

W4XCA—Memphis Commercial Appeal Co., Memphis, Tenn.—Present high frequency broadcast station license extended for a period of one month from April 1 to May 1, 1937, on a temporary basis only, pending receipt of and action on renewal application.

W9XER—Midland Broadcasting Co., Inc., Kansas City, Mo.—Present high frequency broadcast station license extended for a period of one month from April 1 to May 1, 1937, on a temporary basis only, pending receipt of and action on renewal application.

SPECIAL AUTHORIZATIONS

WTAW—Agricultural & Mechanical College of Texas, College Station, Texas.—Granted special temporary authorization to operate from 3:55 to 4:30 p. m., 5:30 to 7 p. m., 10:30 to 11:30 p. m., CST, April 2, 1937; 2:55 to 6 p. m., CST, April 3; 3:55 to 7 p. m., CST, April 8; 3:55 to 4:30 p. m., 5:30 to 7 p. m., CST, April 9, and 2:55 to 6 p. m. and 9:30 to 10:30 p. m., CST, April 10, 1937, in order to broadcast intercollegiate baseball games in afternoon periods and broadcast music from college student dances during night periods.

WHDF—The Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authority to operate from 12:30 to 1 p. m., CST, March 31, April 7, 14, 21 and 28, 1937, in order to broadcast religious programs of the Calvary Northland Missions of Ontonagon Mich.

WELI—City Broadcasting Corp. New Haven Conn.—Granted special temporary authority to operate unlimited time on Saturday, April 3, in order to broadcast a special birthday anniversary banquet to be tendered Gov. Cross at Hotel Taft, New Haven. Also granted special temporary authority to operate from 8 p. m. Monday, April 12, to the conclusion of the business of the 27th Annual Convention of the Connecticut Parents and Teachers Association held at the Hotel Taft.

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Granted extension of special temporary authority to operate with power of 50 watts from local sunset (April sunset, 6:45 p. m.) to 11 p. m., EST, on Tuesdays, Thursdays, Saturdays and Sundays during month of April, pending compliance with Rule 131 on modification of license application requesting this authority.

KRMC—Roberts-McNab Co., Jamestown, N. Dak.—Granted special temporary authority to operate unlimited nighttime during program test period (provided KVOX is not broadcasting).

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted special temporary authority to operate from 8:30 to 10 a. m. and 2 to 3 p. m., EST, from March 25 to April 4, 1937, inclusive (provided WSVS remains silent), in order to broadcast religious, education, etc., programs.

KFRO—Voice of Longview, Longview, Texas.—Granted special temporary authority to operate from local sunset (April sunset 6:45 p. m.) to 9 p. m., CST, on Sundays, April 4, 11, 18, 25, 1937, in order to broadcast services of the Kelly Memorial Methodist Church of Longview.

WMBG—Havens & Martin, Inc., Richmond, Va.—Granted extension of special temporary authority to operate from 5:30 to 7 p. m., EST, on Sundays, from April 1 to April 30, 1937, inclusive (provided WBBL remains silent), in order to broadcast special programs.

KGFL—KGFL, Inc., Roswell, N. Mex.—Granted special temporary authority to operate simultaneously with KICA from 7:30 to 9 p. m., MST, Easter Sunday, March 28th, in order to broadcast Easter Cantata.

KTHS—Hot Springs Chamber of Commerce, Hot Springs National Park, Ark.—Granted special temporary authority to operate from 5 to 6 a. m., CST, March 28, in order to broadcast Annual Sunrise Easter Service.

WNBC—State Broadcasting Corp., New Britain, Conn.—Granted special temporary authority to operate unlimited time on night of March 31, in order to broadcast the Shriners' Hospital benefit program from the stage of the Capitol Theater.

APPLICATIONS DENIED

Essex Broadcasters, Inc., Detroit, Mich.—Denied authority to transmit program of the Detroit and Michigan Exposition from Convention Hall in Detroit, featuring a "Pronounce-a-down" to Radio Station CKLW, Windsor, Ontario, on one night only between April 2 and 11, 1937.

WELI—City Broadcasting Corp., New Haven, Conn.—Denied special temporary authority to operate unlimited time on the evenings of April 8, 9 and 10, 1937, in order to broadcast the A. A. U. National Swimming Indoor Championships from the Payne Whitney Gymnasium Pool at Yale University. Also denied special temporary authority to operate from local sunset (March sunset, 6 p. m.) to 8 p. m., EST, Easter Sunday, March 28, in order to broadcast Easter program from New Haven County Jail.

The following cases, heretofore set for hearing, were denied as in cases of default for failure to file an appearance and statement of facts to be proved in accordance with Rule 104.6 (c):

KUOA—KUOA, Inc., Siloam Springs, Ark.—Modification of license **620 kc.**, 5 KW, daytime.

NEW—C. P. Sudweeks, Spokane, Wash.—C. P. **950 kc.**, 500 watts, 1 KW-LS, unlimited.

WDAS—WDAS Broadcasting Station, Inc., Philadelphia, Pa.—C. P. **1390 kc.;** 500 watts, 1 KW, unlimited.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

NEW—Howard A. Miller, Galesburg, Ill.—C. P. **1500 kc.**, 100 watts, daytime.

NEW—Staunton Broadcasting Co., Inc.—Staunton, Va.—C. P. **1500 kc.**, 250 watts, daytime.

KGBX—Springfield Broadcasting Co., Springfield, Mo.—C. P. **1230 kc.,** 1 KW unlimited.

KVOO—Southwestern Sales Corp., Tulsa, Okla.—C. P. **1140 kc.,** 50 KW, Simultaneous day, WAPI, S-WAPI night.

WBNY—Roy L. Albertson, Buffalo, N. Y.—Modification of license **1370 kc.,** 100 watts, 250 watts, specified hours.

WHK—Radio Air Service Corp., Cleveland, Ohio.—Modification of license **1390 kc.,** 1 KW, 5 KW, unlimited.

NEW—Galesburg Printing & Pub. Co., Galesburg, Ill.—C. P. **1500 kc.,** 250 watts, daytime.

EXAMINERS REPORTS SUBMITTED DURING WEEK OF MARCH 16 TO 26, 1937

NEW—Ex. Rep. 1-368: H. W. Wilson & Ben Farmer, Wilson, N. C.—Examiner Seward recommended grant of C. P. to construct new station to operate on **1310 kc.,** 100 watts daytime.

NEW—Ex. Rep. 1-369: John R. & Joe L. Peryatel & Richard K. Beauchamp, d/b as Peryatel Bros. & Richard Beauchamp, Raton, N. Mex.—Examiner Seward recommended denial without prejudice of application for C. P. for new station to operate on **1210 kc.,** 100 watts, unlimited.

NEW—Ex. Rep. 1-370: Falls City Broadcasting Corp., Falls City, Nebr.—Examiner Walker recommended denial of application for C. P. for new station to operate on **1310 kc.,** 100 watts, unlimited.

WBAX—Ex. Rep. 1-371: John H. Stenger, Jr., Wilkes-Barre, Pa. —Examiner Bramhall recommended grant of modification of license to change hours of operation from specified to unlimited.

WELI—Ex. Rep. 1-372: City Broadcasting Corp, New Haven, Conn.—Examiner Seward recommended that application to change frequency from **900 kc.** to **930 kc.** power from 500 watts to 250 watts night, 500 watts LS, and hours of operation from daytime to unlimited be granted conditionally.

NEW—Lawrence K. Miller, Pittsfield, Mass.—Recommended denial of Miller application for C. P. for **930 kc.,** 250 watts, daytime.

NEW—Ex. Rep. 1-373: J. L. Statler, d/b as Baker Hospital, Muscatine, Ia.—Examiner Walker recommended denial of authority to transmit programs to stations in Canada and Mexico.

NEW—Ex. Rep. 1-374: H. O. Davis, Mobile, Ala.—Examiner Seward recommended denial of application to erect new station to operate on **610 kc.,** 250 watts, night, 500 watts LS, unlimited.

NEW—Ex. Rep. 1-375: Harold Thomas, Pittsfield, Mass.—Examiner Seward recommended denial of application for new station to operate on **1310 kc.,** 100 watts, N, 250 watts LS, unlimited.

KRLH—Ex. Rep. 1-376: Clarence Scharbauer, Midland, Tex.—Examiner Seward recommended denial for want of prosecution of application to change frequency from **1420 kc.** to **1210 kc.**

NEW—Ex. Rep. 1-377: Radio Enterprises, partnership of J. R. Curtis & R. Lacy, Lufkin, Tex.—Examiner Seward recommended denial of application for C. P. for new station to operate on **1310 kc.,** 100 watts, daytime; and. NEW—Red Lands Broadcasting Assn., Ben T. Wilson, Pres., Lufkin, Tex.—Examiner Seward recommended grant of application for new station to operate on **1310 kc.,** 100 watts, daytime.

WJBR—Ex. Rep. 1-378: J. B. Roberts, Gastonia, N. C.—Examiner Bramhall recommended denial of application for modification of C. P. requesting additional time to construct station; and, NEW—Virgil V. Evans, Gostonia, N. C.—Recommended denial of application for C. P. for new station to operate on **1420 kc.,** 100 watts, unlimited.

ACTION ON EXAMINER'S REPORT

NEW—Ex. Rep. 1-369: John R. and Joe L. Peryatel and Richard K. Beauchamp, d/b as Peryatel Bros. & Richard K. Beauchamp, Raton, N. Mex.—Denied with prejudice application for C. P. for new station to operate on **1210 kc.,** 100 watts, unlimited time. Order effective March 26, 1937. Examiner P. W. Seward sustained in part.

ORAL ARGUMENT

NEW—Ex. Rep. 1-358: Loyal K. King, Pasadena, Cal.—Oral argument to be held May 13, 1937.

RATIFICATIONS

The Commission ratified the following acts authorized on the dates shown:

W10XAL—Columbia Broadcasting System, Inc., New York City—Granted authority to operate as licensed period 30 days from March 25 relaybroadcast series interviews Washington, D. C., residential Districts.

W10XZ—Columbia Broadcasting System, Inc., New York City—Granted authority to operate as licensed March 28 relaybroadcast Easter Parade, New York City.

W8XFO—Crosley Radio Corp., Cincinnati, Ohio—Granted authority operate as licensed 3-28 and 3-21 relaybroadcast Dog Show.

W10XAH-W10XAV-W2XF—National Broadcasting Co., Inc., New York City—Granted authority operate as licensed 3-28 relaybroadcast Easter Parade on Fifth Avenue.

WXER-W9XAI—Journal Company, Milwaukee, Wis.—Granted authority operate as licensed for tests on 3-30 and 3-31 and relaybroadcasts 4-1 to 4-3, inclusive, of smelt run at Escanaba, Mich.

KABE-KIGA—National Broadcasting Co., St. Paul, Minn.—Granted authority operate as licensed 3-27 relaybroadcast Minneapolis Journal's Dig Parade.

W9XPS—Peoria Broadcasting Co., Peoria, Ill.—Granted authority to operate as licensed on 3-28 relaybroadcast street interviews in Peoria.

W3XGO-W3XGP—Baltimore Radio Show, Inc., Baltimore, Md.—Granted authority operate as licensed on 3-28 relaybroadcast description Easter Parade.

W8XHG—Radio Air Service Corp., Cleveland, Ohio—Granted authority to operate as licensed on 4-2 relaybroadcast program "Broadcast on Campus" from campus Western Reserve University.

WJEP—Stromberg-Carlson Tele. Mgf. Co., Rochester, N. Y.—Granted authority operate as licensed 3-24 to 4-3 inclusive, relaybroadcast Safety Campaign.

W9XPN-W9XPV—WDX Broadcasting Co., Tuscola, Ill.—Granted authority operate as licensed period March 24 to April 22 relaybroadcast from train running between Villagrove and Tuscola.

KIIH-KFAB Broadcasting Co., Lincoln, Nebr.—Granted authority as licensed on 3-28 relay broadcast Easter Parade, Lincoln, Nebr.

WBAM-W1OXIP—Bamberger Broadcasting Service, Inc., Newark, N. J.—Granted authority to operate as licensed on 3/28 relay broadcast description Easter Parade, New York.

WKZO—WKZO, Inc., Kalamazoo, Mich.—Granted special temporary authority to operate from local sunset (March sunset, 5:45 p. m., CST) to 10 p. m. March 22, 1937, in order to broadcast a Democratic Jamboree; also operation unlimited time on April 5, 1937, in order to broadcast election returns.

WHBI—May Radio Broadcast Corporation, Newark, N. J.—Granted special temporary authority to use the transmitter of WNEW from 3 to 5 p. m., March 22 and 29, in order to broadcast baseball games from Florida.

WHEF—Attala Broadcasting Corp., Kosciusko, Miss.—Granted special temporary authority to use transmitter studio as main studio for period not to exceed 30 days while main studio is being remodeled.

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah. —Granted special temporary authority to operate a 100 watt portable test transmitter on **1290 kc.,** between hours of 1 and 6 a. m., for period March 18 ending no later than April 1, to conduct location survey.

WPHR—WLBG, Inc., Petersburg, Va.—Granted special temporary authority to operate a 50 watt portable test transmitter in vicinity of Richmond, Va., between hours of 12 midnight and 6 a. m., EST, for period not to exceed 30 days, in order to make field intensity survey tests.

KPRC—Houston Printing Corp., Houston, Texas.—Granted extension special temporary authority to operate with 5 KW power night for period March 25 to April 23, 1937.

KALB—Alexandria Broadcasting Co., Alexandria, La.—Granted special temporary authority to operate from local sunset (March sunset, 6:15 p. m. and April sunset, 6:30 p. m., CST), to 12 midnight, for period March 22 to 27 inclusive, March 29 to 31, inclusive, April 1, 2, 3, 5 and 6, in order to broadcast local political campaign.

WXYZ—Kunsky-Trendle Broadcasting Corp., Detroit, Mich.—Granted special temporary authority to operate with power not to exceed 25 watts on the following frequencies: **550, 590, 650, 710, 780, 830, 890, 940, 990, 1050, 1100, 1140, 1190, 1240, 1300, 1350, 1400, 1460, 1520, 1550** and **1600 kc.,** between 1 and 6 a. m., for period not to exceed 3 weeks from March 16 (instead of April 16, 1937, granted March 9), in order to obtain information on performance of roof antennas by taking measurements of field produced by new tower at various heights.

KGDY—Voice of South Dakota, Huron, S. Dak.—Granted extension of special temporary authority to remain silent for period March 16 to April 15, for purpose of rebuilding transmitter to comply with Rule 132.

The Broadcast Division denied the request of WDAS Broadcasting Station, Inc., for extension of time for filing of its appearance in Docket 4080, in re its application for C. P.

Granted petition of Citizens Broadcasting Corporation to intervene in proceedings on application of Troy Broadcasting Co., Inc., for C. P. for new station at Troy, N. Y.

Granted petition of Hearst Radio, Inc., to intervene in the proceedings on the application of Troy Broadcasting, Co., Inc., for C. P.

Denied motion of Congress Square Hotel Co. and Bremer Broadcasting Corp. to quash the Order to Take Depositions in Docket 4306 (application of Troy Broadcasting Co., Inc.) With regard to the Order of the Commission dated Feb. 26, 1937, for the taking of depositions by the Troy Broadcasting Co., Inc., in this case, the Broadcast Division waived the requirements of Rule 106.23 requiring a statement of the matters and facts which it is expected the witnesses will testify.

Granted petition of National Battery Broadcasting Co. to intervene in the proceedings on the application of Edward Hoffman (WMIN), St. Paul, Minn., for modification of License Docket 4342.

Granted petition of Smith, Keller & Cole (a partnership) for postponement of oral argument upon its application for C. P. for new station in San Diego, Calif., Docket 3939, until oral argument is heard with respect to application of Pacific Acceptance Corp. for C. P. to establish a new station in San Diego, Docket No. 2968.

The Broadcast Division waived requirements of Rule 104.6(b) and accepted the answer of the Mississippi Broadcasting Co., Inc. (WCOC), to the appearance of the applicant in the proceedings on the application of Virgil V. Evans, d/b as The Voice of S. C., Spartanburg, S. C., for C. P.

The Broadcast Division denied the petition of W. A. Patterson (WAPO), Chattanooga, Tenn., to grant without a hearing his application for C. P.

Granted petition of Royal Miller (KROY), Sacramento, Calif., requesting that the order to take depositions in support of his application for modification of C. P., Docket 4234, be amended so as to add the names of Al Wolfe and Robert Barringer of Sacramento, Calif, as witnesses to be examined on March 22, 1937, subject to any objections that may be raised by parties with conflicting interests.

ORAL ARGUMENTS CONTINED

Oral arguments scheduled for Thursday, April 1, 1937, involving Examiner's Reports Nos. 1-104, No. 1-324, and No. 1-334, were continued until April 8, 1937.

APPLICATION RETIRED TO CLOSE FILE

KCRJ—Charles C. Robinson, Jerome, Ariz.—Application requesting authority to install new transmitter and antenna system, change hours of operation from specified to daytime, granted on July 2, 1936, was retired to closed files for want of prosecution.

MISCELLANEOUS

Asheville Daily News, Harold H. Thoms (owner), Asheville, N. C.—Decided to hold on April 9, 1937, a rehearing on application for new station to operate on **1370 kc.,** 100 watts, unlimited time.

WHK—Radio Air Service Corp., Cleveland, Ohio.—Denied petition requesting authority to participate in oral argument on examiner's report covering application of Clarence C. Dill for C. P. to erect new broadcast station in Washington, D. C., to operate on **1390 kc.,** 1 KW, unlimited time.

WMMN—Monongahela Valley Broadcasting Co., Fairmont, W. Va.—Granted petition to intervene in the hearing on the application of W. Va. Newspaper Publishing Co. for C. P. to erect a new broadcast station at Clarksburg, W. Va., to operate on **1250 kc.,** 1 KW, daytime only.

NEW—Athens Times, Inc., Athens, Ga.—Granted petition to intervene in the hearing on application of J. K. Patrick & Co. for C. P. to erect new station at Athens, Ga., to operate on **1310 kc.,** 100 watts night, 250 watts LS, unlimited time.

KGB—Don Lee Broadcasting System, San Diego, Calif.—Granted petition to intervene in the hearing on the application of the Radiotel Corp. for C. P. to erect a new station in San Diego to operate on **920 kc.,** 500 watts, unlimited time.

KALB—Alexandria Broadcasting Co., Alexandria, La.—Denied petition asking Commission to cancel oral argument in Docket 4110. Postponed action on petition in so far as it prays for grant of the application until the application is determined upon its merits. This is an application for modification of license to change frequency from **1420 kc.** to **1210 kc.,** and to increase hours of operation from daytime to unlimited.

WPG—City of Atlantic City, Atlantic City, N. J.—Granted petition to intervene in the hearing on the application of the Press-Union Publishing Company for a C. P. to erect a new station at Atlantic City to operate on **1200 kc.,** 100 watts, 250 watts LS, unlimited time.

KOL—Seattle Broadcasting Co., Inc., Seattle, Wash.—Granted petition to intervene in the hearing on the application of the Northwest Research Foundation, Inc., for C. P. to erect a new special broadcast station to operate on **1530 kc.,** 1 KW, unlimited.

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Granted petition to intervene in the hearing on the application of the Voice of Detroit, Inc., for a C. P. to erect a new broadcast station at Detroit, Mich., to operate on **1120 kc.,** with 500 watts night, 1 KW LS, unlimited time.

WJW—WJW, Inc., Akron, Ohio.—Granted petition to intervene in the hearing on the application of the Summit Radio Corp. for C. P. to erect a new broadcast station at Akron, Ohio, to operate on frequency **1550 kc.,** 1 KW, unlimited time.

WTCN—Minn. Broadcasting Corp., Minneapolis, Minn.—Granted petition to intervene in the hearing on the application of George W. Young for C. P. to erect a new station in St. Paul, Minn., to operate on **920 kc.,** with 1 KW night, 5 KW LS, unlimited time.

WTCN—Minn. Broadcasting Corp., Minneapolis, Minn.—Granted petition to intervene in the hearing on the applications of the National Battery Broadcasting Co. for C. P. to erect two new stations in St. Paul, Minn., (1) to operate on the frequency **580 kc.,** with 1 KW, unlimited, and (2) to operate on the frequency of **920 kc.,** with 1 KW, unlimited time.

WHK—Radio Air Service Corp., Cleveland, Ohio.—Accepted answer to the appearance of the applicant in re application of Aberdeen Broadcast Co. (KABR), Docket 4255.

Paul B. McEvoy, Hobart, Okla.—Granted petition to withdraw without prejudice application for authority to erect and operate a new broadcast station to use **1420 kc.,** 100 watts, daytime.

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Continued for approximately 30 days from April 13, 1937, hearing on application for C. P. to install vertical antenna and to increase power from 500 watts to 1 KW during nighttime hours.

WCAZ—Superior Broadcasting Service, Carthage, Ill.—Granted request to withdraw its application for modification of C. P. to make changes in equipment and to increase power from 100 watts to 250 watts, daytime only.

C. Kenneth Miller, Tulsa, Okla.—Denied petition asking Commission to reconsider and grant application for C. P. to erect new broadcast station to operate on **1310 kc.,** 100 watts, unlimited time. Hearing set for April 23, 1937.

Dr. William States Jacobs, d/b as William States Jacobs Broadcasting Co., Houston, Tex.—Granted request to continue hearing about 30 days after April 5, 1937, the date now set. This is an application for C. P. to erect new station at Houston to operate on **1230 kc.,** 1 KW, unlimited time.

F. M. Gleason, d/b as North Georgia Broadcasting Co., Rossville, Ga.—Granted petition to reopen for further hearing on date about 30 days hence for purpose of receiving depositions. Secretary of Commission to send depositions formerly filed in this Docket (No. 3979) to Charles Robert Jones, Notary Public, Rossville, Ga., under Commission seal for purpose of having deponents subscribe to depositions and return to Secretary at least 5 days prior to date of the reopened hearing.

WSAU—Northern Broadcasting Co., Wausau, Wis.—Rule 104.4 suspended with regard to application for modification of C. P. requesting increase in operation from daytime to unlimited time. Objections of Edward Hoffman dismissed.

WSAY—Brown Radio Service & Lab., Gordon P. Brown, owner, Rochester, N. Y.—Denied petition to reconsider and grant without hearing application to make changes in equipment and to increase power from 100 watts day only to 100 watts night and 250 watts day—full time.

Harold F. Gross and Edward C. Shields, Bay City, Mich.—Denied motion asking bill of particulars in application of James E. Davidson's (WBCM) application for modification of license of station WBCM to increase power from 500 watts unlimited time to 500 watts night, 1 KW until local sunset.

KOOS—Pacific Radio Corp., Marshfield, Ore.—Denied petition asking Commission to reconsider and grant without hearing application for assignment of license of KOOS, daytime station operating on **1210 kc.,** from Pacific Radio Corp. to KOOS, Inc.

APPLICATIONS RECEIVED

First Zone

720 NEW—The Colonial Network, Inc., Providence, R. I.—Construction permit to erect a new broadcast station to be operated on **720 kc.,** 1 KW power, limited time. Amended to change name from Bay State Broadcasting Corporation to The Colonial Network, Inc.

1240 NEW—Thomas J. Watson, Endicott, N. Y.—Construction permit to erect a new broadcast station to be operated on **1240 kc.,** 1 KW power, unlimited time, directional antenna for night use. Amended to give studio site as North Avenue, Endicott, N. Y., and transmitter site as 3½ miles east northeast of Endicott, adjacent to I. B. M. Gun Club, Union Township, New York.

1410 WAAB—The Yankee Network, Inc., Boston, Mass.—Modification of license to increase power from 500 watts to 1 KW.

Second Zone

1140 WWVA—West Virginia Broadcasting Corp., Wheeling, W. Va.—Construction permit to change frequency from **1160 kc.** to **1140 kc.,** hours of operation from simultaneous day WOWO, share WOWO night, to unlimited time, and install directional antenna for night use. Amended to change transmitter site from Bell's Lane, 8½ miles northeast of Wheeling, West Liberty, W. Va., to 2½ miles east of St. Clairsville, Richland Township, Ohio.

1200 WCPO—Continental Radio Co., Cincinnati, Ohio.—License to cover construction permit (B2-P-1464) for new transmitter and antenna and move of transmitter.

1310 WBEO—The Lake Superior Broadcasting Co., Marquette, Mich.—Modification of license to change specified hours from daily except Sunday, 9:30 a. m. to 4:30 p. m.; Sunday, 9:00 a. m. to 1:30 p. m., CST, to daily except Sunday, 9:30 a. m. to 1:30 p. m.; 4:30 p. m. to 7:30 p. m.; Sunday, 9:00 a. m. to 1:30 p. m., CST.

1370 WBLK—The Exponent Co., Clarksburg, W. Va.—Modification of construction permit (B2-P-1127) as modified for new transmitter and changes in hours of operation from day to unlimited, power from 100 watts to 100 watts night, 250 watts day, extend commencement and completion dates 90 and 180 days respectively, and make changes in antenna. Amended: Request 100 watts power day and night, and equipment changes.

1420 WLAP—American Broadcasting Corporation of Kentucky, Lexington, Ky.—License to cover construction permit (B2-P-1373) as modified for equipment changes and approval of transmitter and studio sites.

1430 WHP—WHP, Inc., Harrisburg, Pa.—License to cover construction permit (B2-P-1239) for new antenna and move of transmitter.

Third Zone

1140 KVOO—Southwestern Sales Corporation, Tulsa, Okla.—Construction permit to change hours of operation from simultaneous day WAPI, share WAPI night, to unlimited time, and install directional antenna for night use.

1160 WOWO—Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—Modification of license to change hours of operation from simultaneous day, share WWVA night, to unlimited time. (Contingent upon the granting of WWVA's application for change in frequency.

1210 NEW—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Construction permit to erect a new broadcast station to be operated on **1210 kc.,** 250 watts power, daytime operation.

1330 KRIS—Gulf Coast Broadcasting Co., Corpus Christi, Tex.—Modification of construction permit (B3-P-539) for new station, requesting approval of vertical antenna approval of transmitter site at Ocean Drive, Corpus Christi, Texas, and studio at Medical Professional Building, Corpus Christi, Texas.

1410 WSFA—Montgomery Broadcasting Co., Inc., Montgomery, Ala.—Modification of license to increase night power from 500 watts to 1 KW.

1500 WRDW—Augusta Broadcasting Co., Inc., Augusta, Ga.—Modification of construction permit (B3-P-1301) for move of transmitter and installation of vertical antenna requesting changes in equipment, and increase in power from 100 watts to 100 watts night, 250 watts day. Also extend completion date from 5-29-37 to 90 days after grant.

Fourth Zone

1310 KVOX—Robert K. Herbst, Moorhead, Minn.—Voluntary assignment of construction permit (B4-P-324) from Robert K. Herbst to KVOX Broadcasting Co.

1500 NEW—Galesburg Broadcasting Co., Galesburg, Ill.—Construction permit for a new station to be operated on **1500 kc.,** 250 watts, daytime.

1570 NEW—Metropolitan Radio Service, Inc., Chicago, Ill.—Construction permit for a new special broadcast station to be operated on **1570 kc.,** 1 KW power, unlimited time.

W9XAI—The Journal Co., Mobile, Ala.—Construction permit for replacement of transmitter and increase power from 7.5 watts to 50 watts.

Fifth Zone

760 KXA—American Radio Telephone Co., Seattle, Wash.—Construction permit to make changes in equipment, install vertical antenna, increase power from 250 watts night, 500 watts day, to 1 KW and move transmitter and studio from 218 Bigelow Building, Fourth Avenue and Pike Street, Seattle, Washington, to site to be determined, Seattle, Washington.

1210 KROY—Royal Miller, Sacramento, Calif.—License to cover construction permit (B4-P-713) as modified, for a new station.

1310 KHUB—F. W. Atkinson, Watsonville, Calif.—License to cover Construction permit (B5-P-781) as modified, for a new station.

1330 KMO—KMO, Inc., Takoma, Wash.—License to cover construction permit (B5-P-1235) as modified, for increase in power, new equipment and move of transmitter.

1390 KOY—Salt River Valley Broadcasting Co., Phoenix, Ariz.—Modification of license to increase power from 500 watts night, 1 KW daytime to 1 KW day and night.

1400 NEW—Warren B. Worcester, San Diego, Calif.—Construction permit to erect a new station on **1400 kc.,** 250 watts night, 1 KW day, unlimited time.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS ★ ★ ★ ★ ★

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WASHINGTON HIGHLIGHTS

Chicago selected for NAB Convention * * * * NAB Board of Directors decide at meeting in Washington, D. C., to assist in defense of the Montana and Washington State Copyright Laws * * * * endorse both the Duffy Copyright Bill (S. 7) and the Sheppard Copyright Bill (S. 2031) * * * * appoint committee to investigate problem looking to refund of monies paid to the Warner Bros.-owned Music Publishers Holding Corporation * * * * Appraise Havana conference * * * * Board members audition NAB recorded library * * * * authorize officers to proceed with the incorporation of a Bureau of Copyrights.

NAB CONVENTION AT CHICAGO IN JUNE

The Board of Directors at their Spring Meeting selected Chicago, Illinois, as a meeting place for the 15th Annual NAB Convention. The exact date in June will be selected by the Executive Committee at an early date.

NAB DIRECTORATE DIRECTS ASSISTANCE BE GIVEN MONTANA AND WASHINGTON

The Board of Directors of the NAB at a meeting held in Washington, D. C., April 7 agreed that competent counsel should be retained to assist in the defense of the Montana and Washington State Copyright laws and to advise State Associations concerning proposed legislation in their respective states.

NAB ENDORSES FEDERAL COPYRIGHT BILLS

The NAB Directors on April 7 voted to support both the Duffy Copyright Bill (S. 7) and the Sheppard Copyright Bill (S. 2031). The Sheppard Bill is identical with the bill proposed by Ed Craney (KGIR, Butte, Mont.) in his letter to the General Manager of the Ascap on February 7, 1937, copy of which Mr. Craney sent to all NAB members.

COMMITTEE APPOINTED TO INVESTIGATE REFUNDS BY WARNER BROS. MUSIC SUBSIDIARY

President C. W. Meyers, under authority given by the NAB Directorate on April 7, has appointed Joe Maland (WHO, Des Moines), John Elmer (WCBM, Baltimore), and John Gillin (WOW, Omaha) as a committee of three to investigate and forward plans seeking the refund of monies paid by broadcasting stations to the Music Publishers Holding Corporation, a Warner Bros. subsidiary.

BOARD APPRAISES HAVANA CONFERENCE

The Board of Directors of the NAB this week discussed the many ramifications of the International Radio Conference just concluded at Havana, Cuba. The Managing Director, James W. Baldwin, who spent a week in Havana as an unofficial observer, commended the attitude displayed by the members of the various government delegations and expressed the view that by reason of their technical qualifications and serious intentions very constructive results might be expected at the next conference scheduled to open in Havana November 26th.

The members of the Board were in agreement on the proposal that the problems incidental to a North American Radio agreement should be carefully studied and appraised in the interests of good radio broadcasting.

INITIAL AUDITION NAB RECORDED LIBRARY ENTHUSIASTICALLY RECEIVED BY BOARD OF DIRECTORS

At a meeting of the Board of Directors this week the Director of the Bureau of Copyrights, Edward J. Fitzgerald, gave a one hour audition for the Directors to demonstrate the progress of the Bureau of Copyrights in the building of an electrical transcription library based primarily on public domain music.

The selections performed for the Board members were

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typical examples of one hundred and eighty selections comprising ten hours of music which have been produced by the NAB and which very shortly will be offered to member stations.

The quality of the library may best be measured by the unanimous adoption of a motion by the Board that the Managing Director and his staff should be highly commended for the work thus far accomplished in the building of a music library.

The present schedule of the Bureau of Copyrights calls for a total of twenty-five hours of recordings (approximately 500 selections) by June first.

Just one year ago this month the Board of Directors at a meeting in Chicago approved a plan submitted by the Managing Director which had as its main objective the creation of a library of one hundred hours of music based primarily on music in the public domain. The production and recording of the first 10 hours of music signals the execution of the plan which won the almost universal approval of the NAB members at the 14th annual convention.

The success of the NAB's efforts in building a so-called public domain library is expected to be judged by the ability of the arranging staff to modernize the old musical selections and make them conform to present day needs. This ability on the part of the Bureau of Copyrights is well demonstrated in the variety contained in the first ten hours including the popular swing dance numbers and other modern arrangements.

The creation of an independent supply of music for radio broadcasting should win the hearty approval of those representatives of the ASCAP, who for several years have publicly criticized the use of popular music by radio broadcasting stations and charged that the radio broadcasting industry was responsible for "killing" the sales of popular sheet music. Also, it is expected that the NAB accomplishments in creating for radio a supply of music based primarily on musical selections in the public domain will be cheered by those who have complained so vigorously against the use of phonograph records by radio broadcasting stations.

With the creation of a new corporation which has been authorized by the Board of Directors and which will handle all the business details incidental to distributing the music, definite proposals including cost of materials (recordings and sheet music) will be formally submitted to the membership. It is expected that distribution will begin within 30 to 60 days.

BROADCAST COURT DOCKET

The following broadcast cases are now pending in the United States Court of Appeals for the District of Columbia:

Case No. 6762—Paul R. Heitmeyer (Cheyenne, Wyo.) vs. FCC.
Case No. 6772—Eastland Company vs. FCC.
Case No. 6773—Congress Square Hotel vs. FCC.
Case No. 6818—The Monocacy Broadcasting Company vs. Anning S. Prall et al., as FCC.
Case No. 6852—Great Western Broadcasting Association, Inc. vs. FCC.
Case No. 6853—Great Western Broadcasting Association, Inc. vs. FCC.
Case No. 6854—Intermountain Broadcasting Corporation vs. FCC.
Case No. 6866—Pulitzer Publishing Company vs. FCC.
Case No. 6869—Missouri Broadcasting Company vs. FCC.
Case No. 6870—A. H. Belo Corp. (WFAA) vs. FCC.
Case No. 6906—Red River Broadcasting Company, Inc. vs. FCC.
Case No. 6911—Continental Broadcasting Company vs. FCC.
Case No. 6931—Tri-State Broadcasting Company, Inc. vs. FCC.

CHANGES RECOMMENDED FOR WATR

Broadcasting station WATR, Waterbury, Conn., applied to the Federal Communications Commission to change its frequency from 1190 to 1290 kilocycles, increase its power from 100 to 250 watts and change its hours of operation from sharing with WOAI to unlimited time.

Examiner Melvin H. Dalberg in Report No. I-379 recommended that the application be granted. He found that there is ample program material available for additional hours of broadcasting and that the proposed operation of the station will not adversely affect the interests of any licensed station. Also there are "no pending applications which involve the possibility of objectionable interference to other stations." The Examiner found that the granting of the application would be in the public interest.

BRIEF IN SUPPORT OF STATE COPYRIGHT BILL

Kenneth C. Davis has furnished the NAB with a copy of his brief in support of the State of Washington Copyright Bill (see NAB REPORTS, Vol. 5, No. 14, Page 2010).

Mr. Davis' brief follows:

The states have jurisdiction over a combination of copyright owners or proprietors, in that, "no more than the patent statute was the copyright act intended to authorize agreements in restraint of trade and tending to monopoly."

Straus vs. American Publishers Assn., 231 U. S. 222-224.
Washington vs. ASCAP, 13 Fed. Supp. 141 (Vol. 13, No. 2).

"While the compositions owned and controlled by the defendant American Society of Composers, Authors and Publishers may be copyrighted, a suit to enjoin a conspiracy to restrain commerce and trade in such compositions is not one arising under the copyright laws of the United States." (Citing Straus vs. American Publishers, (supra) and Standard Oil Company vs. U. S., 283 U. S. 163.)

State of Washington vs. ASCAP, 13 Fed. Supp. 141 (Vol. 13, No. 2).

The appointment of a receiver in such a case is merely incidental to the main suit."

Washington vs. ASCAP (Supra).
(There are many cases on this point—see reported decision.)

The states may enforce the monopoly law in their way. —"It cannot be denied that the power of the state to protect the lives, health and property of its citizens, and to preserve good order *and the public morals,* its power to govern man and things within the limits of its dominion" is a power, originally and always belonging to the states, not surrendered by them to the general government, nor directly restrained by the constitution of the U. S. and essentially exclusive."

U. S. vs. Knight, 156 U. S. 1 and page 11.

A receiver, may be appointed to enforce the Anti-trust laws, and the monopoly laws of a state.

McKinney vs. Kansas Natural Gas Co., 206 Fed. 772 (777).
Malloney, Atty. General of Illinois, vs. American Tobacco Company, 221 U. S. 106.
Clerk on Receivers, Vol. 1, Sec. 243, p. 332.
Washington vs. ASCAP (supra).
United States vs. Union Pacific Railroad, 226 U. S., p. 98.

Copyrights are property.

Ager vs. Murray, 105, 105 U. S. 126.

Mere service of process is not a Federal question.

Germanin Ins. Co. vs. Wisconsin, 119 U. S. 473.

An intangible property may be so used in a state other than the owner's domicile as to give such property a situs analogous to the actual situs of tangible personal property in said state.

U. S. National Bank vs. Main, 284 U. S. at 331.
Palmer vs. Texas, 212 U. S., page 119.

The states have control over all property, tangible or intangible, having its situs there.

U. S. vs. Knight, 156 U. S. 1.

The situs of copyrights are coextensive throughout the United States.

Ager vs. Murray, 105 U. S. 126, 130.

A Texas statute providing that *Special appearances* shall constitute a general appearance does not deny "due process of Law or act as 'deprivation of property rights.'" The Supreme Court of the United States so held in York vs. Texas, 11 Supp. Court 9, and Kaufman vs. Westers, 11 Supp. Court 298, a special appearance based on such a statute thus brings the defendants, non-resident or resident, personally and generally before the court.

The Federal courts would have no jurisdiction under the copyright laws, if any defendant sued for infringement, as the Receiver would have issued a license, and where a license exists, the copyright laws are only incidentally drawn into question; and as the state courts can determine *questions* or rights concerning the *title* of copyrights, and since there is a difference between a *case* and a *question* on copyright, the Federal court would have no jurisdiction until recission was sought by such plaintiff of the license issued by the receiver in the State Court. Then too, the Copyright law states the "owner or proprietor" must bring an infringement action, and obviously the title would not be clear, so the infringement suit really involves only a "question" on copyright and not a "case," and the State courts have jurisdiction thereof, and the Federal court has no such jurisdiction under the copyright laws.

McMullen vs. Bowers, 102 Fed. 494; Standard Dental vs. Tooth Co., 95 Fed. 291; Parger vs. Union Co., 20 Fed. 737; Dale Tile vs. Hyatt, 125 U. S. 46; Witteman vs. Witteman, 151 N. Y. S. 814; New Marshall vs. Marshall Co., 223 U. S. 473; Carl Lacmmle vs. Stern, 209 Fed. 129; Hoyt vs. Bates, 81 Fed. 641; Montgomery vs. Car Line, 43 Fed. 329; Hartell vs. Tilghman, 99 U. S. 547; Albright vs. Texas, 106 U. S. 347; Becker vs. Contoure Lab., 29 Fed. (2) 31; Danks vs. Gordon, 272 Fed. 881 (884); Fitch vs. Young, 230 Fed. 743; Hammachor vs. Wilson, 26 Fed. 239; Kelly vs. Porter, 17 Fed. 519; Silver vs. Holt, 84 Fed. 809; Wade vs. Lawden, 17 Supp. Court 425; DeBekker vs. Stokes, 248 Fed. 838; Marsh vs. Nichols, 11 Supp. Court 798.

Then too, Federal Courts follow those decisions of the State courts, which are based on the Criminal statutes of that state. This is so, because the question of whether a crime has been committed, *is not a Federal question.*

Howard vs. Fleming, 191 U. S. 126.
Ughbanks vs. Armstrong, 208 U. S. 481.

The receiver or Anti-monopoly Board can set rates, and the receiver can make new contracts, or even renew old ones, and still, that does not create a Federal Question or violate the United States Constitution.

Washington vs. ASCAP, 13 Fed. Supp. 141.

Most combinations, pools, and groups have taken assignments from their members and have complete title to the copyrights of its members, and those who have signed said membership agreements, whether Publisher, Author, or Composer, giving such combination or entity a five year assignment, have really assigned the entire Copyright. Such assignments are held to be *absolute assignments;* a comparable illustration is the membership agreements of ASCAP which recite the *most* they (ASCAP) are to have, and the member *could not* give them any more. The Supreme Court of the United States held such membership contracts to be outright assignments carrying title. Thus, any title of the Receiver would be a complete title:

Manners vs. Morosco, 258 Fed. 537. Affirmed on this point in 252 U. S. 317.
DRONE on Copyrights, page 337.

The various legislatures may declare that the property of the monopolist shall forfeit to the State after a reasonable time (See Idaho Statutes and many cases on this point).

Congress recently (last session) passed a law giving the *several states power to make reciprocal deals with one another for the purpose of endorsing their respective criminal laws.* The various state enforcement agencies could work out a per piece system and plan to curb such abuses.

Once a Court of Equity in a state has acquired jurisdiction over a defendant, non-resident or not, *the court may coerce and compel the defendant to act in relation to property not within its jurisdiction.* To illustrate, a court of equity in Vermont, having jurisdiction over the defendant in personum, can compel him to execute a deed to property in Texas.

> Carpenter vs. Strange, 141 U. S. 87, 105.

The fact that *a special* appearance is made *a general* appearance by legislative act, and that service is not a Federal question, and that all defendants are doing business in each state where their music is *used,* or their entity performs some function of its charter, all of these will enable the various states to acquire jurisdiction *in personum* as well as in rem. Further, even though the matter is in rem at the start, yet the only known way for them to get a release of their property is by special appearance of special motion, otherwise, the property will be in suspense and under a cloud. If they make such an appearance, it is a general appearance by statute, and the action is then in personum.

If a sale of the *use* of a copyrighted work for public performance takes place in Chicago, and the use is broadened in scope to include Seattle, the owner of said copyrighted work whose sole value is in its *use,* once having obtained a consideration for its *use* and having sold said use for a particular occasion, parts with the right to further restrict that *use.*. The Supreme Court of the United States in Hobbs vs. Jennison, 13 Supreme Court Reporter 879, and in Adams vs. Burke, 17 Wallace 453, said:

> "Where the patentee, or the person having its rights, sells a machine or instrument, *whose sole value is in* its 'use' he receives a consideration for its 'use' and parts with the right to restrict that 'use'."

Injunction is a very proper way of enforcing criminal statutes:

> Georgia Trust Co. vs. Georgia, 109 Ga. 756; 35 S. E. 323; 41 Corpus 198.

The act of one conspirator is the act of all, and where an agreement in violation of the Anti-Trust Laws is made, and one party (monopolists) pursues the course of conduct agreed upon, the other *parties* (the users) are liable as aiders and abettors.

> State v. Racine, 63 Texas Civil app. 663; 134 S. W. 400; 41 Corpus 127.

A Federal license cannot shield one or operate as a shield in violation of state law—

> 49 Federal 238; see also Straus case, supra.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3093. Charging unfair competition through use of the term "Virginia" to describe meats or meat food products not obtained from live stock grown in Virginia, a complaint has been issued against **United Corporation,** trading as **Virginia Products Co.,** 212 American Bank Building, **Richmond, Va.,** and **George M. Crump,** individually and as the corporation's president.

The complaint alleges that the respondent company, by using the word "Virginia" in its trade name and on labels on containers of its products, and in other ways, represented to the purchasing public that the meats used in its products are obtained from hogs and cattle grown in Virginia, and that the products have been cured and processed by the well-known Virginia method.

According to the complaint, the respondent company, through arrangements with different meat packers, purchased deviled ham and corned beef ready packed and labeled as specified by the respondent company, but such products were neither obtained from Virginia cattle and hogs nor processed by the Virginia method.

No. 3094. Misrepresentation of the therapeutic value of a medicinal preparation designated "Excel Gland Tablets" is alleged in a complaint issued against **C. J. O'Crowley,** trading as **Excel Products,** 4336 Sheridan Road, **Chicago.**

Advertising in newspapers, magazines and circulars, the respondent allegedly represented that his tablets consist of gland medicines, and are a gland stimulant; that they constitute a competent aphrodisiac, enable one to be young again, and that the results from their use are sure.

Such representations are false and misleading, according to the complaint, which alleges that the respondent's product is not in any sense a gland treatment and is not a competent treatment for natural debility or for debility caused in any manner.

No. 3095. Use of a lottery scheme in selling blankets and bedspreads is alleged in a complaint issued against **Miller, Bain, Beyer & Co.,** 1001 Filbert St., **Philadelphia. William F. Allen, Charles H. Wolf, Edward M. Mullen** and **Charles H. Clark,** individually and as copartners in the firm, also are named respondents.

According to the complaint, the respondents advertise their merchandise and sales plan by means of cards, circulars and letters and sell their products to wholesalers and retailers, clubs, fraternal organizations, hospitals and charitable institutions for resale to the purchasing public.

The respondents' method of distributing their merchandise is described as a "Club Plan", the clubs organized having a fixed number of members, usually 60 or 100, each of whom pays weekly dues, generally 25 cents, for a given period of weeks, usually 20 or 24.

No. 3096. Unfair representations indicating that certain domestic-made products are imported from France, are alleged in a complaint issued against **Chanel, Inc.,** 35 West 34th St., **New York,** dealer in toilet preparations. The complaint alleges unfair competition in violation of Section 5 of the Federal Trade Commission Act.

Perfume products were labeled in a manner purporting to describe and refer to the place of their origin, according to the complaint, by use of the following names: "Glamour de Chanel, Paris, France"; "Chanel-Jasmin, Chanel, Paris"; "No. 5, Chanel, Paris", and "Gardenia de Chanel, Paris".

Use of these representations on cartons and containers is alleged to have had a tendency to deceive buyers into the mistaken belief that the products so named were made or compounded in France and imported into the United States, when, in fact, they were produced in the United States.

STIPULATIONS AND ORDERS

The Commission has issued the following cease and desist orders and stipulations:

No. 1925. Clarence N. Debaugh, trading as C. D. Electric Co., Ruxton, Md., in the sale of an electrical apparatus for removal of surplus hair, designated "Monolux Hair Remover", agrees to stop using the words "safe", "painless" or "permanent" in describing this article, without at the same time qualifying such representations in accordance with the facts and the necessary care and skill required to be used in its application. The stipulation points out that use of this device by self-application is not safe, easy, painless, permanent or harmless, as was indicated in the respondent's advertising, unless great care and skill are used in its application.

No. 1926. James D. Boulger, trading as Eastern Textile Co., Power Square, Greenfield, Mass., agreed to cease advertising bundles of dry goods remnants as "dress remnants", so as to imply that the bundles are composed wholly of remnants of dress materials. If the bundles are composed in substantial part of remnants of dress materials, and the words "dress remnants" are used to describe the contents, then such words shall be prominently accompanied by other words so as to indicate clearly that the bundles are not composed wholly of dress remnants, but in part of other materials. Boulger also agreed to stop advertising "Satisfaction Guaranteed or Money Back", so as to imply that in all instances both the purchase price and the postage paid by dissatisfied customers will be returned to them, when such is not a fact.

No. 1928. The Bay Co., trading as American Plaster Co., 305 Bishop St., Bridgeport, Conn., agrees to stop using the word "sterilized" as a brand or mark for absorbent cotton which has not been rendered free from bacteria after being packaged, or in the packing of which the best accepted sanitary precautions have not been followed for the removal and exclusion of all bacteria. The company agrees to cease employing the word "sterilized" in such way as to imply that its products have been sterilized and are sanitary, when this is not a fact.

No. 1929. Use of lottery schemes in the sale of certain food products will be discontinued by **Hiram E.** and **Lottie Vickers,** trading as **Dub's Sandwich Co.,** 460 South Driver Ave., **Durham, N. C.,** under terms of a stipulation entered into by these respondents.

Manufacturing peanut-butter and cheese sandwiches, candies and other similar products, and selling them exclusively to the jobbing trade or wagonmen, the respondents are said to have packed them in cartons containing 24 packages, each package holding five sandwiches wrapped in cellophane and selling for five cents each.

No. 1930. Fred P. Weissman, Inc., 270 West 38th St., New York, stipulated that on labels it will discontinue use of the phrase "100% Camel's Hair" as descriptive of those of its coats not composed of camel's hair, and of the words "Camel's Hair" either alone or with "100%", or in any manner so as to imply that the products to which such words apply are composed wholly of camel's hair, when this is not true. The stipulation provides that if the words "Camel's Hair" are used to describe coats made substantially of camel's hair, then such words shall be accompanied by other words in type equally conspicuous so as to indicate clearly that the coats are composed in part of materials other than camel's hair.

No. 1931. Century Metalcraft Corporation, 1105 Lawrence Ave., **Chicago,** has entered into a stipulation to discontinue certain unfair methods of competition, in violation of Section 5 of the Federal Trade Commission Act, in the sale of cooking utensils under the trade name "Silver-Seal".

The corporation agreed to cease representing in advertising matter and through salesmen that the waterless method of cooking with Silver-Seal utensils has been endorsed by leading medical authorities and dieticians, that such method of cooking can be accomplished only by use of Silver-Seal equipment, or that the cooking of foods in water necessarily deprives consumers of mineral salts, vitamins, nourishing elements and natural flavors of the foods, when such are not the facts; and that the eating of foods cooked in Silver-Seal utensils positively will improve health in all instances.

No. 1932. Allen's Poultry Farms and Hatchery, Creston, Ia., stipulates that it will cease using in advertising matter the representation "We assure you prompt delivery," or any similar allegation which may imply that the company's orders are filled promptly, and will also cease alleging that its flocks are "rigidly culled in accordance with the requirements of the Iowa Poultry Improvement Association," when such are not the facts, and that "We guarantee them (Blue Diamond chicks) to satisfy you as to quality, ability to mature, health and type." The company agrees no longer to represent that at the end of 30 days from date of arrival, any chicks which have died or any which have not proved true to type, or are unsatisfactory, will be replaced at one-half price, or that live delivery of the number of chicks ordered is guaranteed. These representations will be discontinued unless such guarantees are fulfilled and claims for losses adjusted promptly as represented.

No. 1933. Ezra Hollander, trading as Hollander Brothers, as Superior Laboratories, and as Supreme First Aid Co., 72 Franklin St., New York City, stipulates that he will stop using in advertisements the word "Laboratories" as part of or in connection with any trade name under which he conducts his business, or in any way implying that he owns or controls a laboratory, when this is not a fact. He will also cease using the word "manufacturing," implying that he owns and operates a factory in which his products are made, when this is not true.

The respondent agrees to ban use of the words "sterilized" or "sanitary" in any manner implying that his products have been rendered free from bacteria after being packaged, or that the best accepted sanitary precautions have been followed for removal and exclusion of all bacteria after packaging, or that these articles are sterilized and sanitary, when this is not a fact. He agrees also to stop using the description "Grade-A Absorbent Cotton" on labels affixed to containers in which absorbent cotton not of that grade is packed, and to cease use of the representation that his gauze bandages are made from the best bandage cloth obtainable, when such is not a fact.

No. 1934. Joseph Taylor Fleming, 411 Washington Bank Building, Pittsburgh, trading as Washington Art Association, in the sale of photographic enlargements, will cease using the words "Art Association" as part of his trade name, the stipulation pointing out that there was no such organization, except as a trade name under which to carry on this business. Fleming agrees to stop representing that the prices at which enlargements are made are special or reduced below the regular and customary prices; that the work done is by America's foremost portrait artists; that many portraits made by the "Association" are used for exhibition purposes, and that, if a customer's picture is so used, he will be paid for the privilege of making such exhibition.

No. 1935. Samuel Rodin, 33 Myrtle Ave., Brooklyn, manufacturing luggage such as brief cases and Gladstone bags, agrees no longer to use the word "cowhide" alone or in connection with the word "Warranted" or with other words as a stamp or label to describe luggage which is not composed of leather made from the top or grain cut or layer of the cowhide. The stipulation provides that if the luggage is made of leather taken from the inner or flesh cut of the hide, and the word "cowhide" is used as descriptive of it, that word shall be immediately accompanied by other words printed in conspicuous type to disclose clearly that the luggage is not composed of leather made from the top or grain cut or layer of the hide of the cow.

No. 1958. Timm Cap Co., Inc., engaged in manufacturing knitted goods, including knitted caps for boys' wear, in its stipulation, agrees to stop using the word "Timm" as part of its corporate or trade name, or in any way implying that it is the successor of Tim's Cap Corporation, or that its caps are manufactured thereby. Provision is made that whenever the corporate name containing the word "Timm" is used in advertising matter it should be prominently accompanied by the phrase "Established in 1934," to indicate clearly that Timm Cap Co., Inc., is not the successor of Tim's Cap Corporation.

Tim's Cap Corporation is said to have acquired a good will through the excellence of its product, "Tim's Cap," the patent on which expired in 1930. In 1933 Tim's Cap Corporation was formally dissolved, and in 1934 Timm Cap Co., Inc., was organized.

No. 1959. Climax Radio & Television Corporation, manufacturer of radio sets, agrees to discontinue employing the words "Edison," "Elgin," "Hamilton," or "Waltham" as brands or labels for products so as to imply that they are manufactured by or sold under a license or authorization from Thomas A. Edison, Inc., Elgin National Watch Co., Hamilton Watch Co., or Waltham Watch Co., respectively, when this is not a fact.

No. 1960. Manhattan Soap Co., Inc., trading under its corporate name and as Bristol Soap Co., stipulates that it will desist from using fictitious prices on cartons or boxes in which its soap is packed or on the products themselves, and will stop using the word "Doctor" or abbreviation "Dr." to imply that its products are made in accordance with the prescription or under direction of a doctor, or contain special scientific features resulting from medical advice or service. The respondent agrees to cease using the word "medicated," to imply that its products have been treated or impregnated with medicine, or the word "health," to describe soap products so as to imply that they contain ingredients which give the user certain benefits beyond those obtained from using any toilet soap, when these are not the facts.

The respondent corporation agrees to stop using in advertising matter representations to the effect that its soap is of a dollar quality, contains no cocoanut oil, or has extra beneficial qualities for the skin, when these assertions are not warranted by the facts.

No. 1961. Union Knitting Mills, 15 South Third St., **Philadelphia,** and **Lawson Jaffe,** trading as **Capitol Jewelers,** 5 North Wabash Ave., **Chicago,** have entered into stipulations with the Federal Trade Commission to discontinue certain unfair representations in the sale of their products.

The knitting mills company, manufacturer of sweaters, trading under its corporate name or under the name Home Knitting Mills, agrees to stop employing the words "All Wool" or "All Wool 100 per cent" as a label for products not composed of wool. The company agrees to cease using the word "wool" alone or in connection with the word "all" or with "100 per cent," in ways which imply that its articles are made of wool. The stipulation provides that if the products are composed in substantial part of wool, the word "wool," if used to describe the wool content, shall be prominently accompanied by other words clearly showing that the articles are not made wholly of wool.

No. 1962. Lawson Jaffe, a wholesale jeweler distributing birthstones and birthstone rings, agrees to desist from the use of the words "Free Offer" in connection with advertisements featuring the language "Send 10¢ to cover handling—mailing," and a pictorial representation of a ring set with a stone, such representation implying that by paying 10 cents only a customer would be given free a ring set with his birthstone, when this is not a fact.

Use of the words "special" and "limited" when the offer described is not limited or special but is the usual or customary offer, will be discontinued, as will be the use in advertising of the words "cameo", "ruby" or "onyx" to describe mountings of rings which are not set with those stones.

Jaffe will also stop using the word "platinum" alone or in connection with "rhodium", as descriptive of the finish of rings, when in fact such finish has no platinum content.

No. 2323. The Clark Grave Vault Co., 375 East 5th Ave., **Columbus, Ohio,** has been ordered to cease and desist from false and misleading representations constituting unfair methods of competition in connection with the sale of metal burial vaults.

The respondent company was ordered to discontinue representing in purported certificates of warranty or in advertising matter that its vaults, made of ferrous metal, are absolutely water-proof and air-tight, and will remain so when placed underground for 50 years or for any stated period of time; that they are made of a metal resistant to rust or corrosion, which is proof against moisture and crumbling; that they will afford positive and permanent protection to the coffin and body encased therein, and are warranted for 50 years against water entering the vault due to rust or corrosion.

No. 2578. An order has been issued to cease and desist against **Bear Mill Manufacturing Co., Inc.,** 361 Broadway, **New York,** distributor of cotton and rayon fabrics, requiring that company to discontinue representing, through use of the word "mills" or "manufacturing", alone or with other words, as part of its corporate name, or in any other way, that it manufactures the products it sells, unless and until it actually owns or controls a mill in which they are made.

The respondent company does not control a factory where its products are made, nor any print works, dye works, bleach works, finishing works, spinnery or weavery, but is engaged solely in the sale and distribution of fabrics manufactured by others, according to findings in the case.

No. 2673. An order has been issued requiring **H. Will Elders,** of **St. Joseph, Mo.,** to cease and desist from certain unfair methods of competition in the sale of Dr. H. Will Elders' Filled Prescription for Women, and other preparations.

Elders is directed to discontinue representing that his preparations constitute a cure, remedy, or competent and adequate treatment for sterility in women, or that they are beneficial in treating such condition unless the representations are limited to cases of sterility due to functional weaknesses.

Other similar representations, some of them in the form of advertising testimonials, are directed to be discontinued, under the order.

No. 2941. An order has been served upon **General Electric Co., Westinghouse Electric & Manufacturing Co., Elliott Co.** and **Allis-Chalmers Manufacturing Co.,** an order to cease and desist from entering into or maintaining any conspiracy to fix and maintain uniform delivered prices in the sale of turbine generators and from selling turbine generators by agreement upon uniform performance guarantees. The order directs the respondents to cease and desist from engaging in the following acts in furtherance of any such conspiracy:

Selling turbine generators upon uniform performance guarantees where the guarantees are not based upon actual performance;

From using the pricing sheets of any of the companies as the pricing sheets of any of the others;

From submitting uniform bids.

The order, however, does not prohibit the exchange of scientific information, if not used for unlawful price fixing.

The order was predicated upon a complaint of the Commission charging a price fixing conspiracy in the sale of turbine generators, the purchasers of which are chiefly the Federal Government, state governments, municipal governments, and public utilities, and upon the answers of the companies admitting, for the purposes of the proceeding, only, the said conspiracy and the Commission's finding that the conspiracy had been entered into.

No. 3049. An order to discontinue misbranding certain articles of luggage sold in interstate commerce has been entered against **Samuel Brier,** trading as **Samuel Brier & Co.,** 310 Spruce St., **Philadelphia,** and **Quakertown Luggage Co., Inc., Quakertown, Pa.,** of which Brier is president.

The order directs the respondents to cease and desist from representing, through use of the words "Warranted Cowhide", "Genuine Cowhide", "All Leather", "Genuine Leather", or any other words of similar import, that luggage made from the inner split of leather is made from the outer split or any part of the hide or skin other than the inner split.

Broadcast Advertising in February

HIGHLIGHTS OF THE MONTH

Total broadcast advertising during February amounted to $10,182,325, a decline of 1.8% from the level of the previous month but an increase of 25.1% as compared to the corresponding month of last year. National network volume declined 5.7% as compared to January and local advertising dropped 2.5%. Regional network volume increased 4.5% and national non-network business rose 8.7%. All portions of the medium experienced gains as compared to last February. Local advertising increased to the greatest extent, rising 40.8%.

Radio broadcasting during February showed the greatest gain of any major medium as compared to the corresponding month of 1936. Whereas broadcast advertising increased 25.1% in volume, national magazine volume rose 12.8%, national farm paper volume 22.8%, and newspaper lineage 12.5%.

Non-network advertising increased 3.7% in volume over the preceding month and registered a gain of 33.9% over last February. Clear channel stations experienced the greatest increase over January, rising 6.5%. Compared to last February, regional station volume showed a gain of 58.3%. The South Atlantic-South Central area registered the greatest gain as compared to last month. All geographical districts showed substantial gains over last February.

Transcriptions showed the greatest increase of any type of rendition as compared to last month, rising 9.2%. Records and announcements showed the principal gains over last February. Announcements in the national non-network field and records in the local field showed the greatest increases over last month.

Principal gains were shown in the following sponsor groups: national network household equipment and soap and kitchen supplies; regional network tobacco, foodstuffs and soap and kitchen supplies; national non-network automotive, beverage and soap and kitchen supplies; and local automotive and cosmetics. Retail broadcast advertising amounted to $971,830, a decline of less than 1.0% from the level of January but 34.0% greater than last February.

TOTAL BROADCAST ADVERTISING

Total broadcast advertising for the month of February is found in Table I.

TABLE I
TOTAL BROADCAST ADVERTISING

1937 Gross Time Sales

Class of Business	*January*	*February*	*Cumulative Jan.-Feb.*
National networks..	$6,061,387	$5,714,443	$11,775,830
Regional networks..	92,169	96,382	188,551
National non-network	2,313,700	2,517,000	4,830,700
Local..............	1,902,300	1,854,500	3,756,800
Total........	$10,369,556	$10,182,325	$20,551,881

Total broadcast advertising for the month of February declined 1.8% from the level of last month. This was due mainly to a 5.7% drop in national network business. Local broadcast advertising volume also experienced a decrease, declining 2.5%. Regional network and national non-network volume recorded gains of 4.5% and 8.7%, respectively.

Compared to February of last year, total broadcast advertising registered a 25.1% gain in volume. Local advertising volume increased to the greatest extent, rising 40.8%. National network volume was 19.4% ahead of last February and regional network and national non-network volume experienced gains of 4.2% and 29.3%, respectively.

COMPARISON WITH OTHER MEDIA

National magazine and national farm paper volume increased 39.8% and 49.1%, respectively, over January. Newspaper lineage, contrary to the trend of preceding years, experienced an increase of 4.0%. However, radio broadcasting showed the greatest gain in advertising volume of any major medium as compared to last February. Whereas radio broadcasting volume increased 25.1%, national magazine volume rose 12.8%, national farm paper volume 22.8%, and newspaper lineage 12.5%.

Advertising volume by major media is shown in Table II.

TABLE II
ADVERTISING BY MAJOR MEDIA

1937 Gross Time and Space Sales

Advertising Medium	*January*	*February*	*Cumulative Jan.-Feb.*
Radio broadcasting..	$10,369,556	$10,182,325	$20,551,881
National magazines [1]	9,065,572	12,679,572	21,745,144
National farm papers[1]	541,539	807,703	1,349,242
Newspapers[2].......	39,486,000	41,082,000	80,568,000
Total........	$59,462,667	$64,751,600	$124,214,267

[1] Publishers' Information Bureau.

[2] Estimated.

NON-NETWORK ADVERTISING

Following the usual seasonal trend, non-network broadcast advertising increased 3.7% over the preceding month. Non-network gross time sales showed a 33.9% gain over February of last year. Clear channel and high-powered regional station volume increased 6.5% over the January level and regional station volume showed a gain of 2.0%. Local station volume remained at approximately the same level.

Regional station volume experienced the greatest gain when compared to the corresponding month of last year, rising 58.3%. Non-network advertising over clear channel and high-powered regional stations rose 22.9%, while local station volume increased 11.1%.

Non-network advertising by power of station is found in Table III.

TABLE III
NON-NETWORK ADVERTISING BY POWER OF STATION

1937 Gross Time Sales

Power of Station	*January*	*February*	*Cumulative Jan.-Feb.*
Over 1,000 watts.......	$1,823,100	$1,941,700	$3,764,800
250–1,000 watts.......	1,839,900	1,876,300	3,716,200
100 watts............	553,000	553,500	1,106,500
Total..........	$4,216,000	$4,371,500	$8,587,500

The South Atlantic-South Central Area experienced the greatest gain in non-network advertising volume of any geographical district as compared to last month. Advertising in this region rose 9.6%. The New England-Middle Atlantic Area alone showed a decline, dropping 3.4%. Non-network advertising in the North Central Area and in the Pacific and Mountain Area rose 6.0% and 3.1%, respectively.

As compared to last February, non-network advertising volume in the New England-Middle Atlantic Area increased 60.8%. The volume in the South Atlantic-South Central Area rose 26.8%, in the North Central Area 25.2%, and in the Pacific and Mountain Area 31.5%.

Non-network broadcast advertising by geographical districts is found in Table IV.

TABLE IV
NON-NETWORK BROADCAST ADVERTISING BY GEOGRAPHICAL DISTRICTS

1937 Gross Time Sales

Geographical District	*January*	*February*	*Cumulative Jan.-Feb.*
New England-Middle Atlantic Area........	$1,097,900	$1,060,600	$2,158,500
South Atlantic-South Central Area........	783,000	858,200	1,641,200
North Central Area....	1,564,700	1,658,800	3,223,500
Pacific and Mountain Area..............	770,400	793,900	1,564,300
Total..........	$4,216,000	$4,371,500	$8,587,500

NON-NETWORK ADVERTISING BY TYPE OF RENDITION

Transcription business increased to the greatest extent as compared to the preceding month, rising 9.2%. Total live talent and record volume remained at approximately the same levels, while announcements rose 6.1%. Compared to last February, transcription volume rose 20.9%, live talent business 30.6%, record volume 59.7%, and announcements 55.5%.

In the national non-network field, transcriptions increased 13.2% in volume as against last month. Live talent advertising rose 4.1% and announcements 16.2%. Record volume declined 40.4%. Transcription volume was 15.8% ahead of the level of last February. Live talent business rose 22.4%, announcements 90.8%, and record volume more than tripled.

Declines were fairly general in the local field with the exception of record volume which increased 8.6% over last month. Transcriptions declined 5.6%, live talent 3.4%, and announcements 1.2%. Marked increases over the corresponding month of last year occurred in all types of rendition. Local transcription volume rose 50.7%, live talent 42.1%, records 50.8%, and announcements 34.7%.

National and local non-network advertising by type of rendition is found in Table V.

TABLE V
NON-NETWORK BROADCAST ADVERTISING BY TYPE OF RENDITION

1937 Gross Time Sales

Type of Rendition	*National Non-network*		*Local*		*Total*		*Cumulative*
	January	*February*	*January*	*February*	*January*	*February*	*Jan.-Feb.*
Electrical transcriptions	$710,850	$804,800	$190,130	$179,400	$900,980	$984,200	$1,885,180
Live talent programs	1,169,850	1,217,500	1,053,140	1,016,800	2,222,990	2,234,300	4,457,290
Records	15,110	9,000	74,200	80,600	89,310	89,600	178,910
Announcements	417,890	485,700	584,830	577,700	1,002,720	1,063,400	2,066,120
Total	$2,313,700	$2,517,000	$1,902,300	$1,854,500	$4,216,000	$4,371,500	$8,587,500

SPONSOR TRENDS IN FEBRUARY

Declines were general in the national network field with the exception of the household equipment, soap and kitchen supply and tobacco sponsor groups which registered increases as compared to last month. All groups except clothing, beverage and miscellaneous advertising showed gains over last February. Automotive advertising increased 49.1%, foodstuffs rose 42.2%, household equipment tripled, soap and kitchen supplies rose 52.4%, financial increased 41.3%, and radio set advertising more than doubled.

Foodstuffs, soap and kitchen supplies and tobacco advertising showed the most important gains over last month in the regional network field. Clothing and household equipment advertising experienced the most pronounced declines. As compared to last February, the principal increases were in the gasoline and accessory, cosmetic, beverage and tobacco sponsor groups.

National non-network automotive, beverage, and soap and kitchen supply advertising showed the principal gains over January. Department store advertising declined 16.6% and tobacco advertising 18.2%. The foodstuffs, beverage, confectionery, soap and kitchen supply and tobacco sponsor groups registered important gains over last February.

Local automotive advertising rose 25.2% and cosmetic advertising increased 34.2%, while gasoline and accessory advertising declined 54.8% and confectionery advertising 30.0%. With the exception of drug advertising, all groups showed increases when compared to the corresponding month of last year.

Broadcast advertising during February by major product and sponsor groups is shown in table VI, on page 2033.

Detailed information regarding various sponsor groups during the month of February is as follows:

1a. ***Amusements.*** As compared to last month, national non-network volume rose 2.9% and local advertising 24.9%. National non-network business 8.1% greater than during last February and local business 3.7% greater.

1. ***Automotive.*** National network volume declined 10.7% from January, while national non-network and local business showed gains of 91.8% and 25.2%, respectively. As against February, 1936, national network business increased 49.1% and local advertising 12.1%. National non-network volume declined 63.9%.

2. ***Accessories and gasoline.*** National network volume 11.4% less than during January. Regional network volume increased 6.8% and national non-network volume rose 9.1%. Local advertising declined 54.8%. Compared to the corresponding month of last year, national network and local business remained approximately the same, while regional network volume increased 91.1% and national non-network 7.6%.

3. ***Clothing.*** Compared to last month, national network volume decreased 17.4%, regional networks 76.3%, and local 16.6%. National non-network business rose 13.4%. National network volume 28.0% below the level of last February and national non-network volume 7.9% less. Regional network and local advertising 28.2% and 47.2% greater, respectively.

4. ***Drugs and pharmaceuticals.*** Regional network

TABLE VI

RADIO BROADCAST ADVERTISING BY TYPE OF SPONSORING BUSINESS (FEBRUARY 1937)

	Gross Time Sales				
Type of Sponsoring Business	*National Networks*	*Regional Networks*	*National Non network*	*Local*	*Total*
1a. Amusements	—	—	$6,390	$36,150	$42,540
1–2. Automobiles and accessories:					
(1) Automobiles	551,501	—	83,880	95,670	731,051
(2) Accessories, gas and oils	414,664	17,260	143,610	49,090	624,624
3. Clothing and apparel	24,534	790	37,020	225,970	288,314
4–5. Drugs and toilet goods:					
(4) Drugs and pharmaceuticals	565,705	9,749	504,820	53,600	1,133,874
(5) Toilet goods	1,009,238	4,860	131,400	21,760	1,167,258
6–8. Food products:					
(6) Foodstuffs	1,198,143	32,091	598,560	276,710	2,105,504
(7) Beverages	315,958	8,325	107,670	100,650	532,603
(8) Confections	126,048	2,440	60,430	8,160	197,078
9–10. Household goods:					
(9) Household equipment and furnishings	118,128	1,235	69,770	178,460	367,593
(10) Soap and kitchen supplies	407,710	700	196,430	9,190	614,030
11. Insurance and financial	68,559	1,834	22,790	87,100	180,283
12. Radios	241,397	—	6,200	16,690	264,287
13. Retail establishments	—	800	15,220	156,510	172,530
14. Tobacco products	436,473	9,900	117,310	6,930	570,613
15. Miscellaneous	236,385	6,398	415,500	531,860	1,190,143
Total	$5,714,443	$96,382	$2,517,000	$1,854,500	$10,182,325

volume rose 6.2%, while national network volume declined 7.8%, national non-network business 3.2%, and local advertising 12.6%. National network advertising 12.6% above last February and national non-network up 11.5%. Regional network volume down 27.6% and local 17.3%.

5. ***Toilet goods.*** National network volume 7.0% less than during January. Regional network business remained the same, while national non-network volume declined 1.1% and local advertising rose 34.2%. Gains as compared to February of preceding year as follows: national network 3.4%, regional network 44.6%, national non-network 10.1%, and local 16.9%.

6. ***Foodstuffs.*** National network volume alone declined as compared to last month, dropping 5.1%. Regional network volume rose 16.3%, national non-network business 1.6%, and local advertising 5.6%. Gains over February 1936 as follows: national networks 42.2%, regional networks 7.6%, national non-network 63.9%, and local 44.1%.

7. ***Beverages.*** National network 13.9% below January and regional network volume down 19.4%. National non-network business rose 51.2%, while local advertising remained the same. National network volume 15.4% less than February of last year. Regional network volume rose 96.9%, national non-network business 43.3%, and local advertising 61.9%.

8. ***Confectionery.*** Compared to last month, national network volume declined 3.9%, regional network business 18.6%, and local advertising 30.0%. National non-network business rose 35.0%. Regional network business 46.5% below last February, while national network volume rose 18.3%, national non-network 33.5%, and local advertising 93.3%.

9. ***Household equipment.*** National network business three times as great as last month and national non-network business rose 13.2% and local business 5.7%. Regional network business declined 53.4%. Compared to last February, national network volume tripled and national non-network and local advertising increased 8.3% and 46.5%, respectively. Regional network volume declined 72.6%.

10. ***Soap and kitchen supplies.*** Gains over January as follows: national network 14.6%, regional networks more than tripled, national non-network 74.5%, and local 2.9%. National network volume increased 52.4% over last February, while national non-network volume was five times as great and local advertising more than tripled. Regional network volume declined materially.

11. ***Insurance and financial.*** National network volume 7.8% below January and local down 13.3%. National non-network volume increased 17.1%, while regional network business remained the same. National network volume 41.3% greater than during the corresponding month of last year, regional network business doubled, and local business rose 42.8%. National non-network volume declined 42.4%.

12. ***Radio.*** Compared to January, declines as follows: national network 15.5%, national non-network 4.6%, and local 14.5%. National network volume was more than double that of last February and local advertising rose 54.5%. National non-network business declined 62.1%.

13. ***Department and general stores.*** Regional business amounted to $800. National non-network volume dropped 16.6% and local advertising 2.3% as compared to last month. National non-network business down 20.3% and local advertising up 59.7% as against last February.

14. *Tobacco products.* As against last month, national network and regional network volume increased 3.5% and 17.5%, respectively, while national non-network and local advertising declined 18.2% and 7.6%, respectively. Gains over last February as follows: national network 28.8%, regional network 62.5%, national non-network tripled, and local 11.8%.

15. *Miscellaneous.* National network volume declined 23.8% compared to last month. Regional network volume rose 57.2%, national non-network 9.8%, and local 6.6%. National network and regional network volume 38.0% and 40.5% below last February, respectively. National non-network rose 50.4% and local advertising 51.2%.

RETAIL BROADCAST ADVERTISING

Retail broadcast advertising declined less than 1.0% from the level of the preceding month. This is much less than the usual seasonal decline in retail advertising. The volume for February was 34.0% greater than the level recorded in February of last year. Compared to last month, automotive advertising increased 34.8%, gasoline station advertising, 12.7%; drug store advertising, 51.8%; furniture store advertising, 15.5%; radio retailers, 20.0%; and hardware store advertising more than doubled. Clothing volume declined 15.6%, grocery store advertising, 24.8%; and confectionery store advertising 34.3%.

The principal increases as compared to last February were as follows: gasoline stations 37.9%, clothing 46.4%; beauty parlors 43.9%, household equipment dealers 69.0%, furniture stores 68.7%, department stores 46.6%, and hardware stores and radio retailers more than doubled. Drug store advertising declined 34.3%, grocery store advertising, 39.1%; and restaurant advertising 16.8%.

Retail broadcast advertising over individual stations is found in Table VII.

TABLE VII
RETAIL BROADCAST ADVERTISING OVER INDIVIDUAL STATIONS

Type of Sponsoring Business	*1937 Gross Time Sales* *January*	 *February*
Automobiles and accessories:		
Automobile agencies and used car dealers	$73,310	$98,870
Gasoline stations, garages, etc	28,140	31,720
Clothing and apparel shops	291,610	245,900
Drugs and toilet goods:		
Drug stores	9,080	13,790
Beauty parlors	7,680	7,600
Food products:		
Grocery stores, meat markets, etc	51,010	38,320
Restaurants and eating places	19,350	19,350
Beverage retailers	1,980	1,840
Confectionery stores	7,390	4,850
Household goods:		
Household equipment dealers	53,820	53,600
Furniture stores	103,390	119,500
Hardware stores	6,290	13,870
Radio retailers	14,330	17,190
Department and general stores	176,600	171,730
Tobacco shops	....	....
Miscellaneous	135,000	133,700
Total	$978,980	$971,830

FTC CASE DISMISSED

No. 3027. The Federal Trade Commission has entered an order dismissing its complaint against **Flori Mothproofing Method, Inc.,** 252 South Broad St., **Philadelphia,** which had been charged with use of unfair methods of competition in connection with the sale of a liquid preparation designated "Flori", for use on garments, rugs, furniture and other articles as a protection against moths, carpet beetles and insects.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, April 12.

Monday, April 12

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Schuylkill Broadcasting Co., Pottsville, Pa.—C. P., **580 kc.,** 250 watts, daytime.

NEW—Pottsville News & Radio Corp., Pottsville, Pa.—C. P., **580 kc.,** 250 watts, daytime.

Tuesday, April 13

HEARING BEFORE AN EXAMINER

(Broadcast)

KIEM—Redwood Broadcasting Co., Inc., Eureka, Calif.—C. P., **1450 kc.,** 1 KW, unlimited time. Present assignment: **1450 kc.,** 500 watts, unlimited time.

Wednesday, April 14

HEARING BEFORE AN EXAMINER

(Broadcast)

KGFF—KGFF Broadcasting Co., Inc., Shawnee, Okla.—Modification of license, **1430 kc.,** 250 watts, unlimited time. Present assignment: **1420 kc.,** 100 watts, 250 watts LS, unlimited time.

Thursday, April 15

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. 1-104:

KGGC—The Golden Gate Broadcasting Co. (Robert J. Craig), San Francisco, Calif.—Modification of license, **1420 kc.,** 100 watts, unlimited time. Present assignment: **1420 kc.,** 100 watts specified hours. *Other participants:* None.

Examiner's Report No. 1-324:

NEW—John S. Allen and G. W. Covington, Jr., Montgomery, Ala. —C. P., **1210 kc.,** 100 watts, davtime. *Other participants:* WSFA, Montgomery, Ala.; Seaboard Investment Co., Inc., Montgomery, Ala.

Examiner's Report No. 1-334:

NEW—Clarence C. Dill, Washington, D. C.—C. P., **1390 kc.,** 1 KW, unlimited time. *Other participants:* KQV, Pittsburgh, Pa.; KLRA, Little Rock, Ark.; WLVA, Lynchburg, Va.

Examiner's Report No. 1-338:

NEW—Harmon LeRoy Stevens and Herman LeRoy Stevens, d/b as Port Huron Broadcasting Co., Port Huron, Mich.—C. P., **1370 kc.,** 250 watts, daytime. *Other participants:* William W. Ottaway, Port Huron, Mich.

Examiner's Report No. 1-339:

WMAS—WMAS, Inc., Springfield, Mass.—C. P., **560 kc.,** 1 KW, unlimited time. *Other participants:* WBZA, Boston, Mass.; WSYR, Syracuse, N. Y.; WIS, Columbia, S. C.; WFIL, Philadelphia, Pa.; WQAM, Miami, Fla.; WTAG, Worcester, Mass.; WMCA, New York City; WSPR, Springfield, Mass. (Intervenor).

Examiner's Report No. 1-342:

WGBI—Scranton Broadcasters Inc., Scranton, Pa.—Modification of license, **880 kc.**, 500 watts, 1 KW LS, shares-WQAN. Present assignment: **880 kc.**, 500 watts, shares WQAN. *Other participants:* WABC, New York City; WESG, Elmira, N. Y.; WRNL, Petersburg, Va.

Examiner's Report No. 1-351:

NEW—Golden Empire Broadcasting Co., Marysville, Calif.—C. P., **1140 kc.**, 250 watts, daytime. *Other participants:* Marysville-Yuba City Publishers, Inc., Marysville, Calif.; KVOO, Tulsa, Okla.

Examiner's Report No. I-323:

KFPM—Voice of Greenville, Greenville, Tex.—C. P., **1420 kc.**, 100 watts, daytime. Present assignment: **1310 kc.**, 15 watts, specified hours.

Examiner's Report No. I-344:

NEW—Hunt Broadcasting Assn.. Greenville, Tex.—C. P., **1200 kc.**, 100 watts, daytime.

Examiner's Report No. I-348:

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—Modification of license, **1210 kc.**, 100 watts, unlimited time.

Examiner's Report No. I-349:

NEW—Hannibal Broadcasting Co., Hannibal, Mo.—C. P., **1310 kc.**, 100 watts, unlimited time.

NEW—The Courier-Post Publishing Co., Hannibal, Mo.—C. P., **1310 kc.**, 100 watts, 250 watts LS. unlimited time.

Friday, April 16

HEARING BEFORE AN EXAMINER

(Broadcast)

WIOD-WMBF—Isle of Dreams Broadcasting Corp., Miami Beach, Fla.—Modification of license, **610 kc.**, 1 KW, unlimited time. Present assignment: **1300 kc.**, 1 KW, unlimited time.

FURTHER HEARING BEFORE AN EXAMINER

WHBB—W. J. Reynolds, Jr., J. C. Hughes, and J. S. Allen, d/b as Selma Broadcasting Co., Selma, Ala.—Modification of license, **1500 kc.**, 100 watts, unlimited time.

WHBB—W. J. Reynolds, Jr., J. C. Hughes, and J. S. Allen, d/b as Selma Broadcasting Co., Selma, Ala.—Voluntary assignment of license, **1500 kc.**, 100 watts, unlimited time.

APPLICATIONS GRANTED

KVI—Puget Sound Broadcasting Co., Inc., Tacoma, Wash.—Granted C. P. to use old W.E. 106-B equipment as an auxiliary transmitter and move same from near Des Moines, Wash., to 950 Pacific Ave., Tacoma, Wash., and operate with 1 KW for emergency purposes only.

KRLC—H. E. Studebaker, Lewistown, Idaho.—Granted modification of C. P. approving transmitter site, changes in equipment and installation of vertical radiator.

WILL—University of Illinois, Urbana, Ill.—Granted modification of C. P. extending completion date from May 22 to July 22, 1937.

WHBP—Wilton Harvey Pollard, Huntsville, Ala.—Granted modification of C. P. to make changes in equipment.

WROK—Rockford Broadcasters, Inc., Rockford, Ill.—Granted license to cover C. P., **1410 kc.**, 500 watts night, 1 KW day, unlimited.

KLS—S. W. Warner and E. N. Warner, d/b as Warner Brothers, Oakland, Calif.—Granted license to cover C. P., **1280 kc.**, 250 watts, unlimited time.

KHUB—F. W. Atkinson, Watsonville, Calif.—Granted license to cover C. P., **1310 kc.**, 250 watts, daytime only.

WHP—WHP, Inc., Harrisburg, Pa.—Granted license to cover C. P., **1430 kc.**, 500 watts night, 1 KW day, unlimited.

WSAJ—Grove City College, Grove City, Pa.—Granted modification of license to change studio location and reduce hours of operation to Sundays from 4:30 to 5:30 p. m., and two days each week from 7:15 to 8:45 p. m., EST, and application for renewal of license dismissed from hearing docket.

WBBR—Monmouth Broadcasting Co., Red Bank, N. J.—Granted license to cover C. P. authorizing changes in equipment.

WKY—WKY Radiophone Co., Oklahoma City, Okla.—Granted license for auxiliary transmitter on frequency **900 kc.**, with 1 KW power.

KMO—KMO, Inc., Tacoma, Wash.—Granted license to cover C. P. and modifications thereof; **1330 kc.**, 1 KW, unlimited.

KOY—Salt River Valley Broadcasting Co., Phoenix, Ariz.—Granted modification of license to increase power from 500 watts, 1 KW LS, to 1 KW day and night.

KTEM—Bell Broadcasting Co., Temple, Tex.—Granted C. P. for new equipment and increase in day power from 100 watts to 250 watts.

WHBU—Anderson Broadcasting Corp., Anderson, Ind.—Granted authority to install automatic frequency control.

NEW—The Journal Co. (The Milwaukee Journal), Milwaukee, Wis., Mobile.—Granted C. P. for new relay broadcast station, frequencies **1646, 2090, 2190** and **2830 kc.**, 50 watts.

W9XAI—The Journal Co. (The Milwaukee Journal), Milwaukee, Wis., Mobile.—Granted C. P. to make changes in equipment and increase power from 7.5 watts to 50 watts.

NEW—A. H. Belo Corp., Grapevine, Tex.—Granted C. P. for new high frequency broadcast station, frequencies **31600, 35600, 38600** and **41000 kc.**, 100 watts.

WOTM—Lawrence W. McDowell, VERA LEE.—Granted third class private radio ship station license for a period of 1 year from date.

WOTE—Joseph D. Peeler, ISABEL.—Granted third class private radio ship station license for a period of 1 year from date.

SET FOR HEARING

NEW—Kenneth Baker, Hartwell Gaus, V. A. Bermier, d/b as Key City Broadcasting Co., Kankakee, Ill.—C. P. for new station, **1500 kc.**, 100 watts, unlimited time.

KROC—Southern Minnesota Broadcasting Co., Rochester, Minn.—C. P. to make changes in equipment and increase day power from 100 watts to 250 watts.

WDNC—Durham Radio Corp.. Durham, N. C.—C. P. to move transmitter site locally, install new equipment and directional antenna system for night-time use, change frequency from **1500 kc.** to **600 kc.**, and increase power from 100 watts, unlimited, to 1 KW, unlimited time.

WKEU—Radio Station WKEU, Griffin, Ga.—C. P. to install a vertical radiator, change frequency from **1500 kc.** to **1310 kc.**, increase power and time of operation from 100 watts, daytime only, to 100 watts, unlimited time.

WRC—National Broadcasting Co., Inc., Washington, D. C.—C. P. to move transmitter site locally, install new equipment and vertical radiator, and increase night power from 500 watts to 1 KW and day power from 1 KW to 5 KW.

KVOD—Colorado Radio Corp., Denver, Colo.—C. P. to change transmitter site locally, install directional antenna system for night-time use, change frequency from **920 kc.** to **630 kc.**, and increase power from 500 watts night and day, sharing equally with KFEL, to 1 KW, unlimited time.

WRBL—WRBL Radio Station, Inc., Columbus, Ga.—Modification of C. P. to install new equipment, change frequency from **1200 kc.** to **1330 kc.**, increase night power from 100 to 250 watts and day power from 250 to 500 watts.

KTBS—Tri-State Broadcasting System, Inc., Shreveport, La.—Modification of license to change frequency and power to **620 kc.**, 500 watts night, 1 KW day, unlimited time.

NEW—Dan B. Shields, Provo, Utah.—C. P. for new station, **1210 kc.**, 100 watts, unlimited time, site to be approved.

NEW—Clark Standiford, L. S. Coburn, and A. C. Sidner, Fremont, Nebr.—C. P. for new station, **1370 kc.**, 100 watts, unlimited time, site to be determined with Commission's approval.

KGAR—Tucson Motor Service Co., Tucson, Ariz.—Modification of license (amended 2-24-37) to request change in frequency from **1370 kc.** to **1340 kc.**, increase night power from 100 watts to 250 watts (to be heard May 19, 1937).

SPECIAL AUTHORIZATIONS

WCAX—Burlington Daily News, Inc., Burlington, Vt.—Granted special temporary authority to operate from 8 to 9:30 p. m., EST, April 6, in order to broadcast speech of the National Commander of the American Legion.

WSYB—Philip Weiss Music Co., Rutland, Vt.—Granted special temporary authority to operate from 9 to 11 p. m., EST, April 7, in order to broadcast a concert by the Vermont Symphony Orchestra.

WGY—General Electric Co., Schenectady, N. Y.—Granted special temporary authority to rebroadcast routine transmissions of Schenectady Police Dept. radio system on April 5, during dedication program.

WCAD—St. Lawrence University, Canton, N. Y.—Granted special temporary authority to operate from 1:30 to 3 p. m., and from 4 p. m. to local sunset (May sunset 7:15 p. m., EST), May 1, 8, 11, 15, 18, 22 and 28, 1937, in order to broadcast baseball games: also from 2:45 to 4:15 p. m., EST, May 2, 1937, in order to observe Charter Day—College Holiday.

ACTION ON EXAMINER'S REPORT

KRLH—Ex. Rep. 1-376: Clarence Scharbauer, Midland, Tex.—Denied as in cases of default application for modification of license to change frequency from **1420 kc.** to **1210 kc.** Examiner Seward sustained.

ORAL ARGUMENTS GRANTED

Oral arguments were granted, to be held May 6, 1937, in the following cases:

Ex. Rep. 1-336, Advertiser Pub. Co., Ltd., and Fred J. Hart, Honolulu, T1H. Ex. Rep. 1-360, Central States Broadcasting Co., Council Bluffs, Iowa. Ex. Rep. 1-361, Merrimac Broadcasting Co., Inc. (WLLH), Lawrence, Mass. Ex. Rep. 1-362, Sioux City Broadcasting Co., and C. W. Corkhill, Sioux City, Iowa.

ORAL ARGUMENT CONTINUED

Oral arguments in the following cases, now scheduled to be heard on April 8, 1937, were continued to April 15, 1937:

Ex. Rep. 1-104, Golden Gate Broadcasting Co., San Francisco, KGGC. Ex. Rep. 1-324, John S. Allen, G. W. Covington, Jr., Montgomery, Ala. Ex. Rep. 1-334, Clarence C. Dill, Washington, D. C. Ex. Rep. 1-338, Port Huron Broadcasting Co., Port Huron, Mich. Ex. Rep. 1-339, WMAS, Inc., Springfield, Mass. Ex. Rep. 1-342, Scranton Broadcasters, Inc., WGBI, Scranton, Pa. Ex. Rep. 1-351, Golden Empire Broadcasting Co., Marysville, Calif.

EFFECTIVE DATES EXTENDED

NEW—Ex. Rep. 1-269: Jack E. Brantley, Mrs. J. E. Brantley, and Jack E. Brantley, Jr., Savannah, Ga., and NEW—W. T. Knight, Jr., Savannah, Ga.—Effective date of order extended to May 11, 1937.

NEW—Ex. Rep. 1-295: A. Tornek, d/b as Metro Broadcasting Co., Los Angeles, Calif.—Effective date of order extended to May 11, 1937.

The Commission further extended the effective date of the decision of the Broadcast Division of November 17, 1936, in denying the application of WHB Broadcast Company, Kansas City, Mo., for C. P., Docket No. 3808, from April 8 to April 15, 1937.

APPLICATION DISMISSED

NEW—C. E. Wilkinson Broadcasting Co., Inc., Mason City, Iowa. —Dismissed at request of applicant, application for C. P., **1210 kc.,** 100 watts, unlimited, heretofore set for hearing.

APPLICATION DENIED

The following application, heretofore set for hearing, was denied as in cases of default for failure of applicant to file an appearance and statement of facts in accordance with Rule 104.6 (c):

NEW—General Electric Co., Nr. Belmont, Cal.—C. P. emission A-3, **9530, 15330 kc.,** 20 KW, shares W2XAF and W2XAD (Unlimited by reason of difference in International time).

MISCELLANEOUS

Carolina Advertising Corp., Columbia, S. C.—Granted petition to reopen the record to authorize the taking of additional evidence in support of its application for C. P. for a new station at Columbia to operate on **1370 kc.,** 100 watts, 250 watts LS, unlimited time. (Docket No. 4274.)

WDGY—Dr. George W. Young, Minneapolis, Minn.—Granted authority to intervene in the hearing on the application of the National Battery Broadcasting Co., for C. P. to erect a new broadcast station at St. Paul, to operate on **580 kc.,** 1 KW, unlimited time.

KGFF—The KGFF Broadcasting Co., Inc., Shawnee, Okla.—Denied 60 day postponement of hearing on its application for modification of license to change frequency from **1420** to **1430 kc.,** and increase power from 100 watts, 250 watts LS, unlimited time, to 250 watts, unlimited time. (Docket No. 4424.)

WSAY—Brown Radio Service & Lab., Rochester, N. Y.—Granted continuance of hearing on application for modification of license to change power from 100 watts daytime, to 100 watts, 250 watts LS, unlimited time. (Docket No. 4401).

Philadelphia Radio Broadcasting Co.—Granted petition to be made respondent in the hearing of the application of Abraham Plotkin for C. P. for new station in Chicago to operate on **1570 kc.,** 1 KW, unlimited time.

WFLA-WSUN—Clearwater Chamber of Commerce, Clearwater, Fla.—Denied petition to intervene in the hearing on the application of the Isle of Dreams Broadcasting Corp., licensee of station WIOD-WMBF, for modification of license to change frequency from **1300** to **600 kc.** (Docket No. 4425.)

The Yankee Network, Inc., Boston, Mass.—Granted petition to intervene at the hearing of the application of the Broadcasting Service Organization, WORL, Boston, Mass., for C. P. to increase power from 500 watts daytime, to 1 KW, unlimited time, **920 kc.** (Docket No. 4206).

KROY—Royal Miller, Sacramento, Cal.—Denied petition to reconsider action in postponing hearing from April 5 to May 19, 1937, on application for modification of C. P. to change frequency from **1210 kc.** to **1340 kc.,** power from 100 watts daytime, to 250 watts, 1 KW LS, unlimited.

KGA—Louis Wasmer, Spokane, Wash.—Granted petition to continue hearing now scheduled for April 6, 1937, to a later date to be fixed by Docket Section. Application is for modification of license to change frequency from **1470 kc.,** 5 KW unlimited time, to **950 kc.,** 1 KW, 5 KW LS, unlimited time.

WAAF—Drovers Journal Publishing Co., Chicago, Ill.—Denied petition asking Commission to continue for an indefinite period the hearing in Dockets Nos. 4251, 4443, 4119 and 4206, now set for May 5, 1937. Docket 4251 is the application of Drovers Journal Publishing Co., for C. P. to install new transmitter, change hours of operation from daytime to unlimited, and increase power from 1 KW daytime only, to 1 KW night, 5 KW LS. Docket 4443 is the application of Geo. W. Young for C. P. to erect a new station at St. Paul, Minn., using directional antenna, on frequency of **920 kc.,** with power of 1 KW night, 5 KW day, unlimited. Docket 4119 is the application of the National Battery Broadcasting Co., for C. P. to erect a new station in St. Paul, Minn., using directional antenna on frequency of **920 kc.,** with power of 1 KW, unlimited time. Docket 4206 is the application of the Broadcasting Service Organization, Inc., licensee of station WORL, Boston, operating on frequency of **920 kc.,** for C. P. to install directional antenna, move transmitter to Cambridge. Mass., change hours of operation from daytime to unlimited, and to increase power from 500 watts daytime only to 1 KW, unlimited.

Ben M. Lidenton and A. L. McCarthy, d/b as Fields McCarthy Co., Poplar Bluff, Mo.—Accepted appearance filed late through misunderstanding, in re application for C. P. for new station at Poplar Bluff, Mo., to operate on **1310 kc.,** 100 watts, daytime. Hearing scheduled for April 12, 1937, continued to a date to be fixed by the Docket Section.

WTBO—Associated Broadcasting Corp., Cumberland, Md.—Denied petition asking Commission to reconsider action of March 16, 1937, in designating for hearing application for transfer of control from Roger W. Clipp and Frank V. Becker to the Delaware Channel Corp., and grant the same without hearing.

WMBQ—Metropolitan Broadcasting Co., Brooklyn, N. Y.—Granted temporary interin authority to Joseph Husid, receiver, to continue the operation of station for a reasonable time, i.e., 60 days, pending decision upon applications from WWBL, Paul J. Gollhofer and Lillian Kiefer for the facilities of WMBQ as well as application for renewal of license of WMBQ and an application from WMBQ for permit to install new equipment, move station, make changes in antenna, which were heard by Examiner Walker, February 16, 17, 18, 1937, not yet reported. The temporary license granted to receiver is specifically subject to recall and cancellation by Commission without advance notice or hearing at any time.

RATIFICATIONS

The Commission ratified the following acts authorized on the dates shown

KFXR—Exchange Ave. Baptist Church of Oklahoma City, Oklahoma City, Okla.—Granted extension of program test period 30 days from March 26, 1937.

WSGN—Birmingham News Co., Birmingham, Ala.—Granted extension of program test period 30 days from March 24, 1937.

WIRE—Indianapolis Broadcasting Inc., Indianapolis, Ind.—Granted extension of equipment test period 10 days from March 29.

W9XPS—Peoria Broadcasting Co., Peoria, Ill.—Granted authority to operate as licensed on March 30, relay broadcast WMBD Good Neighbor program.

KABE-KIGA—National Battery Broadcasting Co., St. Paul, Minn.—Granted authority to operate as licensed on 4-4-37, relay broadcast from Ft. Snelling Chapel, near St. Paul.

WJEP—Stromberg-Carlson Tel. Mfg. Co., Rochester, N. Y.—Granted authority to operate as licensed period, April 5 to 15, inclusive, relay broadcast Safety Campaign Program in Rochester.

K6SCJ—Honolulu Broadcasting Co., Ltd., Honolulu, T. H.—Granted extension program tests to April 30, 1937.

McLaren Advertising Co., Ltd., Toronto, Canada.—Granted special temporary authority to transmit programs on behalf of the Imperial Oil Co., Ltd., over a Canadian network of National Hockey League playoff games which will be played in Boston, New York and Detroit for a period not to exceed 30 days.

KOCA—Oil Capital Broadcasting Assn., Kilgore, Tex.—Granted special temporary authority to use studio located at 310½ Main St., Kilgore, Texas, instead of main studio located at Laird Ave., Kilgore, Tex., for a period ending in no event later than 4-20-37.

WILL—University of Illinois, Urbana, Ill.—Granted special temporary authority to operate 100 watt test transmitter on **580 kc.**, between midnight and 6 a. m., CST, for the period April 1 to April 10, 1937, for the purpose of adjusting directional antenna authorized by C. P.

WSYB—Philip Weiss Music Co., Rutland, Vt.—Granted special temporary authority to operate from 9 to 10 a. m., EST, April 1 to April 30, 1937, inclusive, in order to broadcast Rutland County Community programs, provided no further extension is granted unless a formal application specifying a proper antenna is filed.

The Broadcast Division granted the petition of KTSA Broadcasting Co., licensee of Station WACO, to intervene in the proceedings upon the application of T. E. Kirksey for C. P. for new station at Waco, Texas, Docket 4275.

Granted petition of Dr. Geo. W. Young to intervene in the proceedings upon the application of Edward Hoffman, d/b as WMIN Broadcasting Co. (WMIN), for modification of license, Docket 4342.

Granted petition of Sabine Broadcasting Co., Inc. (KFDM), Beaumont, Texas, to intervene in the proceedings upon the application of Beaumont Broadcasting Assn. for C. P. for new station at Beaumont, Texas, Docket 4376.

Granted petition of Magnolia Petroleum Co., Dallas, Texas, to intervene in proceedings upon the application of Beaumont Broadcasting Assn. for C. P. for new station at Beaumont, Texas, Docket 4376.

Granted petition of Carolinas Radio, Inc., to intervene in the proceedings upon the application of WSOC, Inc., Charlotte, N. C., for C. P., Docket 4370.

Denied petition of WHFC, Inc., Cicero, Ill., requesting permission to intervene in the proceedings upon the application of Robert McCulla for C. P. for new station at Oak Park, Ill., Docket 3647.

The Broadcast Division disregarded the petition of the Don Lee Broadcasting System for authority to intervene in the proceedings upon the application of Pacific Acceptance Corp. for C. P. for new station at San Diego, Calif., Docket 2968, and directed that it be returned to the Docket Section to be associated with the record. The Broadcast Division also denied the petition of the Don Lee Broadcasting System for continuance of a period of 30 days of said hearing on Docket No. 2968.

Granted motion of Frazier Reame, Mansfield, Ohio, for continuance of the hearing on his application for C. P., Docket 4315, and directed that the said hearing be continued until May 17, 1937.

Granted request of The Faith Broadcasting Co. for permission to amend its application for C. P. for new station at Wichita Falls, Tex., Docket 4218, relative to its antenna system, and directed that the amendment to this application be accepted without interruping the progress of the hearing in the Wichita Falls cases, and further that all parties should be immediately notified.

Granted request of the Brooklyn Daily Eagle Broadcasting Co., Inc., Brooklyn, N. Y., for the issuance of a subpena to compel the attendance of Anthony D'Angelo, Brooklyn, N. Y., President of the Paramount Broadcasting Corporation, in the so-called Brooklyn cases. The Commission denied the request of the Brooklyn Daily Eagle Broadcasting Co., Inc., for subpena duces tecum to compel the attendance of Salvatore D'Angelo with certain books and documents of the Paramount Broadcasting Corporation.

Approved a form letter to be issued by the Accounting Department granting requests for extension of time for filing Report Form H for Holding Companies for the year 1936 until April 30, 1937, with the understanding that the reports be filed earlier than that date if practicable.

APPLICATIONS RECEIVED

First Zone

WCAX—Burlington Daily News, Inc., Burlington, Vt.—License to
1200 cover construction permit (B1-P-1448) for changes in equipment, installation of vertical antenna, and increase in power.

NEW—The Hampden-Hampshire Corp., Holyoke. Mass.—Con-
1240 struction permit for a new station to be operated on **1240 kc.**, 1 KW, unlimited time. To use directional antenna day and night.

WNBZ—Earl J. Smith and Wm. Mace, d/b as Smith & Mace,
1290 Saranac Lake, N. Y.—Voluntary assignment of construction permit and license from Smith and Mace to Upstate Broadcasting Corporation.

WEBR—WEBR, Inc., Buffalo, N. Y.—License to cover construc-
1310 tion permit (B1-P-1370) for new transmitter and vertical antenna.

WMBO—WMBO, Inc., Auburn, N. Y.—Modification of construc-
1310 tion permit (B1-P-1467) for new transmitter and vertical antenna, increase in power, and move of transmitter, requesting further changes in equipment and extension of completion date from 7-24-37 to 180 days after grant.

WQDM—E. J. Regan and F. Arthur Bostwick, d/b as Regan &
1370 Bostwick, St. Albans, Vt.—License to cover construction permit (B1-P-113) as modified for new equipment, change in frequency, power, and hours of operation, and move of studio and transmitter.

NEW—Utica WUTK, Inc., Utica, N. Y.—Construction permit for
1420 a new station to be operated on **1420 kc.**, 100 watts, unlimited time.

NEW—Juan Piza, Mobile, Puerto Rico.—Application for reinstatement of construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.**, 50 watts.

NEW—Juan Piza, Mobile, Puerto Rico.—License to cover above.

NEW—Columbia Broadcasting System, Inc., New York, N. Y.—Construction permit for a new television broadcast station to be operated on **42000-56000, 60000-86000 kc.**, 7500 watts.

NEW—National Broadcasting Co., Inc., vicinity of Canton and Enderbury Islands.—Construction permit for a new experimental broadcast station on board U. S. S. *Avocet*, to be operated on **6425, 8655, 12862.5, 17310 kc.**, 1000 watts.

NEW—National Broadcasting Co., Inc., vicinity of Canton and Enderbury Islands.—License to cover above.

Second Zone

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Authority to
560 transfer control of corporation from Lit Brothers Broadcasting System, Inc., to Lit Brothers, 4100 shares common stock.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Authority to
560 transfer control of corporation from WFI Broadcasting Company to Strawbridge and Clothier, 3526 shares of common stock.

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—Modifi-
570 cation of construction permit (B2-P-1412) for vertical antenna and move of transmitter, requesting installation of directional antenna for day and night use when WOSU is operating; change hours of operation from specified hours to unlimited; and extend commencement and completion dates.

WLVA—Lynchburg Broadcasting Corp., Lynchburg, Va.—Con-
1200 struction permit to change frequency from **1200 kc.** to **1390 kc.**; make changes in equipment; increase power from 100 watts night, 250 watts day, to 500 watts day and night, and install directional antenna for night use. Amended to change transmitter site from Page Street between Morgan and Mountain View Streets, Lynchburg, Va., to near Lynchburg, Va.

NEW—Havens & Martin, Inc., Petersburg, Va.—Construction per-
1210 mit for a new station to be operated on **1210 kc.**, 100 watts night, 250 watts day, specified hours (unlimited except Sundays between 10:30 a. m. to 1:30 p. m., 5:30 p. m. to 7 p. m. and 7:30 p. m. to 9:30 p. m., EST). Requests facilities of WMBG when WMBG changes to **1350 kc.**

WBRE—Louis G. Baltimore, Wilkes-Barre, Pa.—Construction per-
1310 mit to move transmitter from 16-18 North Main Street, Wilkes-Barre, Pa., to extension North 3d Avenue, Kingston, Pa., and install vertical antenna.

NEW—Summit Radio Corp., Akron, Ohio.—Construction permit
1530 for a new special broadcast station to be operated on **1530 kc.**, 1 KW, unlimited time. Amended to install directional antenna for night use, for approval of transmitter site at adjacent to Manchester Road, south of city limits, near Akron, Ohio, and studio as site to be determined, business district, Akron, Ohio.

NEW—Ann Arbor Broadcasting Co., Inc., Ann Arbor, Mich.—
1570 Construction permit for a new special broadcast station to be operated on **1570 kc.**, 1 KW, unlimited time. Amended: For approval of transmitter site at Whitmore Lake Road, Ann Arbor, Mich., and install directional antenna for night use.

XXX—King-Trendle Broadcasting Corp., Detroit, Mich.—Authority to transmit programs from Station WXYZ to stations of the Canadian Radio Commission.

NEW—WCAU Broadcasting Co., Philadelphia, Pa.—Construction permit for a new relav broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, ½ watt.

NEW—WCAU Broadcasting Co., Philadelphia, Pa.—License to cover construction permit.

NEW—WAVE, Inc., Louisville, Ky.—Construction permit for a new high frequency relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 50 watts.

NEW—WAVE, Inc., Louisville, Ky.—Construction permit for a new high frequency relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 2 watts.

Third Zone

KGKO—Wichita Falls Broadcasting Co., Wichita Falls, Tex.—
570 Construction permit to install a new transmitter.

WDBO—Orlando Broadcasting Co., Inc., Orlando, Fla.—Construc-
580 tion permit to make changes in equipment and increase power from 1 KW to 1 KW night, 5 KW daytime.

NEW—W. W. Luce, Fort Lauderdale, Fla.—Construction permit
1050 for a new station to be operated on **1050 kc.**, 1 KW, daytime. Amended to change hours of operation from limited time to daytime, using 1 KW power.

WAYX—E. F. Sapp and S. F. Sapp, d/b as Waycross Broadcast-
1200 ing Co., Waycross, Ga.—Construction permit to install a new transmitter, increase power from 100 watts to 100 watts night, 250 watts daytime.

WMFR—Radio Station WMFR, Inc., High Point, N. C.—Modifi-
1200 cation of license to change hours of operation from daytime to unlimited time, using 100 watts power, and change frequency from **1200 kc.** to **1210 kc.** (contingent upon WSOC being granted **600 kc.**).

WFTC—Jonas Weiland, Kinston, N. C.—License to cover con-
1200 struction permit (B3-P-944) as modified for a new station. Amended re equipment.

WJNO—Hazlewood, Inc., West Palm Beach, Fla.—Authority to
1200 transfer control of corporation from present stockholders to Jay O'Brien.

WJBY—Gadsden Broadcasting Co., Inc., Gadsden, Ala.—Authority
1210 to install automatic frequency control.

WAIR—C. G. Hill, Geo. D. Walker and Susan H. Walker, Winston-
1250 Salem, N. C.—License to cover construction permit (B3-P-808) as modified for new station.

NEW—Radio Enterprises, Inc., Lufkin, Tex.—Construction permit
1310 for a new station to be operated on **1310 kc.**, 100 watts, daytime. (Sections 12 (b), 17 (k), and balance sheet.)

KONO—Mission Broadcasting Co., San Antonio, Tex.—Voluntary
1370 assignment of license from Mission Broadcasting Co. to Eugene J. Roth, tr/as Mission Broadcasting Co.

KCMC—KCMC, Inc., Texarkana, Tex.—Construction permit to
1420 make changes in transmitting equipment and increase power from 100 watts to 100 watts night, 250 watts day time.

Fourth Zone

WDAF—The Kansas City Star Co., Kansas City, Mo.—Modifica-
610 tion of construction permit (B4-P-1418) for a new transmitter and vertical antenna and move of transmitter, requesting further changes in equipment.

WGBF—Evansville on the Air, Inc., Evansville, Ind.—License to
630 cover construction permit (B4-P-642) for changes in equipment and increase in power.

KFBI—The Farmers & Bankers Life Insurance Company, Abilene,
1050 Kans.—Voluntary assignment of license from The Farmers & Bankers Life Insurance Company to The Farmers & Bankers Broadcasting Corp.

WDSM—Fred A. Baxter, Superior, Wisc.—Modification of con-
1200 struction permit (B4-P-770) for a new station, requesting approval of vertical antenna, transmitter site at 38th Street and Tower Avenue, Superior, Wisconsin, and studio at 1507 Tower Avenue, Superior, Wisconsin.

WJBL—Commodore Broadcasting, Inc., Decatur, Ill.—License to
1200 cover construction permit (B4-P-1507) for a new transmitter.

KRMC—Roberts MacNab Co. (Arthur L. Roberts, R. B. MacNab,
1310 A. J. Breitbach, General Manager), Jamestown, N. Dak.—License to cover construction permit (B4-P-510) as modified, for new station.

KRNT—Iowa Broadcasting Co., Des Moines, Iowa.—License to
1320 cover construction permit (B4-P-952) as modified, for new equipment, directional antenna and increase in power.

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—
1360 Construction permit to make changes in equipment, move transmitter from 128 N. Pulaski Road to 100 N. Pulaski Road, Chicago, Illinois, and studio from same site to 14 N. Western Avenue, Chicago, Illinois. Amended: To install vertical antenna.

WMIN—Edward Hoffman, St. Paul, Minn.—Modification of
1370 license to change frequency from **1370 kc.** to **1360 kc.**, and increase night power from 100 watts to 250 watts. Amended: To change requested frequency from **1360 kc.** to **1400 kc.**

WROK—Rockford Broadcasters, Inc., Rockford, Ill.—Authority
1410 to transfer control of corporation from Lloyd C. Thomas to Rockford Consolidated Newspapers, Inc., 10 shares common stock.

NEW—Sam Klaver & Nathan Belzer, Omaha, Neb.—Construction
1420 permit for a new station to be operated on **1420 kc.**, 100 watts, unlimited time.

KSTP—National Battery Broadcasting Co., St. Paul, Minn.—
1460 Authority to transfer control of corporation from Lytton J. Shields to First Trust Co., of St. Paul, Helen B. Shields & Frank J. Anderson, as representatives of the estate of Lytton J. Shields, deceased; Florence E. Brown, Guardian of the estate of James L. Brown, minor, and Florence E. Brown and Emmet Butler, as trustees under the last will and testament of Frank M. Brown, deceased, 1500 shares common stock.

NEW—F. B. Clements & Co., a co-partnership of F. Braden
1500 Clements, Clara D. Clements and C. C. Clements, d/b as Southern Minnesota Supply Co., Mankato, Minn.—Construction permit for a new station to be operated on **1500 kc.**, 100 watts, night, 250 watts day, unlimited time.

KXBY—First National Television Inc., Kansas City, Mo.—Con-
1530 struction permit to make changes in transmitting equipment, changes in directional antenna and increase in power from 1 KW to 5 KW.

XXX—Mutual Broadcasting System, Inc., Chicago, Ill.—Extension of authority to exchange programs with Station CKLW, Windsor, Ontario, and through the Telegraph office of the Canadian Pacific Railway at Windsor with the Canadian Broadcasting Corp.

NEW—The University of Minnesota, Minneapolis, Minn.—Construction permit for a new high frequency broadcast station to be operated on **31600, 35600, 38600, 41000, 86000-401000 kc.**, 100 watts. Amended: To omit request for **86000-401000 kc.**

NEW—National Broadcasting Co., Inc., Chicago, Ill.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 50 watts.

NEW—National Broadcasting Co., Inc., Chicago, Ill.—License to cover above.

Fifth Zone

KJBS—Julius Brunton & Sons Co., San Francisco, Calif.—Modi-
1070 fication of license to change frequency from **1070 kc.** to **1080 kc.** Amended: To change hours of operation from limited time to specified hours, 6:00 a. m. to 6:30 p. m. and 9:00 p. m. to midnight, PST, daily.

KGDM—E. F. Peffer, Stockton, Calif.—Construction permit to
1100 install a new transmitter, increase power from 1 KW to 5 KW, change frequency from **1100 kc.** to **1110** kc., hours of operation from daytime to unlimited time. Amended: To change requested frequency from **1110 kc.** to **1150 kc.,** and install directional antenna for night operation. (Antenna, transmitter site).

NEW—Floyd A. Parton, San Jose, Calif.—Construction permit for
1150 a new station to be operated on **1150 kc.,** 250 watts, daytime.

NEW—Cheyenne Radio Corp., Cheyenne, Wyo.—Construction
1210 permit for a new station to be operated on **1210 kc.,** 100 watts, 250 watts day, unlimited time. Amended: To give studio and transmitter sites, as sites to be determined, Cheyenne, Wyoming.

KGGM—New Mexico Broadcasting, Albuquerque, N. Mexico.—
1230 License to cover construction permit (B5-P-1359) for equipment changes, increase in power and move transmitter.

KCRJ—Charles C. Robinson, Jerome, Ariz.—Construction permit
1310 to make changes in equipment, install a vertical antenna, increase power from 100 watts to 100 watts night, 250 watts day, change hours of operation from specified hours to unlimited time and move transmitter from 711 Main Street, Jerome, Arizona to Lower Hogback, Jerome, Arizona.

KGB—Don Lee Broadcasting System, San Diego, Calif.—Con-
1330 struction permit to install a new transmitter, erect a vertical antenna, increase power from 1 KW to 1 KW night, 5 KW day and move transmitter from Pickwick Terminal Hotel, 132-152 Broadway, San Diego, California, to site to be determined, San Diego, California. Amended: To request 5 KW power night and day.

KBPS—Benson Polytechnic School (R. T. Stephens, Agent), Port-
1420 land, Ore.—License to cover construction permit (B5-P-1627) for changes in equipment.

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Modifica-
1500 tion of construction permit (B5-P-1617) for move of transmitter and erection of a vertical antenna, requesting authority to install a new transmitter, change frequency from **1500 kc.** to **1360 kc.,** power from 100 watts night, 250 watts day, to 1 KW, and extend commencement and completion dates.

W6XRE—Ben S. McGlashan, Los Angeles, Calif.—License to cover construction permit for a new high frequency broadcast station.

SPECIAL
APRIL 9, 1937

Official Report of the American Delegation to The Regional Radio Conference Held in Habana, Cuba, March 15-29, 1937

"Washington, April 5, 1937.

"The Honorable
The Secretary of State,
Washington.

"Sir:

"In accordance with the Department's instruction of March 6, 1937, the Delegation of the United States of America to the Regional Radio Conference arrived at Habana, Cuba, on March 13, 1937. The Delegation consisted of the following:

T. A. M. Craven, Chief Engineer, Federal Communications Commission, Chairman;

E. K. Jett, Assistant Chief Engineer, Federal Communications Commission;

Gerald C. Gross, Chief, International Section, Federal Communications Commission;

Harvey B. Otterman, Treaty Division, Department of State.

"Upon arrival at Habana the American Embassy made available the services of Mr. Ellis O. Briggs, Second Secretary of the Embassy, who participated as a member in the work of the Delegation throughout the Conference.

I. GENERAL

"At the opening plenary session the work of the Conference was presented by the host nation in the form of an agenda consisting of twelve questions for study. They are as follows:

1. Consideration of the possibility and necessity of resolving a newer and proper distribution of the channels corresponding to the broadcasting band ranging between 550 and 1600 kc., especially with reference to the North and Central American regions and the West Indies, and, if possible, to determine the assignment of exclusive, shared and local channels.

2. Examination of principles regulating the assignment of broadcasting bands in the Americas for short wave bands.

3. Consideration of convenience of revising the North and Central American Agreement, signed in Mexico City, in July 1933, and referring to the bands of frequencies from 1500 to 6000 kc.

4. Exchange of opinions concerning allocation of frequencies in waves below ten meters and especially concerning interference with those frequencies, from an international standpoint.

5. Proposal of measures, even if they be of a temporary nature, which may contribute to alleviate the interference situation which is being produced in the nations of North and Central America in relation to the broadcasting service in general.

6. Exchange of opinions concerning other problems confronted by the Americas in the different features of radiocommunication, and, if possible, adoption of practical resolutions, such as the use of directed waves and proper geographical separation between stations.

7. Proposal of new bases concerning classification and width of bands, classification of stations according to their power and definition of service areas of the different classes of stations, etc.

8. Consideration of the problems presented in the amateur radio bands of 20 and 40 meters. Study of the possibility of extending said bands and, especially, those corresponding to the radiotelephone communications.

9. Adoption of practical coordination measures and mutual aid amongst the neighboring nations through radiocommunication, in cases of national calamities, such as floods, earthquakes, hurricanes, etc.

10. Study of what should, in general, be understood in radiocommunication as 'good engineering standards.'

11. Examination of the convenience of proposing and considering, in a Regional Conference of the Americas, any other matters deemed useful in avoiding the existing conflicts, or those which may appear in the future, in radiocommunication in the American countries.

12. Consideration of the convenience of calling, for the month of November, 1937, and at such place as may be decided upon, a Regional Radio Conference for the purpose of defining and studying, at a meeting of all the American nations, their point of view in connection with the Telecommunication Conference to be held at Cairo, in 1938.

During the course of the Conference a thirteenth question was added, reading as follows:

> 13. Study of means to suppress inductive interference with special reference to diathermic and similar apparatus.

"The Conference, at its first plenary session, unanimously elected Senator Wilfredo Albanes, a member and Vice President of the Cuban Senate and Chairman of the Cuban Delegation, to serve as Chairman of the Conference. The Honorable Ramiro Hernandez Portela, Minister of the Republic of Cuba to Argentina, was named to act as Secretary-General of the Conference.

"The following countries were represented and participated actively in the work: Canada, Cuba, Mexico, United States of America.

"The work of the Conference was divided among four main committees under the general direction of a steering committee (Comision de Iniciativos) which consisted of the Chairman of the Conference and the Chairmen of the other three Delegations. These committees were organized as follows:

1. Committee on Broadcasting:
    Chairman, Walter A. Rush, Canada.
    Vice Chairman, Ignacio Galindo, Mexico.
    Secretary, Nicolas Paroz Stable, Jr., Cuba.

"This committee had assigned to it for study questions 1, 2 and 5 of the agenda.

2. Committee on Services other than Broadcasting:
    Chairman, Agustin Flores, Mexico.
    Vice Chairman, E. K. Jett, United States of America.
    Secretary, Carlos A. Mendiola, Cuba.

"To this committee were assigned questions 3, 4, 8, 9 and 11 of the agenda.

3. Committee on Engineering Standards:
    Chairman, T. A. M. Craven, United States of America.
    Vice Chairman, J. W. Bain, Canada.
    Secretary, Emilio Pando, Cuba.

"There were assigned to this committee for study questions 5, 6, 7, 10, 12 and 13 of the agenda.

"In addition to the three working committees mentioned above, at the opening of the Conference, a Committee on Credentials was appointed to examine the credentials of the Delegates; at the conclusion of the Conference a Committee on Drafting was appointed to revise the Final Acts.

"At the outset of the Conference it was proposed by the delegation of the United States and unanimously approved by the Conference that all decisions should be unanimous. This provided a measure of protection to each of the nations involved and paved the way for harmonious agreement throughout the negotiations.

II. WORK OF THE CONFERENCE

Committee No. 1

"Three members of the American Delegation, namely T. A. M. Craven, Harvey B. Otterman and Ellis O. Briggs were assigned to this Committee. A considerable portion of the time of this Committee was devoted to the proposals on the part of Canada, Cuba and Mexico that exclusive channels be assigned to each nation and that these be divided on the basis of some formula which might be acceptable to all four nations represented. The United States' delegation was opposed to the allocation of exclusive channels and recommended that service be provided in accordance with the basic engineering standards which are covered in the report of Committee No. 3. The American Delegation pointed out that no formula could be devised which would be acceptable to all nations because service for each nation must be based, among other considerations, upon the following factors:

1. Total population of each nation.
2. Geographical distribution of the population over the entire area to be served in each nation.
3. Within each nation the density of population as a whole.
4. The density of population in various sections of any country.
5. The number of cities and towns in each nation.
6. The geographical distribution of cities and towns within each nation.
7. Extent and proportion of rural population as compared to total population of a nation.
8. The total inhabited area.
9. The extent of the area to be served.
10. The geographical configuration of a country.
11. Topographical conditions within each country.
12. Actual propagation conditions over the terrain in each country.
13. Atmospheric conditions to be expected in each country insofar as such conditions affect radio reception.
14. Man-made 'noise' conditions to be expected in each country which would affect the quality of radio service capable of being rendered to the public.
15. The variations in requirements for public radio service in various sections within a country.
16. Variations in public preference for broadcast programs requiring diversification of program service.
17. The area of the various metropolitan districts required to be served in each country.

18. The necessity for individual communities to have their own facilities for public self-expression on local problems.

19. The necessity for the seat of government to have facilities enabling mass communication with the entire public of a country.

20. Broadcasting facilities which exist and which have been established over an extended period of time.

"It was contended that the best method by which neighboring nations can take full advantage of the radio spectrum between 540 and 1600 kc., is for such nations, in collaboration with each other, to agree upon standards of engineering and then attempt to reconcile problems involving radio interference over the borders of each country by requiring the application of sound engineering principles which will, insofar as is practicable, provide for the maximum service in each nation with a minimum of radio interference between the stations of all the nations. Efforts should be made to take advantage of modern devices which assist in the reduction of interference, as well as upon great geographical separation between stations of high power, to share channels to the fullest extent possible consistent with sound engineering.

"After an intensive study of the views of each of the countries represented and a real attempt to decide the extremely complex problems on the basis of sound engineering principles rather than on the basis of national or political considerations, the Committee happily was able to arrive at a meeting of the minds and the following principles were agreed to unanimously:

IN THE REGULAR BROADCASTING BAND

"With respect to clear channels, the former doctrine of international coverage has been changed to 'freedom from interference within the borders of a country.'

"The adoption of the United States standard practices for regional stations is applied to the North American region as a whole resulting in the use of regional channels by all nations when no interference will exist to any regional station under the engineering standards recognized in the engineering report of January 11 of the Commission's engineering department. This was accomplished after full consideration by all delegations of the doctrine long recognized by our Government with respect to sovereign rights of nations relative to the use of radio. Therefore, no new international principle or change of policy on the part of the United States is involved.

"With reference to clear channels, the rights of nations to use frequencies is modified when they cause interference to the reception of stations in other countries, and hence it is recognized that regional arrangements are necessary to permit the orderly joint use by all nations of the narrow broadcasting band mutually agreed upon by nations of the world for allocation to broadcast service. No new international principles have been evolved here with regard to clear channels and the practice and policies of the United States have been sustained.

"Channels formerly assigned exclusively to a country can be used by other nations in daytime when no more than five microvolts interference is caused at the border by stations of another nation using the same channel. This will result in easing the present difficulties in the United States relative to our daytime stations by adding six channels which are in the band 550 to 1500 kc., which are not now available to us. While the same concession was made to Canada and to other nations, no harm can come to the United States stations if the terms of this agreement are set forth at the November Conference and agreed upon there and thereafter maintained in force by all nations.

"Three classes of clear channels, one class of regional channels and one class of local channels were recommended much along our own present or proposed practice except that the use of directional antennae is encouraged between nations when convenient. This is in accord with what has been recognized as engineering necessity in our own country.

"Inasmuch as Committee No. 3 was charged with the study of principles of engineering and related questions, the actual definitions of stations by various classes were drafted by it and are given as follows for convenience. The work of Committee No. 3 in drawing up these definitions was concurred in by Committee No. 1 and was ratified unanimously by the plenary session.

"Six classes of stations defined very much along the lines of the Federal Communications Commission's engineering department's January report were adopted. These do not materially change our existing practice and are in accord with our present necessities.

"For the purpose of promoting coordination between nations with respect to questions of interference in the broadcast band 540-1600 kc., each nation a party to this agreement should notify the others with respect to the call signs, frequency, power, antenna characteristics, and location of the stations they have authorized; and for purposes of obtaining cooperation with respect to international interference they shall state in which of the following classes they deem the stations they have authorized should be listed:

"Class I: A 'clear channel station' using Class A or B clear channels and designed to render primary and secondary service over extended areas and at relatively long distances. Those stations of this Class operating on Class B channels shall not be permitted to use more than 50 kw. power.

"Class II: A 'clear channel station' using Class C clear channels and designed to render primary and secondary service over relatively wide areas and at relatively long distances. They may operate with not more than 50 kw. power and must use directional antennae or other means in order to avoid objectionable interference with other stations of the same class using the same channel.

"Class III: A 'limited clear channel station' using Class B or Class C clear channels and designed to render service to a portion of their normal primary service area which, according to the power used, may be relatively large. The power of these stations shall not exceed 50 kw. and they must use special measures or otherwise be located at a sufficient distance to prevent objectionable interference to the service of the clear channel stations regularly assigned the same channel as is used by the 'limited clear channel station.' A 'limited clear channel station' is subject to the interference it may receive from the Clear Channel stations using the same frequency.

"Class IV: A 'regional station' using a regional channel and designed to render service primarily to metropolitan districts and the rural areas contained therein and contiguous thereto. Their power may not exceed 5 kw. and their service areas are subject to mutual interference in accord with agreed upon engineering standards.

"Class V: An 'urban station' using a local channel and designed to render service primarily to cities and towns and the suburban areas contiguous thereto. The power of 'urban stations' may not exceed 1 kw. and their service areas are subject to mutual interference in accord with agreed upon engineering standards.

"Class VI: A 'city station' using a local channel and designed to render service primarily to cities and towns and the suburban areas contiguous thereto. The power of these stations may not exceed 250 watts and their service areas are subject to mutual interference in accord with agreed upon engineering standards.

"For the first time in international radio history, 'objectionable interference' has been defined in specific terms for use between nations on the North American continent. The United States practices are followed in this instance and it is believed that, in view of the general misunderstanding throughout the Americas of what is meant by interference of an objectionable character, this action will go far toward attaining an orderly use of the broadcast band in this region.

"The frequency 540 kc., is permitted to be used for broadcasting as provided for in the present agreement between Canada and the United States except that distance from the coast line is prescribed.

"The broadcast band was extended to 1600 kc. in accordance with the United States proposals at Mexico City and present United States policy.

"The use of 520 kc. and 530 kc. and all other long waves was rejected for broadcasting. This is in accord with the existing United States policy.

"The frequency separation of 10 kc. and the assignment of frequencies in multiples of 10 kc. was maintained in accordance with the present United States policy.

"The division of the 107 channels between 540 and 1600 kc. is as follows:

58 as clear channels of all classes
33 as regional channels
16 as local channels, ten of which are for urban stations (our low power regionals) and six for city stations (our local)

"The fifty-eight clear channels will be used by four classes of stations, namely (a) clear channel stations using Class A clear channels which give freedom from interference to the border; (b) clear channel stations using Class B clear channels which give freedom of interference to the 100 microvolt day contour of the station during the day and the 500 microvolt sky wave signal intensity during the night; (c) clear channel stations using Class C channels with directional antennae or other means of avoiding objectionable interference; freedom from interference much along same lines as above and (d) limited clear channel stations, i.e., those which use Class B and C clear channels on condition they do not interfere with regular clear channel stations assigned these frequencies but which are limited in their primary coverage by the interference from the regular clear channel stations. This class of station is similar to the Class C station suggested by the Commission's engineering department in its January report.

"An important recommendation agreed to by Committee No. 1 and ratified by the Conference is contained in Resolution No. 14 which recognizes the essential difference between broadcasting frequencies in the normal broadcast band 540-1600 kc. and broadcasting on short waves. While the former are recognized as being essentially for national service, it is pointed out that for successful short wave broadcasting and especially the cultural exchange of programs among the Americas, stations in the short wave broadcasting bands should be required to use sufficient power to permit the rendition of good international service.

"Your Delegation feels that this Regional Conference of the four nations while preliminary in character was eminently successful in establishing the fundamental needs for broadcasting service of the participating countries and through the achievement of unanimous agreement on the broadcasting engineering bases involved, the way is paved for a more comprehensive agreement among the participating nations in the November conference.

"The following resolutions which are contained in the Final Acts of the Conference attached hereto as Annex II were the results of Committee 1: Resolutions Nos. 1, 2, 3, 4, and 5.

COMMITTEE NO. 2

"Two members of the American Delegation were appointed to serve on this Committee, namely E. K. Jett and Gerald C. Gross.

"The Committee carefully examined the Mexico City Agreement of 1933 and as a result of its work unanimously concurred in a revision of this agreement, the text of which is attached hereto as Annex I, Acts of the Conference. The changes made in the former text were minor in character and consist principally, first in a change in the amateur band 1715-2000 kc. to read 1750-2050 kc., the next band formerly reading 2000-2100 kc. to read 2050-2100 kc. This proposal was made by the United States Delegation and was agreed to unanimously in order to provide more frequencies for state police in the new band 1715-1750 kc., the upper limit of the amateur band being increased to 2050 kc. in order to compensate for the amount taken off at the lower end. Such upward shift in the amateur band also provides increased protection to the broadcasting band now extended from 1500 to 1600 kc.

"The Committee also unanimously agreed that the United States would furnish by September 15, 1937, a plan for a North American international police radio telegraph network. This proposal was made by the United States and is in accord with the plans being formulated by the Federal Communications Commission in cooperation with the International Association of Chiefs of Police and the Associated Police Communication Officers for intercity police communications concerning law enforcement matters.

"The Committee then agreed that frequencies above 30,000 kc. should be retained for the present in an experimental status with the understanding that definite proposals concerning the allocation of these frequencies will be made by each country for the November Conference. It was further agreed in this connection that it would be desirable from an engineering standpoint to allocate frequencies beginning at approximately 40 megacycles to the television service except for the amateur band, 56 to 60 megacycles.

"The following proposal on the part of the United States was adopted by Committee Number Two, was concurred in by Committee Number One, and was unanimously adopted by the plenary session:

> " 'That subject to the internal regulations of each country, any radio transmitting station, may, during a period of emergency in which normal communication facilities are disrupted as a result of hurricane, flood, earthquake or similar disaster, carry on emergency communication, with points other than those normally authorized.'

"The Cuban Delegation recommended that the forty meter amateur band be subdivided into two parts: first, from 7000 to 7100 kc. to be used exclusively for radio telephone amateur communication by Latin American amateurs; and the other, from 7100 to 7300 kc. to remain as at present for radio telegraph amateur operation only. In this connection the Delegation of the United States of America pointed out that such a plan does not fit in with its national needs, but in view of the desire of the Latin American countries to take such special action for their own amateurs, it was not felt that our delegation could reasonably oppose such a move at this time. The Cuban representative pointed out that the fourteen megacycle Madrid band which is used in the United States for radio telephone communication is not suited by reason of its propagation characteristics for radio telephone communication between most of the Latin American countries where the distances involved are comparatively short. After considerable discussion the resolution above referred to was unanimously adopted for study.

"Summarizing the following resolutions which are contained in the Final Acts of the Conference attached hereto as Annex I were the result of the work of Committee Number Two: Resolutions Nos. 6, 7, 8, 12 and 13.

COMMITTEE NUMBER 3

"Three members of the American Delegation participated in the work of Committee No. 3, namely T. A. M. Craven, who served as chairman of the committee; E. K. Jett, and Gerald C. Gross. The only proposals submitted to the committee were those of the Canadian Delegation and those submitted by the Delegation of the United States of America. It was found after studying both sets of proposals that those submitted by the Delegation of the United States of America were more comprehensive in scope in that they not only included the essence of the Canadian proposals but also took into account the discussions previously held during the meetings of Committee No. 1 which obviously were not included in the Canadian proposals which were submitted on the first day of the committee meetings. Consequently, the proposals of the United States of America were taken as the basis for discussion and after some modifications and amendments as suggested by the other Delegations, the committee unanimously agreed on the engineering principles set forth in the Final Acts of the Conference and attached to this report as Annex I under the heading 'Engineering Principles', Resolution No. 9.

"These engineering principles are based on United States standards of antenna performance, interference, and equipment performance. The propagation and interference curves are those developed by the Engineering Department of the Federal Communications Commission as a result of broadcasting experience in the United States. They were accepted as guides in the determination of international interference and service.

"With respect to services other than broadcasting the committee agreed to recommend a study of high frequency broadcasting by all nations along the same lines as is already being accomplished in the United States with a view to arriving at a more positive conception at the November Conference so that the American nations in the Western Hemisphere will be in a position to deal in collaboration with other nations at the approaching Cairo Radio Conference.

"The committee adopted a proposal of the Delegation of the United States of America to study ways and means to eliminate interference to radio service because of radiotherapeutic machines and other devices which have substantial radiation in space. This is also in accord with the present plans of the Federal Communications Commission.

"The committee also adopted the recommendation on the part of the United States of America concerning the prevention of spurious radiations, including harmonic modulation, key clicks, parasitic oscillations, and other transient effects.

"Another important point brought out by Committee No. 3 is found in Resolution No. 9, 'Engineering Principles', and reads as follows:

> " 'Where two regions are separated by long distances such as North and South America, it is deemed good engineering practice to have different regional arrangements so as to permit the high powered clear channels in one region to use some of the frequencies allocated as regional or local channels in other regions and vice versa.'

"With respect to high fidelity broadcasting, it was agreed that the various administrations should study the problems incident to this type of service to the end that such service may be accommodated in accordance with good engineering principles.

"The committee agreed that the engineering standards mentioned in the agreement are subject to change in accordance with technical advances in the art and by mutual consent of the Governments which are parties to this agreement.

"Summarizing, the following resolutions which are contained in the Final Acts of the Conference attached hereto as Annex II were the result of the work of Committee No. 3: Resolutions Nos. 9, 11, and 14.

STEERING COMMITTEE

"Two proposals originated in the Steering Committee and were unanimously approved by the plenary session. The first concerns the Inter-American Radio Conference to be held beginning November 1, 1937, in Habana. Because of the fact that Habana is so central and so convenient for the transportation of delegates from all the American nations the Conference went on record as accepting the offer of the Government of Cuba to hold the Conference at Habana beginning November 1, 1937. It was suggested that the Republic of Cuba agree to invite the following twenty-three nations:

Argentina
Bolivia
Brazil
Canada
Chile
Colombia
Costa Rica
Cuba
Dominican Republic
Ecuador
El Salvador
Guatemala
Haiti
Honduras
Mexico
Newfoundland
Nicaragua
Panama
Paraguay
Peru
United States of America
Uruguay
Venezuela

The Cuban Delegation informed the Conference that their Government would take the necessary steps.

"In addition, the Conference gave very careful study to a proposal made by the Cuban Government looking toward the establishment of a Regional Radio Consulting Committee for the Americas, whose principal functions would be supervisory. Such a committee would also act as the distribution center for the exchange of information concerning statistical data relative to the characteristics of stations which have been authorized by the American nations under the terms of the November agreement. Our delegation supported this idea which was presented by Cuba because we felt that it is through such an organization that an effective means can be secured in gradually raising the standards of engineering employed in practice by the various nations which will become parties to the engineering standards of the forthcoming November agreement. It is also essential that information with respect to the location and technical characteristics of stations authorized by each nation become known quickly. If these factors of engineering practice and exchange of information are not accomplished in fact, there would result an inevitable confusion and lack of uniformity in the broadcast band at least, which would again deteriorate service to listeners. In view of these factors, our delegation strongly supported the Cuban proposal and suggested that its permanent headquarters be Habana.

CREDENTIALS COMMITTEE

"Because of the fact that the delegation had not been supplied with formal credentials by the Department, it was necessary for the American Embassy at Habana to issue a certificate for the delegation. This was accepted by the Credentials Committee, as were the credentials of the other delegations present. Mr. Otterman represented the delegation of the United States of America on this committee.

DRAFTING COMMITTEE

"Because of the press of the work of the Conference and the fact that the informal plenary session was held on Easter Sunday and the closing plenary session on the following Monday afternoon, certain minor typographical errors necessarily appeared in the Final Acts of the Conference as printed. In order not to delay the final signing but to provide for the correction of these errors the Chairman of the Conference appointed a small Drafting Committee, consisting of Dr. Nicolas Mendoza of Cuba and Mr. Gerald C. Gross of the United States of America, which was authorized by the plenary session to make such editorial changes as were deemed necessary, especially with respect to questions of translation.

CONCLUSION

"While your delegation feels that an extremely important and constructive work has been done in this preliminary Conference in Habana, it must necessarily point out that in order to bring permanent stability to the radio industry not only in the United States but throughout all the nations in the Americas this work which was begun in March must be carried through to a successful conclusion at the November Conference. If the same fine spirit of cooperation and good will which was evidenced by each of the participating nations in this preliminary Conference is continued, it is only reasonable to believe that this goal so earnestly desired by all the nations involved will be successfully reached.

"In conclusion, your delegation desires to express its appreciation of the whole-hearted cooperation extended to it by officers and members of the staffs of the American Embassy and the American Consulate General at Habana.

"Finally, warm thanks are due the Cuban Government for its most generous treatment of the delegates to the Conference.

T. A. M. Craven, *Chairman*
E. K. Jett,
Gerald C. Gross
Harvey B. Otterman

Final Minutes of the Regional Radio Conference

Convened in the City of Havana from March 15 to March 29, 1937

"The Governments of the United Mexican States, the United States of America, the Dominion of Canada and the Republic of Cuba, agreed to hold, in the city of Havana, a Radio Regional Conference, for the purpose of preparing and studying such matters of common interest as may serve as a basis for discussion at the Inter-American Radio Conference to be held in the month of November, 1937, as preliminary to the International Conference to be convened at Cairo in the month of February, 1938.

"Said four Governments appointed for that purpose the following Delegations:

For the United Mexican States:

Mr. Alfonso Gomez Morentin,
Director General of Posts and Telegraphs, Chairman.
Mr. Ignacio Galindo,
Engineer, Chief of the Office of Radiocommunication of the Direction General of Posts and Telegraphs.
Mr. Agustin Flores,
Engineer, Inspector of Radio of the Direction General of Posts and Telegraphs.

For the United States of America:

Com. T. A. M. Craven,
Chief Engineer, Federal Communications Commission, Chairman.
Mr. E. K. Jett,
Assistant Chief Engineer, Federal Communications Commission.
Mr. Gerald C. Gross,
Chief, International Section, Federal Communications Commission.
Mr. Harvey B. Otterman,
Treaty Division, Department of State.
Mr. Ellis O. Briggs,
Second Secretary, American Embassy, Havana.

For Canada:

Mr. Walter Rush,
Controller of Radio.
Mr. J. W. Bain,
Radio Engineer.
Mr. Donald Manson,
Canadian Broadcasting Corporation.
Mr. K. A. MacKinnon,
Radio Engineer, Canadian Broadcasting Corporation.

For Cuba:

Mr. Wifredo Albanes,
Senator of the Republic, Chairman of the Cuban Delegation.
Mr. Nicolas G. Mendoza,
Director of Radio.

Mr. Arturo Novo Vidal,
Inspector General of Radio.
Mr. Alfonso Hernandez Cata,
Superintendent of Laboratory, Department of Communications.
Mr. Luis Moas,
Assistant to the Director of Protocol, Department of State.
Mr. Raul Karman,
Engineer.
Mr. Julio Cesar Ulloa,
Engineer.
Mr. Luis Martinez,
Engineer.
Mr. Andres Ascencio,
Major of the Constitutional Army.
Mr. Jose Lara,
Lieutenant of the Central Division of the National Police.
Mr. Amadeo Saenz de Calahorra,
Engineer, Member of the Radio Club of Cuba.
Captain Carlos M. Choca Quintana,
Chief of the Signal Corps of the Constitutional Navy.

"The Conference held its Inaugural Session at 5:00 p. m. of the 15th day of March, 1937, in the Assembly Hall of the Department of Education, attended by all the Delegations and, as guests of honor, by Mr. Alfonso Cravioto, Mexican Ambassador, Mr. Herbert Grant Watson, British Minister, and Mr. Bissett, Trade Commissioner of the Dominion of Canada.

"The Conference was inaugurated, in the name of the Government of Cuba, by Mr. Melanio Diaz, Secretary of Communications.

"Mr. Wifredo Albanes, Senator of the Republic of Cuba and Chairman of the Cuban Delegation, was elected, by the unanimous vote of all the Delegations, to be Chairman of the Conference.

"Dr. Ramiro Hernandez Portela, Cuban Minister to the Argentine Republic, was appointed Secretary General.

"The Conference, at this Session, resolved to create in addition to the Committees on Credentials and on Initiatives, provided in the Regulations, three Committees of a technical character, for the prior study of the topics suggested for the Conference, and named as follows:

"First Committee: Broadcasting in General.

"Second Committee: Radiocommunications and other Services.

"Third Committee: Engineering.

"Messrs. Alfonso Gomez Morentin, Com. T. A. M. Craven and Walter A. Rush, Chairmen of the Delegations of the United Mexican States, the United States of America and the Dominion of Canada, were unanimously appointed, in the order above mentioned, determined by lots drawn, Vice-Chairmen of the Conference.

"The following were likewise unanimously elected as Chairmen of the respective Committees:

First Committee:
Chairman: Walter A. Rush (Canada).
Second Committee:
Chairman: Engineer Agustin Flores (Mexico).
Third Committee:
Chairman: Com. T. A. M. Craven (U. S. A.).

"Senator Dr. Wifredo Albanes, Chairman of the Conference, was acknowledged, in accordance with the Regulations, as Chairman of the Committee on Initiatives, constituted also under the provisional Regulations, by the Chairmen of the four Delegations.

"The above mentioned Committees convened daily in the premises assigned for that purpose by the Government of Cuba, in the Hotel National, carefully examining each and all the topics submitted to them for study, and the enumeration of which is as follows:

1st.—Consideration of the possibility and necessity of resolving a newer and more proper distribution of the channels corresponding to the broadcasting band ranging between 550 and 1600 kcs., especially with reference to the American regions of the North and Center, and the West Indies, and, if possible, to determine the assignment of exclusive shared and local channels.

2nd.—Examination of principles regulating the assignment of broadcasting channels in the Americas for short wave bands.

3rd.—Consideration of the convenience of revising the North and Central American Agreement, signed in Mexico City, in July, 1933, and referring to the bands of frequencies from 1500 to 6000 kcs.

4th.—Exchange of opinions concerning allocation of frequencies in waves below ten meters, and especially concerning interferences with those frequencies, from an international standpoint.

5th.—Proposal of measures, even if they be of a temporary nature, which may contribute to at least relieve the interference situation which is being produced in the nations of North and Central America in relation to the broadcasting service in general.

6th.—Exchange of opinions concerning other problems confronted by the Americas in the different features of radiocommunication, and, if possible, adoption of practical resolutions, such as the use of directed waves and the proper geographical separation between stations.

7th.—Proposal of new bases concerning classification and width of channels, classification of stations according to their power and definition of service areas of the different classes of stations, etc.

8th.—Consideration of the problems presented in the amateur radio bands of 20 and 40 meters. Study of the possibility of extending said bands and, especially, those corresponding to radiophone communications.

9th.—Adoption of practical coordination measures and mutual aid amongst the neighboring nations through radiocommunication, in cases of national calamities, such as floods, earthquakes, hurricanes, etc.

10th.—Study of what should, in general, be understood in radiocommunication as 'a good standard of engineering.'

11th.—Examination of the convenience of proposing and considering, in a Regional Conference of the Americas, any other matters deemed useful in avoiding the existing conflicts, or those which may appear in the future, in radiocommunication in the American countries.

12th.—Consideration of the convenience of calling, for the month of November, 1937, and at such place as may be resolved, a Regional Radio Conference for the purpose of defining and studying, at a meeting of all the American nations, their points of view in connection with the Telecommunication Conference to be held at Cairo, in 1938.

13th.—Study of the means to suppress the Inductive Interference, with special reference to diathermy and similar apparatus.

"The Delegates examined carefully the provisional Regulation for the Conference, submitted to them by the Cuban Government for consideration, and, after agreeing on some amendments thereto, unanimously approved the same.

"The Committees, after an exhaustive deliberation, resolved to submit to the consideration of the Conference the drafts of Resolution hereinafter set forth and which were unanimously approved by the Conference in its Plenary Session held the 29th day of March, 1937, in the Assembly Hall of the Department of Education.

RESOLUTIONS APPROVED

"The Regional Radio Conference, held at Havana, in the month of March, 1937, has resolved, unanimously, to express to the Governments herein represented, its recommendation that the following be agreed upon, as a basis of discussion at the forthcoming Inter-American Regional Radio Conference, now scheduled for November 1st, 1937.

"No. 1.—

"The sovereign right of all nations to the use of every radio broadcasting channel is recognized. Nevertheless, the Governments recognize that, until technical development reaches a state that permits the elimination of radio interference of international character, it is agreed that regional arrangements are essential in order to promote standardization and to minimize such interference.

"No. 2.—

"The Governments recognize that radio broadcasting service can be rendered in each nation by six classes of stations, each having different standards of service and interference conditions.

"No. 3.—

"The frequency band between 1500 and 1600 kilocycles should be assigned to radio broadcasting service in the Americas.

"No. 4.—

"For the purposes of this Conference, it is unanimously agreed that the words in the English language 'clear channel' shall be interpreted in the Spanish language as 'canal despejado,' and vice-versa, both expressions being understood as meaning the same thing.

"For the purposes of this Conference, it is unanimously agreed to accept the interpretation of the English words 'objectionable interference' as 'interferencia molesta' in the Spanish language and vice-versa, both expressions being understood to mean the same thing.

DEFINITION OF CHANNELS

"No. 5.—

"Three categories of channels exist, namely: Clear, regional and local.

"*Clear channels:* A clear channel is primarily one on which stations render service over wide areas and which are cleared of objectionable interference, within their primary service areas and over all or a substantial portion of their secondary service areas, from other stations operating on the same frequency.

"There are three classes of clear channels, namely:

"A.—Clear channels on which stations may operate with powers of more than 50 kw. and have their primary and secondary service areas free from objectionable interference within the limits of the country in which the said stations are located.

"B.—Clear channels on which no station may operate with a power in excess of 50 kw. In addition to the clear channel station operating on this frequency there may be stations of other classes providing the latter do not cause objectionable interference within either the primary or secondary service area of the clear channel station. In this class of clear channel, the determination of objectionable interference is obtained from measurements of the interference at a given day field strength contour of the clear channel station.

"C.—Clear channels on which no station may operate with a power in excess of 50 kw. There may be more than one clear channel station on this class of channel but each station must use a directional antenna or other means in order to prevent objectionable interference within the service areas of the other stations. In this class of clear channel, the determination of objectionable interference is obtained from measurements of the interference at a given day field strength contour.

"Regional channels: A regional channel is one on which several stations may operate with power not in excess of 5 kw. and whose primary service areas may be reduced as a consequence of mutual interference to given field strength contours.

"Local channels: A local channel is one on which several stations may operate with powers not in excess of 5 kw. and whose primary service areas may be reduced as as a consequence of mutual interference to given field strength contours.

"Definition of primary service area: The primary service area of a clear channel station is that area determined by the field strength contour at which the ratio between ground and sky wave at night approaches unity.

"Definition of secondary service area: The secondary service area of a clear channel station is that area within which the service is provided principally by means of indirect radiation and in consequence thereof the field strength varies from time to time.

"Definition of objectionable interference: Objectionable interference is that degree of interference produced when the field strength of an interfering station operating on the same frequency as that of the desired station exceeds 5% of the field intensity of the desired station 10% of the time or more.

"Limits of objectionable interference: A station shall be considered as not capable of causing objectionable interference to a clear channel station when it uses the same frequency and is separated from the clear channel station by a time difference of five hours, or if it is located no closer to the clear channel station than indicated in the following Table:

	Distances	
Power	*Miles*	*Kilometers*
1 kw. or less	3.000	4.825
5 kw.	3.250	5.230
50 kw.	3.500	5.630
over 50 kw.	4.000	6.440

"General: Stations operating on clear channels should in principle employ relatively high power and may employ under certain specified conditions powers in excess of 50 kw.

"Each nation to which a clear channel may be assigned must use such channel in a manner that conforms to the best practice of good engineering. If within a number, to be determined, of years from the day of signing this agreement a nation to which has been assigned a clear channel does not make use of such channel in accordance with good allocation engineering practice, any other nation, which is a party to this Agreement, shall have the right to use such channel in the same manner and under the same conditions as employed by the nation to which the channel was originally assigned.

"When one nation to which a clear channel has been assigned agrees to permit another nation to use it in a manner not in accord with this Agreement, other nations signatories to this Agreement must be notified in sufficient time to permit their presenting objections thereto.

"All nations in a specified region may use all regional and local channels in accordance with the agreed standards of engineering.

FREQUENCIES ABOVE 1600 KC/S

A.—Services Other Than Broadcasting

No. 6.—

I.—The participating Governments may assign any frequency and any type of wave to any radio stations under their authority, upon the sole condition that no interference with any service of another country results therefrom.

II.—The participating Governments undertake to assign frequencies to the stations under their jurisdiction in conformity with the Table "Distribution of Frequencies to Services".

III.—TABLE I.—*Distribution of Frequencies to Services*

General Frequency Band (kc.)	*Exact Limits of the Band (kc.)*	*Service Allocation*
1600–1650	1605–1650	Maritime Mobile.
1650–1655	1650–1654	General Experimental.
1655–1750	1654–1750	Fixed and Mobile (primarily police).
1750–2050	1750–2052	Amateur.
2050–2100	2052–2102	Fixed and Mobile.
2100–2200	2102–2202	Mobile (primarily ship stations).
2200–2300	2202–2302	Fixed and Mobile.
2300–2395	2302–2396	Mobile (primarily police).
2395–2400	2396–2402	General Experimental.
2400–2500	2402–2502	Mobile (primarily police).
2500–2600	2502–2602	Mobile (primarily coast stations).
2600–2735	2602–2734	Aeronautical and Mobile.
2735–2740	2734–2742	Mobile (primarily intership, assignable frequency 2738 kc.).
2740–2850	2742–2850	Fixed and Mobile.
2850–3000	2850–3002.5	Aeronautical and Mobile.
3000–3065	3002.5–3062.5	Fixed and Mobile.
3065–3100	3062.5–3097.5	Air Mobile.
3100–3110	3097.5–3112.5	Mobile (primarily air Mobile calling frequency 3105 kc.).
3110–3150	3112.5–3152.5	Mobile.
3150–3265	3152.5–3267.5	Fixed and Mobile (primarily air Mobile).
3265–3320	3267.5–3322.5	Fixed.
3320–3440	3322.5–3442.5	Fixed and Mobile.
3440–3485	3442.5–3487.5	Fixed and Mobile (primarily air Mobile).
3485–3500	3487.5–3500	General Experimental.
3500–4000	3500–4000	Amateur.

“Table II may be used as a guide for the designation of frequencies to be assigned to stations.

“IV.—The participating Governments in allocating frequencies above 4000 kc. agree to adhere to the provisions of Appendix No. 1, except that the band of frequencies from 5600 to 5700 kc. shall be assigned exclusively to the Air Mobile Service.

“V.—In general, in the frequency range 1600-3000 kilocycles, the frequencies assigned shall be integral multiples of 4 kilocycles. Communication channels wider than 4 kilocycles may be assigned where the authorized band width of the emission requires the use of such wider channels. For example, two adjoining telegraph channels may be assigned for telephony, in which case the frequency assigned to a station should be the mid-frequency of such channels. The frequencies to be assigned to stations are given in Table II. Departure from these assignments may be made in order to make more efficient use of the frequency space available.

VI. TABLE II

Assignable frequencies based on radiotelegraph emission.

1600	2060	2228	2396	2564
1604	2064	2232	2400	2568
1608	2068	2236	2404	2572
1612	2072	2240	2408	2576
....	....	....	....	....
....	....	....	....	....

(Complete table agreed to but not reproduced).

“VII.—The frequency tolerance of the carrier wave of the stations authorized by the respective Governments in the band 1600-6000 kilocycles shall be equal to or less than the value specified in Table III.

TABLE III

Tolerance Table

Frequency Band 1600–6000 kc.	*Tolerances permissible for transmitters installed before January 1, 1934 (1). Plus or Minus.*	*Tolerances for new transmitters installed after January 1, 1934. Plus or Minus.*
A.—Fixed stations	0.03%	0.01%
B.—Land stations	0.04%	0.02%
C.—Mobile stations using frequencies not normally used for ship radiotelegraph transmissions	0.05%	0.02%
D.—Mobile stations using any wave within the band	0.1%	0.1%

(1) The tolerances given in this column will be applicable only until January 1, 1940. After that date all transmitters shall conform to the tolerances given in the second column.

“VIII.—The participating Governments agree to require stations under their jurisdiction to use transmitters which are as free as practicable from all spurious emissions such as those due to harmonics, decrement, spacing waves, frequency modulation, key clicks, type of keying, etc., not essential to the type of communication being carried on.

“IX.—The procedure to be followed in the elimination of interference between radio stations under the jurisdiction of the participating Governments shall be covered by separate agreements.

“X.—The restriction against certain types of emissions in the band 325 to 345 kc., contained in Appendix No. 1, par. 11 (1), will not be applicable to the region of North and Central America.

“XI.—All the coastal stations (except those in Hudson Bay) under the jurisdiction of the participating Governments shall be considered as being in a region of heavy traffic in the sense of Appendix No. 2, par. 1 (6)-a. As a result, traffic on the wave of 500 kilocycles (410 kc. on the Great Lakes) shall be limited to the conditions fixed in said Appendix No. 2, par. 6 (a).

“XII.—Definitions of terms:

“(1).—*Telecommunication:* Any telegraph or telephone communication of signs, signals, writing, images and sounds of any nature, by wire, radio, or other systems or processes of electrical or visual (semaphore) signalling.

“(2).—*Radiocommunication:* Any telecommunication by means of Hertzian waves.

“(3).—*Radiotelegram:* Telegram originating in or destined to a mobile station, transmitted on all or part of its route over the radio channels of the mobile service.

“(4).—*Public correspondence:* Any telecommunication which the offices and stations, by reason of their being at the disposal of the public, must accept for transmission.

“(5).—*Private operating Agency:* Any individual, company or corporation, other than a government institution or agency, which is recognized by the government concerned and which operates telecommunication installations for the purpose of exchanging public correspondence.

“(6).—*Administration:* A government administration.

“(7).—*International service:* A telecommunication service between offices or stations under the jurisdiction of different countries, or between stations of the mobile service, except when the latter are of the same nationality and are within the limits of the country to which they belong. An internal or national telecommunication service which is likely to cause interference with other services beyond the limits of the country in which it operates, shall be considered as international service from the standpoint of interference.

“(8).—*Limited service:* A service which can be used only by specified persons or for special purposes.

“(9).—*Mobile service:* A radiocommunication service carried on between mobile and land stations and by mobile stations, communicating among themselves, special services being excluded.

"(10).—*Fixed stations:* A station not capable of being moved, and communicating by radio with one or more stations similarly established.

"(11).—*Land station:* A station not capable of being moved, carrying on a mobile service.

"(12).—*Coast station:* A land station carrying on a service with ship stations. This may be a fixed station used also for communication with ship stations; in this case, it shall be considered as a coast station only for the duration of its service with ship stations.

"(13).—*Aeronautical station:* A land station carrying on a service with aircraft stations. This may be a fixed station also for communication with aircraft stations in this case, it shall be considered as an aeronautical station only for the duration of its service with aircraft stations.

"(14).—*Mobile station:* A station capable of being moved and which ordinarily does move.

"(15).—*On board station:* A station on board either of a ship which is not permanently moored, or an aircraft.

"(16).—*Ship station:* A station on board a ship which is not permanently moored.

"(17).—*Aircraft station:* A station on board an aerial vehicle.

"(18).—*Radiobeacon station:* A special station the emissions of which are intended to enable an on-board station to determine its bearing or a direction with reference to the radiobeacon station, and in some cases also the distance which separates it from the latter.

"(19).—*Radiodirection-Finding station:* A station equipped with special apparatus for determining the direction of the emissions of other stations.

"(20).—*Telephone broadcasting station:* A station carrying on a telephone broadcasting service.

"(21).—*Television broadcasting station:* A station licensed for the transmission of transient visual images of moving or fixed objects, for simultaneous reception and reproduction by the general public.

"(22).—*Amateur station:* A station used by an amateur, that is, by a duly authorized person interested in radio technique solely with a personal aim and without pecuniary interest.

"(23).—*Private experimental station:* A private station for experiments looking to the development of radio technique or science.

"(24).—*Private radio station:* A private station, not open to public correspondence, which is authorized solely to exchange with other private radio stations, communications concerning the private business of the license holder or holders.

"(25).—*Frequency assigned to a station:* The frequency assigned to a station is the frequency occupying the center of the frequency band in which the station is authorized to work. In general this frequency is that of the carrier wave.

"(26).—*Frequency band of an emission:* The frequency band of an emission is the frequency band actually occupied by the emission for the type of transmission and for the signalling speed used.

"(27).—*Frequency tolerance:* The frequency tolerance is the maximum permissible separation between the frequency assigned to a station and the actual frequency of emission.

"(28).—*Power of a radio transmitter:* The power of a radio transmitter is the power supplied to the antenna.

> In the case of a modulated-wave transmitter, the power in the antenna shall be represented by two numbers, one indicating the power of the carrier supplied to the antenna and the other the actual maximum rate of modulation used.

"(29).—*Aeronautical service:* A radio service carried on between aircraft stations and land stations, and by aircraft stations communicating among themselves. This term shall also apply to fixed and special radio services intended to insure the safety of aerial navigation.

"(30).—*Fixed service:* A service carrying on radio communication of any kind between fixed points excluding broadcasting services and special services.

"(31).—*Special service:* A telecommunication service carried on especially for the needs of a specific service of general interest and not open to public correspondence, such as: a service of radio-beacons, radio direction finding, time signals, regular meteorological bulletins, notices to navigators, press messages addressed to all, medical notices, medical consultations, standard frequencies, emissions for scientific purposes, etc.

"(32).—*Telephone broadcasting service:* A service carrying on the broadcasting of radiophone emissions primarily intended to be received by the general public.

"(33).—*Visual broadcasting service:* A service carrying on the broadcasting of visual images, either fixed or moving, intended to be received by the general public primarily.

"(34).—*Amateur service:* A radio service carried on between amateur stations.

"(35).—*Air mobile service:* A radio service carried on between aircraft carriers and by aircraft stations communicating among themselves.

"(36).—*General experimental service:* A radio service carried on by experimental stations engaged in research or development in the radio art.

"(37).—*Police service:* The radio service carried on by provincial, state, or municipal police authorities for emergency services principally with mobile police units.

"(38).—The term 'channels' means the portion of the radio spectrum of a width sufficient to permit of its use by a radio station for communication purposes; it comprises the following three elements, all defined below:

1) the 'frequency band of emissions.'
2) twice the specified 'frequency tolerance.'
3) the 'interference guard bands,' if required.

"(39).—The term frequency band of emission means that the frequency band of an emission is the frequency band actually occupied by this emission for the type of transmission and for the signalling speed used.

"(40).—The term 'interference guard bands' means the frequency bands additional, to the frequency band of emission and frequency tolerance, which may be allowed in order that there shall be no interference between stations having adjacent frequency assignments. In general this provision is dependent upon receiver selectivity and transmitter characteristics.

"(41).—The term 'primarily' used in connection with certain bands in the allocation table of this agreement, means that as duly authorized installations of the primary services are undertaken, they will have preference on the available channels in that particular band.

"The assignment of channels to other services in the general allocation for each of these bands will be carried out in such a manner as to prevent undue interference with existing stations of the primary service.

"(42).—*Facsimile broadcast station:* A station licensed to transmit images of still objects for record reception by the general public.

APPENDIX I

"Allocation and use of frequencies (wave lengths) and of types of emissions.

"(Exact text of Article 7 of General Radio Regulations annexed to the International Telecommunication Convention, Madrid, 1932.)

APPENDIX II

"Use of waves in the mobile service.

"(Exact text of Article 19 of General Radio Regulations annexed to the International Telecommunication Convention, Madrid, 1932.)

"No. 7.—

"That the 40-meter amateur band be subdivided in two parts: one from 7000 to 7100 kc. exclusive for radiophone amongst the Latin American amateurs, and the other, from 7100 to 7300 kc. to remain as before, only as a radiotelegraph band.

"No. 8.—

"That consideration be given to the establishment of an international regional police radiotelegraph system with the object of taking action at the forthcoming regional conference of November 1, 1937. In this connection, the United States of America is requested to act as the centralizing administration and to furnish not later than September 15, 1937, to the countries invited to the November Conference, the draft of a plan for study in advance of the regional conference.

"No. 9.—

"The Third Committee of this Conference (Engineering) held several meetings, in order to comply with the task entrusted to it by the Conference, to establish the engineering standards indispensable for the fulfillment of the resolutions adopted by the First and Second Committees, relating to the topics submitted to the study of said Committees.

"It acted, therefore, on the work rendered by said Committees, making a thorough study of the problems and drawing up an extensive document, in which the technical principles that it considered necessary to recommend as a basis for the execution of said resolutions are set forth.

"This is the document inserted hereinafter:

ENGINEERING PRINCIPLES

PART I

Broadcasting 540-1600 kc.

Classes of Stations

"For the purpose of promoting coordination between nations with respect to questions of interference in the broadcast band 540-1600 kc., each nation a party to this agreement should notify the others with respect to the call signs, frequency, power, antenna characteristics, and location of the stations they have authorized; and for purposes of obtaining cooperation with respect to international interference they shall state in which of the following classes they deem the stations they have authorized should be listed:

"Class I: A 'clear channel station' using Class A or B clear channels and designed to render primary and secondary service over extended areas and at relatively long distances. Those stations of this Class operating on Class B channels shall not be permitted to use more than 50 kw. power.

"Class II: A 'clear channel station' using Class C clear channels and designed to render primary and secondary service over relatively wide areas and at relatively long distances. They may operate with not more than 50 kw. power and must use directional antennae or other means in order to avoid objectionable interference with other stations of the same class using the same channel.

"Class III: A 'limited clear channel station' using Class B or Class C clear channels and designed to render service to a portion of their normal primary service area which, according to the power used, may be relatively large. The power of these stations shall not exceed 50 kw. and they must use special measures or otherwise be located at a sufficient distance to prevent objectionable interference to the service of the clear channel stations regularly assigned the same channel as is used by the 'limited clear channel station.' A 'limited clear channel station' is subject to the interference it may receive from the clear channel stations using the same frequency.

"Class IV: A 'regional station' using a regional channel and designed to render service primarily to metropolitan districts and the rural areas contained therein and contiguous thereto. Their power may not exceed 5 kw. and their service areas are subject to mutual interference in accord with agreed upon engineering standards.

"Class V: An 'urban station' using a local channel and designed to render service primarily to cities and towns and the suburban areas contiguous thereto. The power of 'urban stations' may not exceed 1 kw. and their service areas are subject to mutual interference in accord with agreed upon engineering standards.

"Class VI: A 'city station' using a local channel and designed to render service primarily to cities and towns and the suburban areas contiguous thereto. The power of these stations may not exceed 250 watts and their service areas are subject to mutual interference in accord with agreed upon engineering standards.

"The engineering standards of operation under which each class of station renders service is as follows:

Class of Stations	*Permissible Power*	*Signal Intensity Contour Within Which Service Should Be Free of Objectionable Interference***	
		Day	*Night*
Class I using Class A clear channels	More than 50 kw	Boundary of country in which station is located	Boundary of country in which station is located
Classes I and II using Class B clear channels	50 kw or less	1/10 millivolt	5/10 millivolt, secondary service
Class III	50 kw or less	5/10 millivolt*	2½ millivolts, primary service*
Class IV	5 kw or less	5/10 millivolt	2½ millivolts, primary service
Class V	1 kw or less	2 millivolts	4 millivolts, primary service
Class VI	250 watts or less	2 millivolts	4 millivolts, primary service

* These Class III stations are subject to unlimited interference from Classes I and II; but it is recommended that Class III stations be so located that this interference is not objectionable within the above mentioned contours.

** In accordance with other articles in this agreement this freedom of interference does not apply to any signal intensity which is within the confines of a country other than that in which the station is located.

Number of Frequencies for Each Class of Channel

"In the frequency band 540-1600 kc. which it is agreed shall be used for broadcasting by parties to this agreement, the number of channels available to each class of channel in any specified region should be as follows:

Clear channels	58
Regional channels	33
Local channels	16
Total	107

"The frequency 540 kc. may be used only by stations located at least 1000 miles from the nearest seacoast and should not be used under any other conditions for the reason that such stations are capable of rendering interference to international services of nations not a party to this agreement, as well as to services of nations a party to this agreement, which operate aviation and maritime radio services in accordance with the International Telecommunications Convention at Madrid.

Frequency Separation

"Within the broadcast band 540-1600 kc., the frequencies which are assigned to broadcasting stations shall be in multiples of ten, and stations operating on these frequencies shall not deviate from their assigned frequency by more than 50 cycles.

Use of Channels by Classes of Stations

"In general, clear channels should be assigned to clear channel stations, the regional channels to regional stations, and local channels to urban and local stations.

"In any specified region and under conditions in which objectionable interference is not likely to occur, 'limited clear channel stations' (Class III) may use Class B and C clear channels.

"Also, in any specified region and under conditions in which objectionable interference will not occur, Class V and VI stations may use frequencies assigned to Class IV stations.

"Between the hours of sunrise and sunset any class of station may use clear channels of Class A provided no objectionable interference is caused within the country in which is located the station which is normally assigned such clear channel for regular use.

"Where two regions are separated by long distances such as North America and South America, it is deemed good engineering practice to have different regional arrangements so as to permit the high powered clear channels in one region to use some of the frequencies allocated as regional or local channels in other regions and vice versa.

Objectionable Interference: Same Channel

"Objectionable interference shall be said to exist to the service of the classes of stations specified herein when the signals radiated from another station using the same channel exceed at the specified point of measurement the field intensities, indicated below, 10% of the time or more:

Class of Station	*Permissible Intensity of Interfering Signal*	*The Contour or Boundary on or Within Which Interference is to be measured*
Class I using Class A clear channels	5 microvolts (day) 25 microvolts (night)	The boundary of the country in which the desired station is located.
Class I using Class B clear channels	5 microvolts (day)	The 100 microvolt day contour of the desired station.
	25 microvolts (night)	The 100 microvolt day contour of the desired station.
Class II	5 microvolts (day)	The 100 microvolt day contour of the desired station.
	25 microvolts (night)	The 500 microvolt day contour of the desired station.
Class III	25 microvolts (day)*	The 500 microvolt day contour of the desired station.
	125 microvolts (night)*	The 2000 microvolt day contour of the desired station.
Class IV	25 microvolts (day)	The 500 microvolt day contour of the desired station.
	125 microvolts (night)	The 2000 microvolt day contour of the desired station.
Class V	100 microvolts (day)	The 2000 microvolt day contour of the sired station.
	200 microvolts (night)	The 4000 microvolt day contour of the desired station.
Class VI	100 microvolts (day)	The 2000 microvolt day contour of the desired station.
	200 microvolts (night)	The 4000 microvolt day contour of the desired station.

* Does not refer to interference from clear channel stations on the same frequency.

Objectionable Interference: Adjacent Channels

"Objectionable interference between the signals of stations using adjacent channels shall be said to exist when the field of intensity of the ground wave of the undesired station exceeds a definite value 10% of the time or more at the agreed upon points of measurement within the service area of the desired station and shall be determined by the following ratios:

Channel Separation	*Permissible Minimum Ratio of Desired and Undesired Signals*
10 kc.	1 to .5
20 kc.	1 to 10
30 kc.	1 to 50

"From the standpoint of interference stations separated by 40 kc. or more may be situated in the same city provided good engineering principles are followed in choosing their transmitter sites.

"For the purpose of determining interference of an international character between stations using adjacent channels, objectionable interference shall be said to exist when the undesired signal intensity exceeds the following values 10% or more at the designated points of measurement in the service area of the desired station:

	Day Signal Intensity Contour of Desired Station on or within which Interference Measurements shall be made. (In millivolts per meter)		*Permissible Intensity of Interfering Signal (in millivolts per meter) on 10-20-30 kc. frequency separation*					
			10 kc.		*20 kc.*		*30 kc.*	
Class of Station	*For day Interference*	*For night Interference*	*Day*	*Night*	*Day*	*Night*	*Day*	*Night*
Classes I and II	0.1	0.5	.05	.25	1.0	5.0	5.0	25.0
Classes III and IV	0.5	2.0	.25	1.0	5.0	20.0	25.0	100.0
Classes V and VI	2.0	4.0	1.0	2.0	20.0	40.0	100.0	200.0

Antenna Performance

"For the purpose of estimating objectionable interference of an international character, clear channel stations shall be assumed to produce an effective field of 200 millivolts per meter at one mile (324 millivolts per meter at one kilometer) corrected for attenuation, for each kilowatt of antenna input power to the antenna.

"Stations of 'limited clear channel' and regional classification shall be assumed to produce an effective field of 150 millivolts per meter at one mile (243 millivolts per meter at one kilometer) corrected for attenuation, for each kilowatt of antenna input power.

"Stations of an urban and city classification shall be assumed to produce an effective field of 125 millivolts per meter at one mile (202 millivolts per meter at one kilometer) corrected for attenuation, for each kilowatt of input power.

"In order to determine the effect of comparative radiation of a station employing a directional antenna, it is necessary to determine the unattenuated field at one mile (or one kilometer) in the direction of the service area of the station with which there is a probability of interference, and then to express this value in terms of that of a station having similar classification, utilizing an antenna of the stipulated efficiency.

Determination of Power

"With respect to the notifications of statistical data concerning the characteristics of radio broadcasting stations, each nation, party to this agreement, agrees to determine the power of its stations in one of the following manners:

1. Antenna Input Power consisting of the square value of the antenna current times the value of the antenna resistance.
2. Determination of effective field intensity recordings, corrected for attenuation. Such recordings to be made on several radials. This effective field can then be related to the effective field normally expected for the antenna efficiency used in this agreement for the different classes of stations.

Method of Determining the Presence of Objectionable Interference

"In the case of interference to Class A stations from stations using the same channel, the probability of such interference must be determined by the application of the use of the interference curve with the location of the border of the country in which the Class A station is located.

"The presence of objectionable interference may be presumed to exist in the service area of all stations, except for Class A as specified above, when an interfering station is radiating the normally expected effective field in the direction of a station interfered with and the distance between the two stations is less than that indicated in the distance tables used as a guide. Another acceptable method of determining the probability of objectionable interference is to utilize the interference curves which are 'field intensity versus distance,' and which are adopted as guides.

"Actual proof of interference must be obtained by field intensity recordings taken by Government engineers or such other agency as may be mutually acceptable to the parties concerned, and for daylight interference the total time taken for recordings should be at least five days under good transmission conditions and for at least fifty per cent of the daylight transmission time of the interfering station. In the event of night interference, the recordings should be commenced two hours after sunset of the most westerly station and should be taken each night for ten days (not necessarily consecutive) of good transmission conditions and for at least fifty per cent of the night transmission time of the interfering station after the stipulated commencement of the recordings. (See Resolution No. 11.)

Propagation Curves

"In computing strength of signal at a given distance from a station of given power, for the purpose of establishing frequency-mileage separation tables for the guidance of the Administrations, it is proposed to use as a basic curve for day propagation the curve for 1000 kc., annexed hereto, entitled, 'Ground Wave Field Intensity vs. Distance For One Kilowatt Radiated From Short Antenna, Ground Conductivity $= 10^{-13}$ $\varepsilon = 15$ Field at One Kilometer, 300 Millivolts Per Meter" (187 mv/m at one mile).

"It is to be understood that in using this curve different values of unattenuated field at one mile (or one kilometer) shall be used for the different classes of stations. The values to be used are:

For clear channel stations	200 mv/m at one mile (324 mv/m at one kilometer)
For 'limited clear channel' and regional stations	150 mv/m at one mile (243 mv/m at one kilometer)
For urban and city stations	125 mv/m at one mile (202 mv/m at one kilometer)

"These values are for one kilowatt input to the antenna.

"For night propagation it is proposed to use the graphs of sky wave field intensity, attached hereto, entitled, 'Average Sky Wave Field Intensity Corresponding to the Second Hour After Sunset in the Recording Station, 100 Millivolts Per Meter at One Mile (161 at one kilometer).'

Width of Broadcast Channels

"The present width of 10 kc. for broadcast channels shall be maintained in the band 540-1600 kc.

Broadcast Frequency Assignments

"The frequencies assigned to broadcast stations in the band 540-1600 kc. shall be in multiples of 10 kc.

PART II

High Frequency Broadcasting

"It is the sense of this Conference that there is a need for the study of the high frequency broadcasting situation in the Americas so that an orderly arrangement based on sound engineering principles can be obtained. Such an arrangement could be designed so as to permit the interchange of broadcasting programs among the American nations free of objectionable interference.

"This study should include an observation of the high frequency portion of the radio spectrum in order to determine existing conditions and causes of interference which are present.

"Each nation should be prepared to exchange this information at the forthcoming Inter-American Regional Radio Conference with the view of perfecting a plan which could be presented at the Cairo Radio Conference beginning February 1, 1938.

"Such a plan could be coordinated with the plans of other nations in other portions of the world in full collaboration between the Americas and other nations who must also share these high frequency broadcasting bands.

PART III

Miscellaneous Matters

Interference from Electrical Devices

"It is considered that radio-therapeutic machines and other apparatus in which the radiation in space is not suppressed constitute a serious source of objectionable interference to radio communication and broadcasting services. It is therefore recommended that the various nations study the ways and means for eliminating or reducing this serious source of interference which has proved to be international in character.

Prevention of Spurious Radiation

"The Administrations shall endeavor to reduce or eliminate spurious radiations from a transmitter. These radiations should not be of sufficient intensity to cause interference on receiving sets of modern design which are tuned outside the frequency band of emission required for the type of emission employed. In the case of type A-3 emission (radiotelephony) the transmitter should not be modulated in excess of its modulation capability to the extent that interfering spurious radiations occur, and in the case of amplitude modulation the operating percentage of modulation should not be less than 75 per cent on peaks of frequent recurrence. Means should be employed to insure that the transmitter is not modulated in excess of its modulation capability.

"A spurious radiation is any radiation from a transmitter which is outside the frequency band of emission normal for the type of transmission employed, including any harmonic modulation products, key clicks, parasitic oscillations or other transient effects.

Study With Respect to High Fidelity Broadcasting

"The various Administrations agree to study the problems incident to high fidelity broadcasting to the end that this type of service may be accommodated in accordance with good engineering principles.

Changes of Engineering Standards

"The engineering standards mentioned in this agreement are subject to change in accordance with technical advances in the art and by mutual consent of the Government parties to this agreement.

"No. 10.—

" 'It was resolved by the Conference to hold an Inter-American Radio Conference, to be inaugurated the first day of November, 1937, to which there shall be submitted, as a basis for discussion, all the matters prepared and studied by the present Regional Conference as well as any other questions which the American nations may suggest before the 30th day of August, 1937.'

" 'It requests the Cuban Government to offer its hospitality for the holding of said Conference in the city of Havana and, in such a case, to kindly invite all the American nations to be present at the said Conference of November 1, 1937.'

"No. 11.—(See 'Method of Determining the Presence of Objectionable Interference"—Resolution No. 9.)

"If the signal intensity for all these recordings at the specified point of measurement exceeds the value specified herein as constituting objectionable interference for ten per cent of the time or more there shall be ground for complaint under the provisions of this agreement.

"No. 12.—

"That the frequencies higher than 30 megacycles be retained in an experimental status with the understanding that definite proposals concerning the allocations of these frequencies will be made by each country at the regional radio conference to be held beginning 1st November, 1937. In this connection it appears desirable from an engineering standpoint to allocate frequencies beginning at approximately 40 megacycles to the television service except for the amateur band 56 to 60 megacycles.

"No. 13.—

"That subject to the internal regulations of each country, any radio transmitting station, may, during a period of emergency in which normal communication facilities are disrupted as a result of hurricane, flood, earthquake or similar disaster, carry on emergency communication, with points other than those normally authorized.

"No. 14.—

"It is considered that short wave broadcasting services are extremely useful for the exchange of programs among the American nations but that they differ from the services of the regular broadcast band (540-1600 kc.) because the latter are essentially useful primarily for national service. In the determining factors for the use of short wave broadcasts as among nations, it is considered that the principles which should govern the assignment to stations of these short waves must differ entirely from those considered in the assignment of frequencies in the regular broadcast band for national service, because of the radically different propagation characteristics between said classes of waves.

"It is considered essential that, if short waves are to be used effectively for international service—for which they seem to be admirably suited—stations which use these channels should be required to use them with sufficient power to secure the rendition of good international service. Insofar as the American nations are concerned, the distribution of short waves should be based on a principle which enables a proper interchange of programs from the various centers of talent, rather than on a principle which necessitates the distribution of frequencies from the standpoint of national service.

"No. 15.—

"That the 'Pan-American Radio Technical Union' be established at such place as may be determined, for the purpose of creating a regional organization, of an advisory character, to centralize and facilitate the exchange of radio technical information among the following American Governments:

"Argentine Republic, Bolivia, Brazil, Canada, Chile, Colombia, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Mexico, Newfoundland, Nicaragua, Panama, Paraguay, Peru, United States of America, Uruguay and Venezuela.

"This organization shall be maintained by proportional quotas from the countries concerned, the annual expenses to be limited to a maximum of $25,000.

"The Cuban Government is requested to forward prior to August 30, 1937, to the Governments which are to participate in the November Conference, a preparatory statement of the terms in which said organization is to be created and relative to the details of its working.

"The Conference resolved to acknowledge the efficiency and special assiduity with which the officials assigned to the office of the Secretary General have collaborated to the greater success of its work, Messrs. Nicolas Perez Stable, Dr. Carlos A. Mendiola, Dr. Emilio Pando and Eng. Nicolas M. Quintana deserving to be especially mentioned.

"The names of Messrs. Eduardo Morales de los Rios, Dr. Alberto Hevia and Julio F. Berndes, as well as those of Antonio Bruzon and Misses Mencia and Washington, likewise deserve to be mentioned.

"It also seems appropriate to give special mention to the personnel of the office of the Secretary General, who have rendered a maximum of individual effort in the works of this Conference.

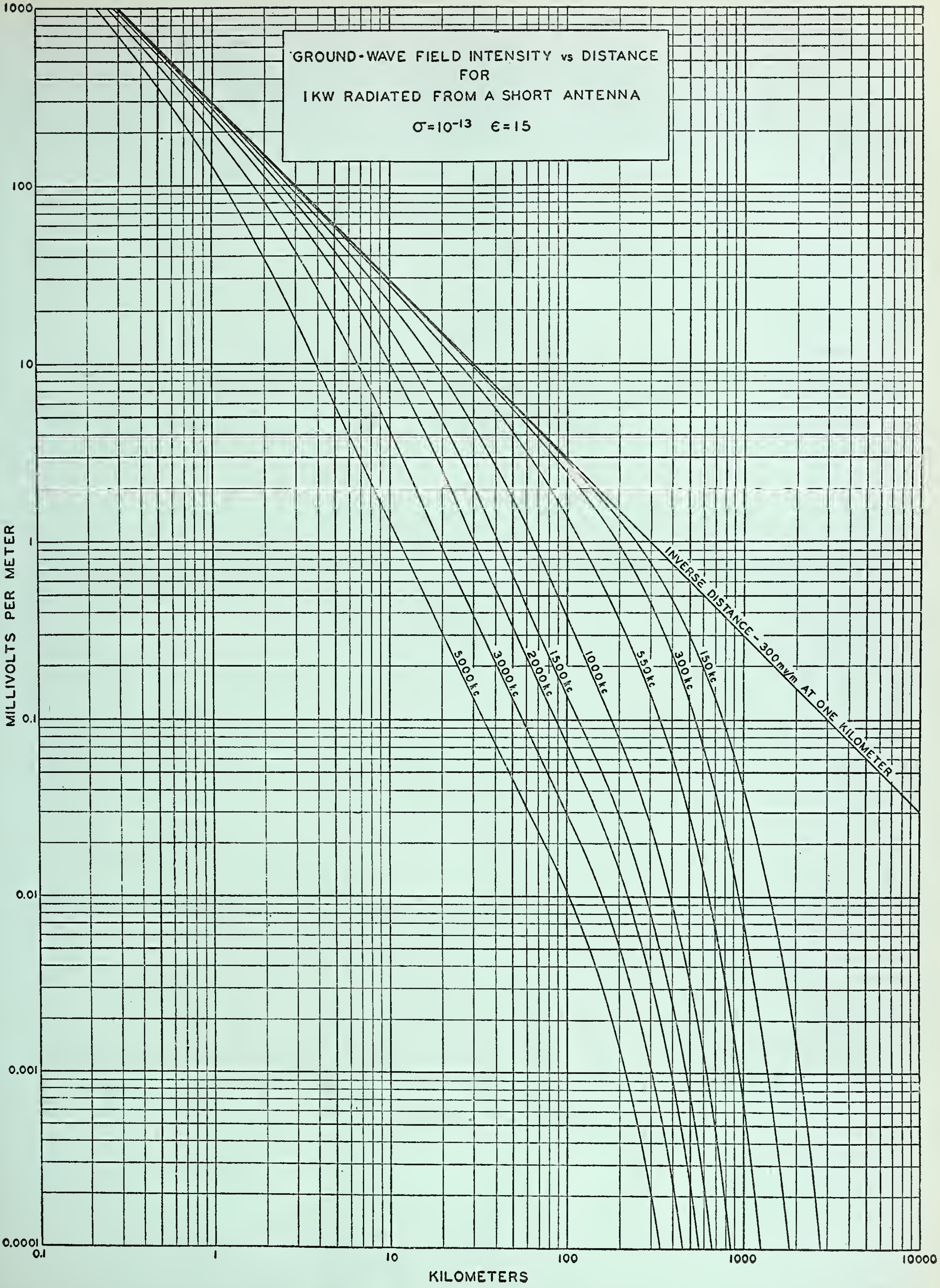
"And for the proper recording, the present FINAL MINUTES have been signed by all the Delegates, in the City of Havana, this 29th day of March, 1937.

Por los Estados Unidos Mexicanos:
For the United Mexican States:
Ignacio Galindo.
Agustin Flores.

Por los Estados Unidos de America:
For the United States of America:
T. A. M. Craven.
E. K. Jett.
Gerald C. Gross.
Harvey B. Otterman.
Ellis O. Briggs.

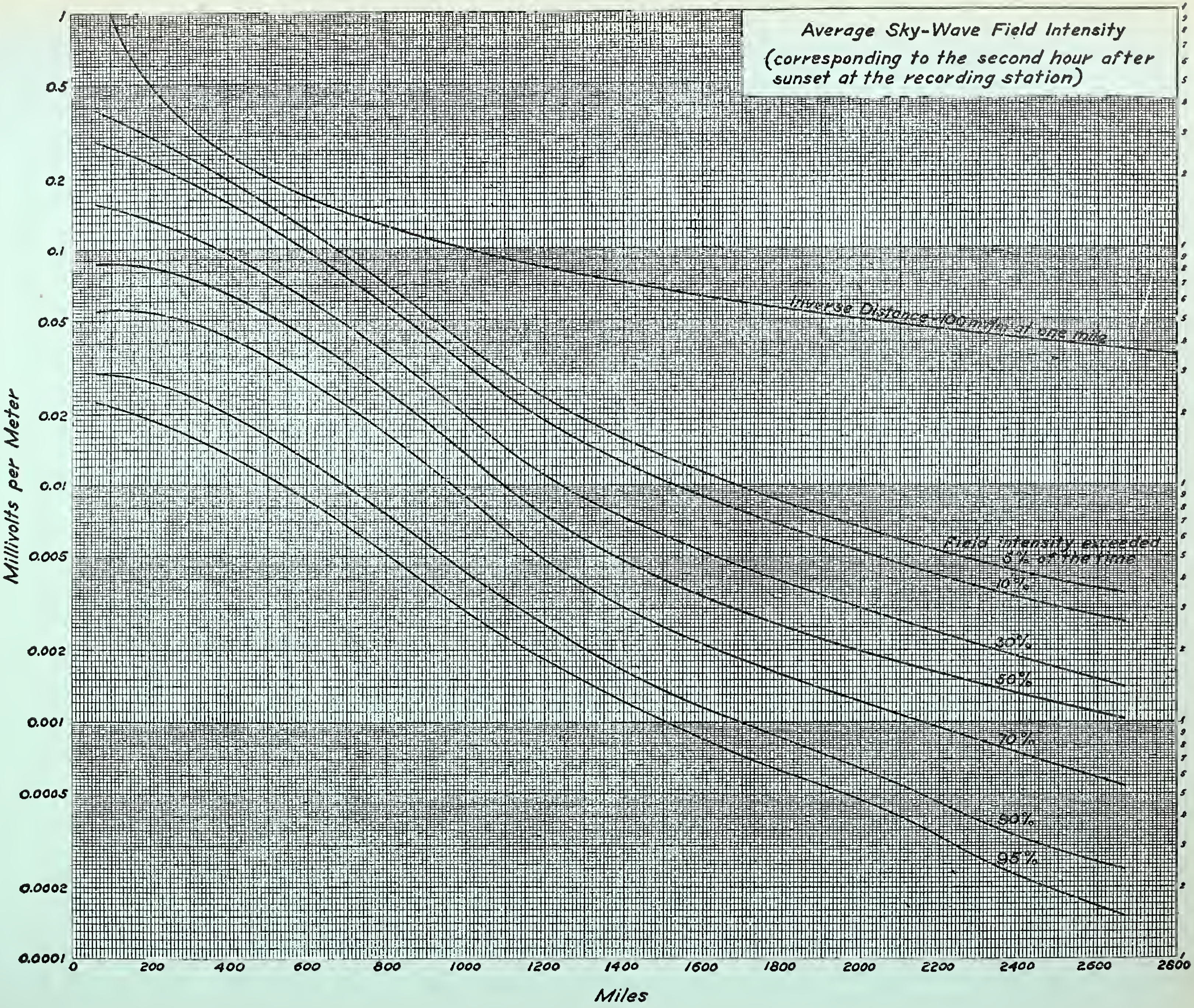
Por el Dominio del Canada:
For the Dominion of Canada:
Walter A. Rush.
J. W. Bain.
Donald Manson.
K. A. Mackinnon.

Por la Republica de Cuba:
For the Republic of Cuba:
Wifredo Albanes.
Nicolas G. de Mendoza.
Arturo Novo Vidal.
Alfonso Hernandez Cata.
Luis Moas.
Raul Karman.
Julio Cesar Ulloa.
Luis Martinez
Andres Ascencio.
Jose Lara.
Amadeo Saenz de Calahorra.
Carlos Choca Quintana.



GROUND-WAVE FIELD INTENSITY vs DISTANCE
FOR
1KW RADIATED FROM A SHORT ANTENNA

$\sigma = 10^{-13} \quad \epsilon = 15$



Average Sky-Wave Field Intensity
(corresponding to the second hour after sunset at the recording station)

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS

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WASHINGTON RADIO HIGHLIGHTS

NAB fifteenth annual convention set for June 20-23, inclusive, Hotel Sherman, Chicago * * * * FCC Commissioner Payne suggests taxing broadcasting stations from $1 to $3 per watt per year depending upon wattage of the station * * * * Recommendation made in letter to Representative Boylan of New York * * * * Also communicates suggestion for bill to Congress * * * * Contends that proposed bill would net U. S. Government nearly seven million dollars annually * * * * Compares broadcasting and concessions granted telegraph companies from which it receives reduced rates * * * * Contends his bill will transfer burden of regulation from government to radio industry.

NAB CONVENTION, JUNE 20-23, HOTEL SHERMAN, CHICAGO

The Fifteenth Annual NAB Convention will be held June 20, 21, 22 and 23, 1937, at the Hotel Sherman, Chicago, Illinois. The decision on dates and the hotel was made after a thorough examination of the available facilities in Chicago. The schedule of rates follow:

Single: $2.50; 3.00; 3.50; 4.00; 4.50; 5.00.
Double: $4.00; 4.50; 5.00; 6.00; 7.00; 8.00.
Twin Beds: $5.00; 6.00; 7.00; 8.00; 10.00.

Make your reservations now.

PAYNE SUGGESTS WATTAGE TAX

Federal Communications Commissioner George Henry Payne, in a communication to Representative Boylan of New York this week suggests a tax on the wattage of broadcasting stations. In his letter to the congressman, Commissioner Payne says:

"April 14, 1937.

"Honorable John J. Boylan,
"House of Representatives,
"Washington, D. C.

"My dear Congressman Boylan:

"In accordance with our conversation of the other day, I am sending you my ideas of a bill that would meet the serious situation that exists with regard to the taxing of the broadcast stations. As neither Dr. Miller nor myself is a bill drafter by birth or profession, I suppose you will have the bill run over by your Legislative Counsel of the House. There has been a widespread conviction that the enormous profits made by the broadcast stations more than justify a special tax, as they now enjoy the use of a great national resource and it is the government that bears the burden of the regulation without which they could not exist. Various members of both branches of Congress have at times suggested that this situation should be remedied, but all the suggestions were in the form of taxation of the gross revenue or net income. This form of taxation with the varying sums and the large amount of labor involved is obviously not as workable or practical as the one outlined in the bill enclosed.

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Make Your Plans Now to Attend the

FIFTEENTH ANNUAL NAB CONVENTION

HOTEL SHERMAN CHICAGO, ILLINOIS

JUNE 20, 21, 22, and 23, 1937

"The levy on power in the form of a special tax is simple, calculable at once and is eminently fair. To give you some idea of the profits, it is a fact that there are not more than $40,000,000 invested in the broadcasting business and the gross revenue last year exceeded $107,000,000, with the possibility of its reaching $125,000,000 to $130,000,000 in the current year. Not long ago, one station, which represented an investment of $177,192.15, was sold for $1,250,000; another, which represented an investment of $146,006.02, was sold for $452,500.00; and still another, which represented an investment of $90,321.09, was sold for $300,000.00—and so on.

"Computed on the broadcast licenses now in effect, the total amount of revenue that this special tax will yield will be $6,946,395.00, including the tax on an experimental broadcast license now in effect, representing a temporary increase of 450,000 watts.

"Many years ago the government gave to the telegraph companies concessions in land and timber and the government has since that time continued to receive compensation in the form of substantially lower rates. The government, as you know, pays only forty per cent of the normal rates on all messages sent by telegraph. In the case of the broadcast industry the government has made a far more valuable gift from the public resources without any compensation whatever.

"The proposed special tax will be no burden on the broadcast industry as it represents less than six per cent of the revenue of the industry. At best it is but a small return for the great privilege the industry enjoys in using the people's airwaves. I may mention, in this connection, that the bill represents purely a revenue measure and that no special tax heretofore levied by the government, including the special taxes of the Harrison Act and the Firearms Act, which are largely regulatory, has ever been upset by the courts."

"Very sincerely yours,

"GEORGE HENRY PAYNE,
Commissioner."

A BILL

To provide for the taxation of operators of radio broadcast stations.

Be it enacted by the Senate and the House of Representatives of the United States of America in Congress assembled, That this Act may be cited as the "Broadcast Station Tax Act of 1937."

Section 1. Definitions.

That when used in this Act—

(a) That the term "person" includes a partnership, company, association, corporation, trust or estate, as well as a natural person.

(b) The term "United States" means the several States and Territories, the District of Columbia, and the possessions of the United States, but does not include the Philippine Islands or the Canal Zone.

(c) The term "Commission" means the Federal Communications Commission.

(d) The term "Commissioner" means the Commissioner of Internal Revenue.

(e) The term "collector" means the collector of internal revenue.

(f) The term "Secretary" means the Secretary of the Treasury.

(g) The term "station" means a broadcast station.

(h) The term "broadcast station" means a station used for the dissemination of radiotelephone emissions intended to be received by the public.

(i) The terms "includes" and "including" when used in a definition contained in this Act shall not be deemed to exclude other things otherwise within the meaning of the term defined.

Sec. 2 (a). Special Tax Rates and Registration.

On or before July 1, 1937, or upon first engaging in the operation of a broadcast station in the United States, and thereafter on or before the first day of July of each year, every person operating a broadcast station in the United States shall register with the collector for the district in which such station is located, his name or style, principal place of business, and places of business in such district, and pay a special tax, computed on the power authorized by the Commission for use by the station, at the following rates:

For every station authorized to use not in excess of 1000 watts, $1.00 a watt for each watt authorized.

For every station authorized to use in excess of 1000 watts and not in excess of 10,000 watts, $2.00 a watt for each watt authorized.

For every station authorized to use in excess of 10,000 watts, $3.00 a watt for each watt authorized.

(b) Computation of Tax.

If the tax is payable on the 1st day of July in any year it shall be computed for one year; if the tax is payable on any other day it shall be computed proportionately from the 1st day of the month in which the liability to the special tax commenced to and including the 30th day of June following: Provided that, in the case of failure on the part of the Commission to renew a license for any station in respect to which special tax has been paid the unexpired portion of the period for which the special tax stamp has been issued may be redeemed.

(c) Part Time Stations.

In the case of a part time station, the tax shall be that proportion of the tax imposed by subsection (a) which the number of daily hours authorized by the Commission bears to 24 hours.

(d) Varying Power Stations.

In the case of a station using varying amounts of power, the tax shall be at the rate imposed by subsection (a) using as the basis the weighted average amount of power authorized by the Commission.

(e) Borrowed Time.

Time borrowed from or loaned to another station shall not affect the basis of the tax.

Sec. 3. Exemptions.

The provisions of section 2 shall not apply to a station certified by the Commission to the Commissioner as (1) operated by the United States Government, any State, Territory, or possession of the United States, or any political subdivision thereof, or the District of Columbia; or (2) operated exclusively for non-profit purposes and broadcasting only unsponsored programs.

Sec. 4. Administrative Provisions.

All provisions of law (including penalties) applicable with respect to the taxes imposed by section 1 of the Act of December 17, 1914, as amended (U.S.C. Suppl. VII, Title 26, sections 1040 and 1383) shall, insofar as not inconsistent with this Act, be applicable with respect to the taxes imposed by this Act.

Sec. 5. Separability Clause.

If any provision of this Act, or the application thereof to any person or circumstances, is held invalid, the remainder of the Act, and the application of such provision to other persons or circumstances, shall not be affected thereby.

Sec. 6. Authority for Regulations.

The Commissioner, with the approval of the Secretary, shall prescribe such rules and regulations as may be necessary for carrying the provisions of this Act into effect.

SECURITIES ACT REGISTRATIONS

The following companies have filed registration statements with the Securities & Exchange Commission under the Securities Act:

North American Finance Corporation, Richmond, Va. (2-2946, Form A-2)
Edison Brothers Stores, Inc., St. Louis, Mo. (2-2947, Form A-2)
Chester Pure Silk Hosiery Co., St. Louis, Mo. (2-2951, Form A-1)
Taylor-Colquitt Co., Spartanburg, S. C. (2-2952, Form A-2)
Pick Properties Corporation, Chicago, Ill. (2-2953, Form A-1)
Katz Drug Company, Kansas City, Mo. (2-2954, Form A-2)
United Services Life Insurance Company, Washington, D. C. (2-2955, Form A-1)
Elizabeth Gold Mining Company, Limited, Toronto, Canada. (2-2956, Form A-1)
The New York Woman, Incorporated, New York City. (2-2958, Form A-1)
Arthur J. Morris and William E. Wheeler, voting trustees of The New York Woman, Incorporated, New York City. (2-2959, Form F-1)
Pfeiffer Brewing Company, Detroit, Mich. (2-2960, Form A-1)
Hamilton Manufacturing Company, Two Rivers, Wis. (2-2961, Form A-2)
Reliable Stores Corporation, Baltimore, Md. (2-2962, Form A-2)
Stayton Oil Company, Denver, Col. (2-2963, Form A-1)
Bridgeport Brass Company, Bridgeport, Conn. (2-2964, Form A-2)
The Master Electric Company, Dayton, Ohio. (2-2965, Form A-2)
The United Electric Coal Companies, Chicago, Ill. (2-2966, Form A-2)
Brewster Aeronautical Corporation, Long Island City, N. Y. (2-2967, Form A-1)
Bethesda Industrial Savings & Loan Company, Bethesda, Md. (2-2968, Form A-1)
Monogram Pictures Corporation, New York City. (2-2969, Form A-2)
Chicago Mail Order Company, Chicago, Ill. (2-2972, Form A-2)
Virginia Surety Company, Roanoke, Va. (2-2973, Form A-2)
Commonwealths Distribution, Inc., New York City. (2-2974, Form A-1)
Gold Recovery Mining & Milling Corporation, Nederland, Col. (2-2975, Form A-1)
Hollywood-Vine Building Corporation, Los Angeles, Cal. (2-2976, Form A-2)
Atlantic Investors Trust, Boston, Mass. (2-2977, Form A-1)
Somoa Products Company, Inc., Chicago, Ill. (2-2609, Form A-1)
National Aircraft Company, Los Angeles, Cal. (2-2765, Form A-1)
Lac-Teck Gold Mines, Limited, Toronto, Canada. (2-2794, Form A-1)

RECOMMENDS CHANGES FOR WCOP

Broadcasting station WCOP, Boston, Mass., applied to the Federal Communications Commission to change its frequency from 1120 to 1130 kilocycles. It now operates daytime only and asked that it be allowed limited time until local sunset Salt Lake City, Utah. It operates with 500 watts.

Examiner George H. Hill in Report No. I-380 recommended that the application be granted. He found that "there appears to be a definite need in the Boston area for the services such as are proposed by the applicant." Some slight interference might result from granting the permit for a short time but the Examiner states that "it appears that the increased service which will be rendered by station WCOP would greatly outweigh any interference caused by the proposed operation."

NEW ALASKAN STATION RECOMMENDED

Edwin A. Kraft applied to the Federal Communications Commission for a construction permit for the erection of a new broadcasting station at Petersburg, Alaska, to use 1420 kilocycles, 100 watts and unlimited time on the air.

Examiner R. H. Hyde in Report No. I-384 recommended that the application be granted. The Examiner states that "the evidence disclosing the relatively limited amount of radio service now available in the community and general area proposed to be served and the unusual conditions existing in the area with respect to transportation and communication facilities indicates a substantial need for local radio transmission facilities." He found also that granting the license would be in the public interest.

RECOMMENDS DISMISSAL OF APPLICATION

The Cadillac Broadcasting Company applied to the Federal Communications Commission for a construction permit for the erection of a new station at Dearborn, Mich., to use 1140 kilocycles, 500 watts power and daytime operation.

Examiner Melvin H. Dalberg in Report No. I-381 recommended that the application be allowed to be withdrawn without prejudice at the request of the applicant.

INCREASED POWER RECOMMENDED FOR WMBD

Broadcasting station WMBD, Peoria, Ill., operating on a frequency of 1440 kilocycles with unlimited time applied to the Federal Communications Commission to have its power increased from 500 watts and 1000 watts LS, to 1,000 watts and 5,000 watts LS.

Examiner George H. Hill in Report No. I-383 recommended that the application be granted. The Examiner states that "there appears to be a need for the service proposed to be rendered," also that "no objectionable interference would be caused to the protected service area of any station now licensed should WMBD be granted authority to operate with 5,000 watts, daytime power."

RECOMMENDATION AGAINST NEW STATION

The Peninsular Newspapers, Inc., applied to the Federal Communications Commission for a construction permit for the erection of a new broadcast station at Palo Alto, Cal., to use 1160 kilocycles, 250 watts and daytime operation.

Examiner P. W. Seward in Report No. I-382 recommended that the application be denied. He found that "the evidence adduced at the hearing does not establish a need for additional daytime service in the area proposed to be served." The Examiner states that the application is not in the public interest.

KINY POWER INCREASE DENIAL RECOMMENDED

Broadcasting station KINY, Juneau, Alaska, applied to the Federal Communications Commission to change its frequency from 1310 to 1430 kilocycles and to increase its power from 100 to 250 watts. It operates unlimited time.

Examiner R. H. Hyde in Report No. I-386 recommended that the application be denied. He found that "the applicant has not shown that the granting of this application under the conditions shown, particularly with respect to transmitter and antenna location, would serve the public interest, convenience and necessity."

DENIAL RECOMMENDED IN MICHIGAN CASES

W. H. Marolf applied to the Federal Communications Commission for a construction permit to erect a new broadcast station at Escanaba, Mich., to use 1500 kilocycles, 100 watts and unlimited time on the air. The Escanaba Daily Press Company applied for the same facilities.

Examiner R. H. Hyde in Report No. I-385 recommended that the Marolf application be denied and that the application of the Escanaba Daily Press Company be dismissed. The latter had asked for a continuance of its hearing.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them:

No. 3097. Wesleyan Diesel Service, Inc., 2906 Leavenworth St., **Omaha, Neb.,** dealer in correspondence courses in Diesel engine installation and maintenance, is named respondent in a complaint charging certain unfair methods of competition in violation of Section 5 of the Federal Trade Commission Act.

Advertising in newspapers, magazines, circulars and by radio, the respondent company is alleged to have made assertions which served as representations to prospective pupils that several young men possessing required qualifications would be selected and trained for Diesel engine work; that there is a great demand for trained men in this activity; that good positions can be obtained by students after completing the respondent company's courses; that the tuition fee will be refunded if a student is not satisfied with results obtained after completion of the course, and other like representations.

No. 3098. Alleging use of a lottery scheme in the sale of blankets and bedspreads, a complaint has been issued against **Penn Dry Goods Co.,** 731 Arch St., **Philadelphia,** and **George J. Nothnagel, Collingswood, N. J.,** trading under the name of **The Stanley Store** and as agent of the **Penn Dry Goods Co.**

The complaint alleges that the respondents advertise their merchandise and sales plan by means of cards, circulars and letters and sell their products to wholesalers and retailers, clubs, fraternal organizations, hospitals and charitable institutions for resale to the purchasing public.

The respondents' method of distributing their merchandise is described as a "Club Plan", the clubs organized having a fixed number of members, usually 60 or 100, each of whom pays weekly dues, generally 25 cents, for a given period of weeks, usually not to exceed 20 or 24.

No. 3099. Biloxi Oyster Exchange, of **Biloxi, Miss.,** its officers and directors, and 24 member companies operating in six southern states, are charged in a complaint with entering into and maintaining a price-fixing agreement which has resulted in lessening competition in the interstate sale and distribution of canned oysters. Fourteen of the companies have their headquarters in Mississippi, and the others in Louisiana, Alabama, Georgia, South Carolina and Florida.

Ernest Desporte, Jr., is president and general manager and Cary F. Goodman, secretary-treasurer of the exchange. The exchange was organized in 1933, according to the complaint, for collecting and disseminating information for oyster canners and packers, operating a selling agency for the canned oysters processed by its members, selling canned oysters for its own account, and for the further purpose of putting into effect the acts and practices alleged in the complaint to constitute unfair competition in violation of Section 5 of the Federal Trade Commission Act.

Acting in cooperation with each other, and with Biloxi Oyster Exchange, and pursuant to their alleged agreement and for the purpose of maintaining it, the respondents are said to have engaged in the following practices:

(1) Fixing and maintaining throughout each season uniform sales prices, brokerage fees, discounts, label allowances, and terms and conditions under which they sell canned oysters to the trade; (2) permitting Biloxi Oyster Exchange to have access to their books and sales records; (3) furnishing the exchange with weekly or other periodical statistical data, such as names and addresses of buyers, number of cases of oysters sold to each buyer, prices at which all sales were and are made, copies of all invoices of shipments and of bills of lading, and other reports; and (4) regulating and curtailing the processing of oysters and the canning thereof, and arbitrarily limiting and restricting the seasons or periods within which the respondents obtain and pack oysters.

No. 3100. False and misleading representations as to the therapeutic value of a medicinal preparation designated as "Willard Tablets" is alleged in a complaint issued against **Willard Tablet Co., Inc.,** 215 West Randolph St., **Chicago.**

Advertising over the radio and in newspapers, magazines and circulars, the respondent company allegedly asserted that its preparation is a competent treatment for stomach and duodenal ulcers, all stomach disorders and hyperacidity, and that it will correct an abnormal acid condition at once.

No. 3101. Alleging unfair competition in the sale of feminine hygiene preparations, a complaint has been issued against **Oliver L. Von Bachelle,** 2335 Commonwealth Ave., and 2148 North Halsted St., **Chicago,** trading as **H. Shade's Laboratories** and as **Bureau of Education, H. Shade's Laboratories.**

Preparations advertised as "Shade's Cones", "Shade's Suppositories" and "Shade's Antiseptic Powder", were represented directly and through implication as being safe, competent and reliable for the uses intended, when, according to the complaint, these were not the facts.

Use by the respondent of the name "Bureau of Education", and certain advertising assertions, allegedly were the means of directly representing or implying that such bureau is a separate organization devoted to scientific research on questions involving so-called marriage hygiene, when in fact, according to the complaint, such a bureau does not exist but the name is used to promote the sale of Bachelle's products.

No. 3102. Ralston Purina Co., St. Louis, is named respondent in a complaint alleging misrepresentation of a dog food sold under the trade name "Purina Dog Chow."

In promoting the sale of its dog food, the respondent company allegedly represents in advertising matter and on labels that the product contains pure beef, pure meat, or meat, and whole milk, and that one pound contains as much food value as three pounds of fresh or canned meat.

The complaint charges that the portion of the products contents described as pure beef, pure meat or meat, is not such, and is properly known and referred to as dehydrated meat scraps; that the product is made of dried skimmed milk, and that one pound does not have the food value of three pounds of fresh or canned meat.

STIPULATIONS AND ORDERS

The Commission has issued the following cease and desist orders and stipulations:

No. 2229. Joseph A. Piuma, a manufacturing pharmacist at 600 Spring St., **Los Angeles,** has been ordered to discontinue false representations in advertising which tend to mislead the purchasing public as to the therapeutic value of a medicinal preparation known as "Glendage", offered as a gland tonic.

The respondent was directed to cease advertising that his preparation is a gland tonic or the best gland remedy known; that it stimulates all the glands to healthy activity and will restore vigorous health, and that it is a remedy for nervousness, overwork, and lack of vigor.

No. 2485. An order has been issued to cease and desist against **Philip Welsh, Pacific Palisades, Calif.,** directing discontinuance of certain unfair representations in the interstate sale of books and booklets under the name "The 7 Essentials of Health". Welsh trades under the name of **The Welsh Foundation.**

The "seven essentials" are designated by Welsh, according to findings, as follows: Fresh air, natural foods, water, sunshine, exercise and occupation, rest and mental attitude. In each booklet the respondent is said to present in detail his theories as to the mode of living which should be pursued to gain health. The pamphlets in general are said to deal with mental and physical hygiene.

The order directs Welsh to stop asserting that persons, by following and using his theories and instructions, can prevent and cure all bodily diseases and receive beneficial treatment for any of a list of some 50 specific ailments, diseases and conditions ranging from adenoids to yellow jaundice.

No. 2835. Prohibiting certain unfair representations in the sale of poultry medicines, an order has been issued to cease and desist against **E. G.** and **M. W. Zellers,** trading as **Zellers Laboratories** Orrton Ave. and Noble St., **Reading, Pa.**

The order bars representation that "Zellers Kamala Nicotine Tabs" is an effective remedy or treatment for, or agency for the removal of intestinal parasites in fowls; that "Zellers Fowl Tone Formula No. 1" and "Carbo-Zel Tablets" are effective remedies for intestinal flu, coccidiosis, and other diseases, and that "Zellers Fowl Tone Formula No. 2" is scientifically prepared to successfully combat the ravages of intestinal worms in fowls, and will counteract toxic poisons, or is a worm preventive.

No. 2907. Prohibiting unfair competition through misrepresentation of domestic products as foreign, an order has been issued to cease and desist against **Anna R. Barletta,** trading as **Barletta Manufacturing & Packing Co.,** and **Hercules A. Barletta,** all of 2100-2102 East 177th St., **New York.**

The order directs the respondents, in connection with the sale of flavoring extracts or compounds, to stop representing, directly or indirectly, through use of any foreign language, symbol, or picturization, or through any other means, that flavoring extracts compounded or manufactured in the United States, are produced in Italy or any other foreign country, and imported into the United States.

No. 2912. An order to discontinue certain unfair methods of competition has been entered against **Frank McKinnon,** 710 Eddy St., **Providence, R. I.,** engaged in the sale of tinted or colored enlargements of photographs and of the frames therefor. McKinnon trades as **Eastern Art Co.** and as **United Art Association.**

The order directs McKinnon and his salesmen to cease and desist from representing that his photographic enlargements are oil paintings, portrait paintings or water-color paintings, or paintings, produced by hand without the aid of photography.

Findings in the case are that the pictures so represented as "paintings" are merely enlargements of original photographs, tinted or colored by spraying thereon crayon, pastel, water color or other powdered pigments.

No. 2947. An order prohibiting unfair representations in the sale of luggage and billfolds has been issued against **George Landon** and **Michael Mason Warner,** 360 North Michigan Ave., **Chicago,** trading as **Landon & Warner.**

The respondents are directed to stop advertising, through use of the words "cowhide", "genuine cowhide", "choice leather" and "A-1 quality leather", that Gladstone bags or other luggage made in whole or in part from the under layers or flesh side of cowskin, are made from the outer layer which is of higher quality.

Use of the term "14-K Gold" or any other symbol of similar import to describe initials or letters placed on handbags, when such initials are not 14-K gold and are gold plated, is also prohibited, as is the representation that letters or initials of purchasers are encased within a 14-K gold frame when such frame is not composed of 14-K gold or is gold plated.

Nos. 3000-3002 to 3007, inclusive. Ten companies manufacturing and selling automobiles, and three automobile financing companies have entered into stipulations not to resume representations in their advertising as to the amount charged retail purchasers of motor vehicles as financing charges under deferred payment plans, which the Commission had alleged to be misleading.

Upon acceptance of the stipulations, the Commission dismissed the complaints against the respondent companies without prejudice. The companies signing the stipulations are:

The Nash Motors Co.; Chrysler Corporation and its subsidiaries; **Chrysler Sales Corporation** and those companies manufacturing **DeSoto, Dodge,** and **Plymouth** cars; **Graham-Paige Motors Corporation; Hudson Motor Car Co.; Reo Motor Car Co.; Packard Motor Car Co.;** and **Commercial Credit Co., Commercial Investment Trust Corporation,** and **Universal Credit Corporation,** the last three named being financing companies.

Each respondent company agreed to cease and desist from separately or concertedly using or furnishing to authorized dealers or distributors any advertising matter in which the expression "6%" is used, without equally prominent use, in direct conjunction therewith, of explanatory language which makes it clear that the "6%" does not refer to or indicate 6 per cent per annum simple interest.

Each company further stipulated that it will not at any time employ any advertising which, regardless of lack of any deceptive intent, may be reasonably construed as indicating that the additional cost of purchasing on time payments is only 6 per cent, or any other per cent simple interest per annum on unpaid balances of the purchase price if such is not a fact.

According to the stipulations, one motor company adopted and advertised the so-called "6% Plan" in conjunction with a finance company, and by force of competition this plan was generally adopted throughout the motor vehicle industry.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, April 19:

Monday, April 19

HEARING BEFORE AN EXAMINER

(Special Broadcast)

NEW—Abraham Plotkin, Chicago, Ill.—C. P., **1570 kc.,** 1 KW, unlimited time.

NEW—Philadelphia Radio Broadcasting Co., Philadelphia, Pa.—C. P., **1570 kc.,** 1 KW, unlimited time.

NEW—Food Terminal Broadcasting Co., Cleveland, Ohio.—C. P., **1500 kc.,** 100 watts, daytime.

NEW—Summit Radio Corp., Akron, Ohio.—C. P., **1530 kc.,** 1 KW, 1 KW LS, unlimited time.

WHK—Radio Air Service Corp., Cleveland, Ohio.—Modification of license, **1390 kc.,** 1 KW, 5 KW LS, unlimited time. Present assignment: **1390 kc.,** 1 KW, 2½ KW LS, unlimited.

KQV—KQV Broadcasting Co., Pittsburgh, Pa.—C. P., **1380 kc.,** 1 KW, unlimited time. Present assignment: **1380 kc.,** 500 watts; Simul-D, WSMK, S. H. Night.

NEW—Valley Broadcasting Co., Youngstown, Ohio.—C. P., **1350 kc.,** 1 KW, unlimited time.

WSMK—WSMK, Incorporated, Dayton, Ohio.—C. P., **1380 kc.,** 250 watts, 500 watts LS, unlimited time. Present assignment: **1380 kc.,** 200 watts. Simul-Day, S. H. Night.

WMBH—Joplin Broadcasting Co., Joplin, Mo.—C. P., **1380 kc.,** 500 watts, unlimited time. Present assignment: **1420 kc.,** 100 watts, 250 watts LS, unlimited time.

Tuesday, April 20

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Radio Enterprises, Inc., Hot Springs, Ark.—C. P., **1310 kc.,** 100 watts, daytime.

NEW—Associated Arkansas Newspapers, Inc., Hot Springs, Ark.—C. P., **1310 kc.,** 100 watts, daytime.

KTHS—Hot Springs Chamber of Commerce, Hot Springs, Ark.—Voluntary assignment of license, **1040 kc.,** 10 KW. Shares KRLD.

Thursday, April 22

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. I-309:

KVOS—KVOS, Incorporated, Bellingham, Wash.—Renewal of license, **1200 kc.,** 100 watts, unlimited time.

KVOS—KVOS, Incorporated, Bellingham, Wash.—Transfer of control of corporation, **1200 kc.,** 100 watts, unlimited time.

Examiner's Report No. I-350:

WNBC—State Broadcasting Corp., New Britain, Conn.—C. P., **1380 kc.,** 250 watts, 1 KW LS, unlimited time. Present assignment: **1380 kc.,** 250 watts, daytime.

Examiner's Report No. I-353:

NEW—Hildreth & Rogers Co., Lawrence, Mass.—C. P., **680 kc.,** 1 KW, daytime.

NEW—Old Colony Broadcasting Corp., Brockton, Mass.—C. P., **680 kc.,** 250 watts, daytime.

Friday, April 23

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—John C. Hughes, Phoenix City, Ala.—C. P., **1310 kc.,** 100 watts, daytime.

NEW—Galesburg Printing & Pub. Co., Galesburg, Ill.—C. P., **1500 kc.,** 250 watts, daytime.

NEW—Ann Arbor Broadcasting Co., Inc., Ann Arbor, Mich.—C. P., **1550 kc.,** 1 KW, unlimited time.

WBCM—James E. Davidson, Bay City, Mich.—Modification of license, **1410 kc.,** 500 watts, 1 KW LS, unlimited time. Present assignment: **1410 kc.,** 500 watts, unlimited time.

APPLICATIONS GRANTED

WJDX—Lamar Life Ins. Co., Jackson, Miss.—Granted C. P. for changes in equipment, installation of new antenna system and increased in daytime power from 2½ to 5 KW; **1270 kc.,** 1 KW night, unlimited time.

KGKO—Wichita Falls Broadcasting Co., Wichita Falls, Tex.—Granted C. P. to install new equipment.

KCMC—KCMC, Inc., Texarkana, Tex.—Granted C. P. to install new equipment and increase day power from 100 to 250 watts; **1420 kc.,** 100 watts night, unlimited time.

KBPS—Benson Polytechnic School, Portland, Ore.—Granted license to cover C. P.; **1420 kc.,** 100 watts night and day, sharing with KXL.

WAIR—C. G. Hill, Geo. D. Walker and Susan H. Walker, Winston-Salem, N. C.—Granted license to cover C. P. as modified; **1250 kc.,** 250 watts, daytime only.

WFTC—Jonas Weiland, Kinston, N. C.—Granted license to cover C. P. as modified; **1200 kc.,** 100 watts night, 250 watts day, unlimited time.

KRNT—Iowa Broadcasting Co., Des Moines, Ia.—Granted license to cover C. P. as modified; **1320 kc.,** 1 KW night, using directional antenna, 5 KW day, non-directional, unlimited.

KRMC—Roberts-MacNab Co. (Arthur L. Roberts, R. B. McNab, A. J. Breitbach, Gen. Mgr.), Jamestown, N. Dak.—Granted license to cover C. P. and modifications thereof; **1310 kc.,** 100 watts night, 250 watts day, Simul-D, share KVOX night.

KFIR—KGIR, Inc., Butte, Mont.—Granted license to cover C. P.; **1340 kc.,** 1 KW night, 2½ KW day, unlimited time.

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Granted license to cover C. P.; **630 kc.,** 500 watts night, 1 KW day, simul-day, share KFRU night.

KVGB—Ernest Edward Ruehlen, Great Bend, Kans.—Granted license to cover C. P. as modified; **1370 kc.,** 100 watts, unlimited time.

WQDM—E. J. Regan and F. Arthur Bostwick, d/b as Regan & Bostwick, St. Albans, Vt.—Granted license to cover C. P. as modified; **1390 kc.,** 1 KW, specified hours.

KAND—Navarro Broadcasting Assn., J. C. West, President, Corsicana, Tex.—Granted modification of C. P. to move transmitter and studio sites locally, make changes in equipment, and extend completion date from June 20, 1937, to 60 days thereafter.

WRTD—The Times Dispatch Publishing Co., Richmond, Va.—Granted modification of C. P. approving transmitter and studio sites and vertical radiator and change in previously approved equipment.

WRDW—Augusta Broadcasting Co., Inc., Augusta, Ga.—Granted modificaton of C. P. to make changes in equipment and increase day power from 100 to 250 watts.

KSRO—The Press Democrat Publishing Co., Santa Rosa, Calif.—Granted modification of C. P. approving transmitter and studio sites, changes in authorized equipment and approving vertical radiator.

KRIS—Gulf Coast Broadcasting Co., Corpus Christi, Tex.—Granted modification of C. P. approving transmitter and studio sites and installation of vertical radiator.

KTAT—Tarrant Broadcasting Co., Fort Worth, Tex.—Granted modification of C. P. authorizing changes in equipment and extension of commencement date for 60 days and completion date for 180 days thereafter.

KOVC—George B. Bairey, Valley City, N. Dak.—Granted voluntary assignment of license to KOVC, Inc.; **1500 kc.**, 100 watts, unlimited.

WJBY—Gadsden Broadcasting Co., Inc., Gadsden, Ala.—Granted authority to install automatic frequency control equipment.

WPAD—Paducah Broadcasting Co., Inc., Paducah, Ky.—Granted special temporary authority to broadcast police calls for period not exceeding 30 days, pending building of new police transmitter; **1420 kc.**, 100 watts, 250 watts LS, unlimited.

NEW—Loyola University, Portable Mobile, New Orleans, La.—Granted C. P. for new relay high frequency station, frequencies **31100, 34600, 37600** and **40600 kc.**, 7 watts.

NEW—Loyola University, Portable Mobile, New Orleans, La.—Granted C. P. for new relay high frequency station, frequencies **31100, 34600, 37600** and **40600 kc.**. 2 watts.

NEW—WCAU Broadcasting Co., Mobile.—Granted C. P. for new high frequency relay station, frequencies **31100, 34600, 37600** and **40600 kc.**, ½ watt. Also granted license to cover same.

NEW—WAVE, Inc., Mobile.—Granted C. P. for new high frequency relay station, frequencies **31100, 34600, 37600** and **40600 kc.**, 50 watts.

NEW—WAVE, Inc., Mobile.—Granted C. P. for new high frequency relay station, frequencies **31100, 34600, 37600** and **40600 kc.**, 2 watts.

SET FOR HEARING

NEW—Capitol Broadcasting Co., Inc., Raleigh, N. C.—C. P. for new station to operate on **1210 kc.**, 250 watts, daytime, exact transmitter, studio site and type of antenna to be determined with Commission's approval.

NEW—WSMB, Inc., New Orleans, La.—C. P. for new station to operate on **1500 kc.**, 100 watts night, 250 watts day, unlimited time, exact transmitter site to be determined with Commission's approval.

NEW—Warren B. Worcester, San Diego, Calif.—C. P. for new station to operate on **1400 kc.**, 250 watts night, 1 KW day, unlimited time, exact location to be determined subject to Commission approval.

NEW—L. Laurence Martin, Amarillo. Tex.—C. P. for new station to operate on **1120 kc.**, 250 watts, S.H. (7 a. m. to 8 p. m., CST).

NEW—Western Union College, La Mars, Iowa.—C. P. for new station to operate on **1210 kc.**, 100 watts night, 250 watts day, unlimited time.

NEW—Metropolitan Radio Service, Inc., Chicago, Ill.—C. P. for new special station to operate on **1570 kc.**, 1 KW, unlimited time, exact transmitter site to be determined subject to Commission approval.

NEW—Athens Times, Inc., Athens, Ga.—C. P. for new station to operate on **1210 kc.**, 100 watts night, 250 watts day, unlimited time, exact transmitter and studio sites to be determined with Commission's approval.

NEW—The Ohio Broadcasting Co., Steubenville, Ohio.—C. P. amended, requesting new station to operate on **1420 kc.**, 100 watts, daytime only, exact transmitter and studio sites to be determined with Commission approval.

NEW—The Ohio Broadcasting Co., Marion, Ohio.—C. P. for new station amended to read: **1200 kc.**, 100 watts, daytime only, exact transmitter site to be determined with Commission's approval.

NEW—The Ohio Broadcasting Co., East Liverpool, Ohio.—C. P. for new station amended to request **1270 kc.**, 250 watts, daytime only, exact transmitter and studio sites to be determined with Commission's approval.

NEW—The Ohio Broadcasting Co., Salem, Ohio.—C. P. for new station amended to request **780 kc.**, 250 watts, daytime only, exact transmitter and studio sites to be determined with Commission's approval.

NEW—G. Kenneth Miller, Tulsa, Okla.—C. P. for new station amended to request **1310 kc.**, 250 watts, daytime only.

KCRC—The Enid Radiophone Co., Enid, Okla.—C. P. to install new equipment, a vertical radiator and increase power from 250 watts unlimited time to 500 watts unlimited time.

KXA—American Radio Telephone Co., Seattle, Wash.—C. P. to move station locally to site to be determined subject to Commission approval; make changes in equipment and increase power from 250 watts night, 500 watts day, to 1 KW, **760 kc.**, limited.

WCMI—Ashland Broadcasting Co., Inc., Ashland, Ky.—C. P. to move transmitter site locally to site to be determined; install new equipment; changes in antenna system; change frequency from **1310 kc.** to **1120 kc.**; increase night power from 100 watts to 250 watts, and day power from 250 watts to 1 KW.

WBIK—The Exponent Company, Clarksburg, W. Va.—Modification of C. P. to make changes in equipment and increase power from 100 watts daytime to 100 watts unlimited time; also requesting extension of commencement date from 12/28/36 to 90 days after grant, completion date to 180 days thereafter.

KIUL—Garden City Broadcasting Co. (Homer A. Ellison and Frank D. Conard), Garden City, Kans.—Voluntary assignment of license to KIUL, Inc.; **1210 kc.**, 100 watts, unlimited.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KALE, Portland, Ore.; KCRC, Enid, Okla.; KFDN, Casper, Wyo.; KECA, Los Angeles, Calif.; KFAC, Los Angeles; KFH, Wichita, Kans.; KFJM, Grand Forks. N. Dak.; KGA, Spokane, Wash.; KGB, San Diego, Calif., KGCX, Wolf Point, Mont.; KGER, Long Beach, Calif.; KGHF, Pueblo, Colo.; KGIR, Butte, Mont.; KGNF, North Platte, Neb.; KID, Idaho Falls, Idaho; KIDO, Boise, Idaho; KIEM, Eureka, Calif.; KLO, Ogden, Utah; KLRA, Little Rock, Ark.; KLS, Oakland, Calif.; KMO, Tacoma, Wash.; KOH, Reno, Nev.; KOMA, Oklahoma City; KOY, Phoenix, Ariz.; KQV, Pittsburgh, Pa.; KRNT, Des Moines, Iowa; KSCJ and auxiliary, Sioux City, Iowa; KSO, Des Moines, Iowa; KTBS, Shreveport, La.; KTUL, Tulsa, Okla.; KWK, St. Louis, Mo.; WAAB and auxiliary, Boston, Mass.; WADC, Village of Tallmadge, Ohio; WALA, Mobile, Ala.; WAWZ, Zarepath, N. J.; WBCM, Bay City, Mich.; WBIG, Greensboro, N. C.; WBNS, Columbus, Ohio; WCKY, Covington, Ky.; WCOA, Pensacola, Fla.; WCSC, Charleston, S. C.; WDRC, Hartford, Conn.; WEVD, New York City; WFBC, Greenville, S. C.; WGAR, Cleveland, Ohio; WGES, Chicago; WHBL, Sheboygan, Wis.; WHDL, Olean, N. W.; WHEC, Rochester, N. Y.; WHIS, Bluefield, W. Va.; WHOM, Jersey City, N. J.; WIOD-WMBF, Miami, Fla.; WIRE, Indianapolis; WJSV, Washington, D. C.; WKBW, Buffalo, N. Y.; WNAC, Nashville, Tenn.; WMBD, Peoria, Ill.; WNBC, New Britain, Conn.; WOKO, Albany, N. Y.; WORK, York, Pa.; WQBC, Vicksburg, Miss.; WROK, Rockville, Ill.; WSAI, Cincinnati; WSAR, Fall River, Mass.; WSFA, Montgomery, Ala.; WSMK, Dayton, Ohio; WSPD, Toledo, Ohio.

WCAP—Radio Industries Broadcast Co., Asbury Park, N. J.—Granted renewal of license for the period ending October 1, 1937.

SPECIAL AUTHORIZATIONS

WBAA—Purdue University, West Lafayette, Ind.—Granted special temporary authority to operate from 8 to 11 a. m. CST, April 17, 1937, in order to broadcast regional band contest.

WMFD—Richard Austin Dunlea, Wilmington, N. C.—Granted special temporary authority to operate from 6:45 to 7:15 p. m., EST, April 23, in order to broadcast Methodist Convention.

WOW—Woodmen of the World Life Ins. Assn., Omaha, Neb.—Granted extension of special temporary authority to operate with power of 5 KW at night for the period April 27 to May 26, 1937.

WEEI—Columbia Broadcasting System, Inc., Boston, Mass.—Granted extension of special temporary authority to maintain and employ formerly licensed transmitter (licensed on 2/16/37), as auxiliary unit without an approved frequency monitor.

WMBS—Fayette Broadcasting Corp., Uniontown, Pa.—Granted special temporary authority to operate a 50 watt portable transmitter on **1420 kc.**, in the metropolitan area of Uniontown, between the hours of 12 midnight and 6 a. m., EST, for a period not to exceed 30 days, in order to make field measurements to determine site for station.

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted special temporary authority to operate from 2 to 3 p. m., EST, the following Saturdays: April 10, 17, 24; May 1 and 8, 1937, in order to broadcast special programs by the Buffalo Fire Department and local safety programs; also 8:30 to 10 a. m., EST (Sundays), April 11, 18, 25 and May 2 and 9, 1937, in order to broadcast religious services from various local churches and from 2 to 3 p. m., EST, April 11, 18, 25, May 2 and 9, in order to broadcast religious programs from the Catholic Evidence Guild (provided station WSVS remains silent).

WILL—University of Illinois, Urbana, Ill.—Granted extension of special temporary authority to operate a 100-watt test transmitter on **580 kc.** between 12 midnight and 6 a. m., CST, for the period April 11 to 20, 1937, for the purpose of adjusting the directional antenna system authorized by C. P.

United Air Lines Transport Corp., Washington, D. C.—Granted special temporary authority to operate already licensed aircraft radio transmitter on plane owned by the United Air Lines Transport Corp. bearing call letters KHAZT as a relay broadcast station on frequencies **3492.5, 4797.5, 6425, 8655, 12862 kc.**, for testing period April 10 to 25, and program transmission on consecutive Sundays beginning April 25 and ending no later than May 30, 1937. Program consisting of bird's-eye view description from plane while in flight over Yellowstone Park, Rocky Mt. Zion and Bryce, Grand Canyon, Yosemite, Mt. Rainier on respective Sundays.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

WDEV—Chas. B. Adams, Executor of Estate of Mary M. Whitehill and of Estate of Harry C. Whitehill, Waterbury, Vt.—C. P., **550 kc.**, 1 KW, daytime.

NEW—Mile High Radio Corp., Denver, Colo.—C. P., **1210 kc.**, 100 watts, 250 watts LS, unlimited.

NEW—National Battery Broadcasting Co., St. Paul, Minn.—C. P., **920 kc.**, 1 KW, unlimited.

WAAF—Drovers Journal Publishing Co., Chicago, Ill.—C. P., **920 kc.**, 1 KW, 5 KW LS, unlimited.

NEW—Central Michigan Radio Co., James Bourland et al., Mt. Pleasant, Mich.—C. P., **570 kc.**, 250 watts, unlimited.

NEW—Edgar L. Bill, Peoria, Ill.—C. P., **1040 kc.**, 250 watts, daytime.

NEW—Northwest Publications, Inc., Duluth, Minn.—C. P., **580 kc.**, 250 watts, daytime.

NEW—George W. Young, St. Paul, Minn.—C. P., **920 kc.**, 1 KW, 5 KW, unlimited.

The following applications, heretofore set for hearing, were dismissed at request of applicants: (Hearings on these applications were scheduled for April 6, 1937.)

NEW—Times Publishing Co., Okmulgee, Okla.—C. P., **1210 kc.**, 100 watts, daytime.

NEW—The Record Publishing Co., Okmulgee, Okla.—C. P., **1210 kc.**, 100 watts, daytime.

EXAMINER'S REPORT SUBMITTED DURING WEEK OF APRIL 2 TO 9

WATR—Ex. Rep. 1-379: The WATR Company, Inc., Waterbury, Conn.—Application for C. P. to change frequency from **1190 kc.** to **1290 kc.**, power from 100 watts to 250 watts, and hours of operation from limited-WOAI to unlimited. Examiner M. H. Dalberg recommended grant.

ORAL ARGUMENTS GRANTED

NEW—Ex. Rep. 1-363: State Capitol Broadcasting Assn. (R. B. Anderson, President), Austin, Tex.—Granted oral argument to be held May 13, 1937.

WLMU—Ex. Rep. 1-365: Lincoln Memorial University, Middleboro, Ky.—Granted oral argument to be held May 13, 1937.

NEW—Ex. Rep. 1-366: Bay County Publishers, Inc., Panama City, Fla.—Granted oral argument to be held May 20, 1937.

EFFECTIVE DATE EXTENDED

KSEI—Ex. Rep. 1-250: Radio Service Corp., Pocatello, Idaho.—Effective date of order extended from April 13 to May 13, 1937.

MISCELLANEOUS

WAAT—Bremer Broadcasting Corp., Jersey City, N. J.—Denied petition asking continuance and redesignation for hearing before Broadcast Division of application for modification of license to increase power from 800 watts to 1 KW, daytime only.

NEW—World Publishing Co., Tulsa, Okla.—Granted petition accepting appearance in application for C. P. to erect new broadcasting station to operate on **940 kc.**, 1 KW night, 5 KW LS, unlimited time. Respondents allowed additional period of 10 days within which to file answers.

R. W. Page Corporation, Phenix City, Ala.—Granted petition to intervene at the hearing on the application of John C. Hughes, Phenix City, Ala., for C. P. to erect a new station to operate on **1310 kc.**, 100 watts, daytime hours.

Northwest Research Foundation, Inc., Seattle, Wash.—Granted continuance of hearing on application for C. P. to erect a new station to operate on **1530 kc.**, 1 KW, unlimited, from April 28, 1937, to on or about June 15.

First National Television, Inc., Kansas City, Mo.—Granted petition to intervene in the hearing upon the application of KCMO Broadcasting Corp., Kansas City, Mo., for C. P. to change frequency from **1370 kc.** to **1450 kc.**, and increase power from 100 watts, unlimited time, to 1 KW, unlimited time.

WIOD-WMBF—Isle of Dreams Broadcasting Corp., Miami, Fla.—Granted petition to intervene in the hearing on the application of W. W. Luce for C. P. to erect a new broadcast station at Fort Lauderdale, Fla., to operate on frequency **1050 kc.**, with 1 KW, LS, daytime only.

WIOD-WMBF—Isle of Dreams Broadcasting Corp., Miami, Fla.—Granted petition to intervene in the hearing on the application of F. W. Borton for C. P. to erect a new broadcast station at Coral Gables, Fla., to operate on **1420 kc.**, with 100 watts, unlimited time.

KSD—Pulitzer Publishing Co., St. Louis, Mo.—Waived Rule 104.6 to permit applicant's appearance to become part of the record in Docket 4462, involving application for renewal of license. The appearance was due to be filed on March 25, 1937, and was filed on March 26th, but since it does not appear that any injury has been occasioned by reason of the failure to file said answer, the appearance is accepted.

KGFF—KGFF Broadcasting Co., Inc., Shawnee, Okla.—Denied request that Commission reconsider its action of April 2, 1937, denying a petition to postpone hearing scheduled for April 14, 1937, on the application of KGFF Broadcasting Co., Inc., for modification of license to change frequency from **1420 kc.** to **1430 kc.** and increase power from 100 watts, 250 watts LS, to 250 watts, unlimited time.

Wichita Broadcasting Co., Wichita Falls, Tex.—Denied request asking Commission to dismiss from the hearing docket application of West Texas Broadcasting Co. for C. P. to erect and operate new broadcast staton at Wichita Falls, Tex., on **1360 kc.**, 1 KW, unlimited time (Docket 4218).

WDOD—WDOD Broadcasting Corp., Chatanooga, Tenn.—Granted petition to correct defects in depositions but denied request to reconsider action in application of F. M. Gleason, d/b as North Georgia Broadcasting Co., Docket 3979.

WSMK—WSMK, Inc., Dayton, Ohio.—Refused and returned to applicant proposed amendment to application for C. P. to install new transmitter and directional antenna, move transmitter and increase power from 200 watts unlimited to 250 watts night, 500 watts day. Hearing scheduled for April 19, 1937.

C. P. Sudweeks, Spokane, Wash.—Granted petition to reinstate application for C. P. to erect new broadcast station at Spokane to operate on **950 kc.**, 500 watts night, 1 KW LS, unlimited time.

WBRC—Birmingham Broadcasting Co., Inc., Birmingham, Ala.—Reconsidered action of February 16, 1937, in granting without hearing application to change equipment and to increase day power from 1 KW to 5 KW. Application designated for hearing to be held in conjunction with application of Birmingham News Co. for C. P. to erect and operate new radio broadcasting station at Birmingham on **590 kc.**, 1 KW, unlimited time.

RATIFICATIONS

The Division ratified the following acts authorized on the dates shown:

W4XCI—The Atlanta Journal Co., Atlanta, Ga.—Granted authority to operate as licensed for a period of 30 days from April 5, to relaybroadcast AAA National Safety Campaign, and also from Atlanta Fire Department Training School.

W9XPV-W9XPN—WDZ Broadcasting Co., Tuscola, Ill.—Granted authority to operate as licensed for a period of 30 days beginning April 4, to relaybroadcast WPA projects, Douglas County Schools and Farms.

W8XIL—Crosley Radio Corp., Cincinnati, Ohio.—Granted authority to operate as licensed on April 4, 11, 18 and 25 to relaybroadcast description by city officials of traffic violations observed.

W2XMI—Bamberger Broadcasting Service, Inc., Newark, N. J.—Granted authority to operate as licensed on April 10, 1937, to relaybroadcast program of Circus Arena, Madison Square Garden.

W8XAN—The Sparks-Withington Co., Jackson, Mich.—Granted extension of special temporary authority to operate W8XAN at Plant No. 3, Jackson, Mich., on frequencies of **42000-56000, 60000-86000 kc.**; 100 watts, for period of 30 days, from April 1 to April 30, 1937, due to fire at Plant No. 1.

WKRC—Columbia Broadcasting System, Inc., Cincinnati, Ohio.—Granted extension of special temporary authority to maintain and employ the present licensed 6-B transmitter of WKRC as station's auxiliary transmitter without an approved frequency monitor and modulation monitors, for period April 1 to April 30, 1937.

WCBD—WCBD, Inc., Chicago, Ill.—Granted special temporary authority to use transmitter of station WMBI for period not to exceed 30 days pending repair to WCBD's transmitter, which was destroyed by fire.

KHUB—Mrs. Anna Atkinson, executrix of estate of F. W. Atkinson, Watsonville, Calif.—Granted special temporary authority to operate station for period April 5 to May 4, 1937.

KTMS—The News Press Publishing Co., Santa Barbara, Calif.—Granted special temporary authority to operate a 50 watt portable crystal controlled transmitter between hours of 12 midnight and 6 p. m., PST, for period not to exceed 30 days, in order to make field intensity survey tests in metropolitan area of Santa Barbara. However, such tests not permitted during monitoring schedule.

Granted petition of Allen T. Simmons (WADC), Tallmadge, Ohio, to intervene in the proceedings upon the application of Summit Radio Corp. for C. P. to erect a new station at Akron, Ohio. (Docket No. 4438.)

Granted petition of Durham Radio Corp. (WDNC), Durham, N. C., to intervene in the proceedings upon the application of WSOC, Inc., Charlotte, N. C., for C. P. (Docket No. 4370.)

Granted petition of The Enterprise Company, Beaumont, Tex., to intervene in the hearing on the application of Beaumont Broadcasting Assn. for C. P. to erect a new station at Beaumont, Tex. (Docket 4376.)

Granted petition of Port Arthur College (KPAC), Port Arthur, Tex., to intervene in the hearing on the application of Beaumont Broadcasting Assn. for C. P. to erect a new station at Beaumont, Tex. (Docket 4376.)

Denied motion of Magnolia Petroleum Company and the Sabine Broadcasting Co. (KFDM) to postpone the hearing on the application of the Beaumont Broadcasting Assn. for C. P. to erect a new station at Beaumont, Tex. (Docket 4376.)

Denied motion of Baton Rouge Broadcasting Co., Inc. (WJBO), to postpone hearing on application of Beaumont Broadcasting Assn. for C. P. to erect a new station at Beaumont, Tex. (Docket 4376.)

The Broadcast Division, upon its own motion, extended the effective date of its decision of December 1, 1936, in granting the application of Southwest Broadcasting Co., Prescott, Ariz., for C. P., Docket No. 3797, and denying the application of W. P. Stuart, Prescott, Ariz., for C. P., Docket No. 3906, to April 5, 1937.

The Division authorized Messrs. Ring, Massing, Dalrymple and Porter to proceed to Laredo, Tex., via New Orleans and Houston and return, leaving Washington, D. C., not later than evening of April 13, in connection with trial of the United States v. Norman Baker, et al.

Denied request of Radio Broadcasting Corp. (KTFI), Twin Falls, Idaho, for postponement of effective date of Commission's order granting its application for renewal of license, Docket 3343, and denying its application for modification of license. (Docket 2825.)

Granted petition of KGIR, Inc., Butte, Mont., insofar as it requests postponement of hearing on application of Royal Miller for modification of license, Docket 4234, from April 5 to May 19, 1937, and denied said petition insofar as it requests postponement of hearings on applications of Royal Miller and Greater Kampeska Radio Corp., Dockets 4170 and 4234, to be heard on same date as the application of Tucson Motor Service Co.

APPLICATIONS RECEIVED

First Zone

WUYC—City of New York, Dept. of Plant & Structures, New
810 York, N. Y.—Modification of construction permit (B1-P-678) as modified, for changes in equipment and move of transmitter, requesting extension of completion date from 5-27-37 to 11-15-37.

WAAB—The Yankee Network, Inc., Boston, Mass.—Modification
1410 of license to use W. E. Type 106-B transmitter as an alternate transmitter instead of an auxiliary transmitter.

W2XAX—Columbia Broadcasting System, Inc., New York, N. Y.—Construction permit to install new equipment and increase power from 50 watts to 7500 watts. Amended: To change request from construction permit for a new station to construction permit for W2XAX.

Second Zone

WPHR—WLBG, Incorporated, Richmond, Va.—Modification of
880 construction permit (B2-P-667) for move of transmitter and studio, further requesting authority to install new transmitter, make changes in antenna for approval of transmitter site at North of City limits on Route 1, Richmond, Virginia, and studio at 323 E. Grace Street, Richmond, Va.

WSAZ—WSAZ, Incorporated, Huntington, W. Va.—Construction
1190 permit to install a new transmitter and increase day power from 1 KW to 5 KW. Also make changes in antenna.

WHBC—Edward P. Graham, Canton, Ohio.—Authority to install
1200 automatic frequency control apparatus.

WMBG—Havens & Martin, Inc., Richmond, Va.—Modification of
1350 construction permit (B2-P-338) for change in frequency, power, hours of operation, installation of directional antenna and move of transmitter, requesting authority to install a new transmitter and make changes in antenna.

WHK—Radio Air Service Corp., Cleveland, Ohio.—Construction
1390 permit to install directional antenna for night use.

WEED—William Avera Wynne, Rocky Mount, N. C.—Construc-
1420 tion permit to make changes in equipment, increase power from 100 watts night, 250 watts day to 500 watts, change frequency from **1420 kc.** to **1240 kc.**, change hours of operation from unlimited day, share WCHV night to unlimited time and install directional antenna for night use.

WLAP—American Broadcasting Corp. of Kentucky, Lexington,
1420 Ky.—License to cover construction permit (B2-P-1373) as modified for equipment changes and approval of transmitter and studio sites.

NEW—William F. Maag, Jr., Youngstown, Ohio.—Construction
1420 permit for a new station to be operated on **1420 kc.**, 100 watts, daytime.

Third Zone

NEW—E. B. McChristy, Brownwood, Texas.—Construction per-
630 mit for a new station to be operated on **630 kc.**, 250 watts, daytime.

NEW—The Tribune Co., Tampa, Fla.—Construction permit for a
940 new station to be operated on **940 kc.**, 1 KW night, 5 KW day, unlimited time. Amended: To give transmitter site as ¼ mile South of Memorial Highway on bank of Rocky Creek, Tampa, Florida.

WRBL—WRBL Radio Station, Inc., Columbus, Ga.—License to
1200 cover construction permit (B3-P-1396) as modified for changes in equipment, increase in power and move of transmitter and studio.

WMFN—P. K. Ewing, Grenada, Miss.—Modification of construc-
1210 tion permit (B3-P-829) as modified for changes in equipment and move of transmitter, requesting extension of commencement and completion dates.

NEW—Dr. William States, Jacobs Broadcasting Co., Houston,
1220 Texas.—Construction permit for a new station to be operated on **1220 kc.**, 1 KW, unlimited time. Amended: To install directional antenna for night use.

NEW—Radio Enterprises, Inc., Lufkin, Texas.—Construction per-
1310 mit for a new station to be operated on **1310 kc.,** 100 watts, daytime.

KRMD—Radio Station KRMD, Inc., Shreveport, La.—License to
1310 cover construction permit (B3-P-1302) for changes in equipment, installation of new antenna and increase in power.

NEW—Arthur Lucas, Savannah, Ga.—Construction permit for a
1310 new station to be operated on **1310 kc.,** 100 watts, unlimited time.

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—Modifica-
1390 tion of construction permit (B3-P-1531) for changes in equipment and increase in day power, requesting authority to install a directional antenna for night use.

KRRV—Red River Valley Broadcasting Corp., Sherman, Texas.—
1450 Construction permit to change frequency from **1310 kc.** to **1450 kc.,** install a new transmitter, erect a vertical antenna, increase power from 250 watts to 500 watts and change hours of operation from daytime to unlimited. (Contingent upon the grant of KTBS' application for **620 kc.**).

WHEF—Attala Broadcasting Corp., Kosciusko, Miss.—Construc-
1500 tion permit to make changes in antenna, move of transmitter from 1 mile east of Kosciusko, Mississippi to Terry Road, Jackson, Mississippi, and studio from 212 Washington Street, Kosciusko, Mississippi, to corner of Griffith & Lamar Streets, Jackson, Mississippi.

Fourth Zone

WTMJ—The Journal Co. (The Milwaukee Journal), Milwaukee,
620 Wisc.—Construction permit to install a new transmitter.

NEW—Wm. E. Walker & Merrill F. Chapin, d/b as Walker &
1010 Chapin, Oshkosh, Wisc.—Construction permit for a new station to be operated on **1010 kc.,** 250 watts, unlimited time. Amended: To give name as Wm. E. Walker & Merrill F. Chapin, d/b as Walker & Chapin.

WJJD—WJJD, Incorporated, Chicago, Ill.—Modification of
1130 license to change hours of operation from 6 a. m., CST, until local sunset at Salt Lake City, Utah to 6 a. m., EST. (Chicago, daylight saving time) to local sunset at Salt Lake City, Utah. Amended: Requesting this authority from 4-25-37 to 9-25-37.

KELO—Sioux Falls Broadcast Association, Inc., Sioux Falls,
1200 S. Dak.—Modification of construction permit (B4-P-696) for a new station, requesting changes in authorized equipment, for approval of transmitter site at 3 miles West of Sioux Falls, S. Dak., and approval of antenna. Also change studio site from Carpenter Hotel, Sioux Falls, S. Dak. to 319 South Philips Ave., Sioux Falls, S. Dak. Amended: To make changes in equipment.

WIRE—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—
1400 License to cover construction permit (B4-P-636) as modified, for changes in equipment, increase in power and installation of directional antenna.

KATE—Albert Lea Broadcasting Corp., Albert Lea, Minn.—
1420 Modification of construction permit (B4-P-883) for a new station, requesting authority to change authorized frequency from **1200 kc.** to **1420 kc.,** make changes in equipment, change power from 100 watts to 250 watts and give studio site as Albert Hotel, Albert Lea, Minnesota.

NEW—Thomas F. Airth, Wythe Walker & Rex Schepp, d/b as
1500 Evanston Broadcasting Co., Evanston, Ill.—Construction permit for a new station to be operated on **1500 kc.,** 100 watts night, 250 watts daytime, unlimited time. Amended: To give studio and transmitter sites as Church & Orrington Streets, Evanston, Illinois.

Fifth Zone

NEW—R. M. Dickinson, San Diego, Calif.—Construction permit
890 for a new station to be operated on **890 kc.,** 1 KW night, 5 KW day, unlimited time.

KORE—Frank L. Hill and C. G. Phillips, d/b as Eugene Broad-
1420 cast Station, Eugene, Ore.—License to cover construction permit (B5-P-1360) for changes in equipment and move of transmitter and studio.

KGGC—The Golden Gate Broadcasting Co. (Robert J. Craig),
1420 San Francisco, Calif.—Construction permit to install a new antenna, move transmitter from 1445 Ellis Street to 230 Eddy Street, San Francisco, Calif.

Puerto Rican Zone

NEW—United Theatres, Inc., San Juan, Puerto Rico.—Construc-
570 tion permit for a new station to be operated on **570 kc.,** 1 KW, unlimited time.

WPRA—Puerto Rico Advertising Co., Inc., Mayaguez, Puerto
1370 Rico.—Modification of construction permit (B-P-668) for changes in antenna, change specified hours, and move transmitter and studio, requesting changes in authorized equipment and extension of commencement and completion dates.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

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W. WRIGHT GEDGE, NAB DIRECTOR, DIES

It is with the deepest regret that we have learned of the death at Detroit, Michigan, of W. Wright Gedge. Mr. Gedge was a Director of the NAB, having been elected for a three-year term at the Colorado Springs Convention in 1935. Burial was at Wyoming Village, a suburb of Cincinnati, Ohio, on Monday of this week. Mr. Gedge, who was associated with WMBC in Detroit, had been prominent in the broadcasting industry and the activities of the Association for several years. The members of the NAB have lost a loyal and faithful servant.

BROADCAST STATION TAX BILL

Representative Boylan of New York has introduced a bill (H. R. 6440) in the House "to provide for the taxation of operators of radio-broadcast stations". It has been referred to the House Committee on Ways and Means. This is the bill which was suggested to Mr. Boylan by Federal Communications Commissioner Payne and it was printed in full in last week's issue of NAB Reports.

COMMISSION GRANTS NEW STATION

The Federal Communications Commission this week granted a construction permit for the erection of a new station to A. Frank Katzentine at Miami Beach, Fla., to operate on 1500 kilocycles, 100 watts unlimited time. The order is effective May 25.

APPEALS COURT UPHOLDS FCC

The United States Court of Appeals for the District of Columbia this week affirmed the decision of the lower court in the Monocacy Broadcasting Company case.

The decision is as follows:

UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA.

No. 6818.

The Monocacy Broadcasting Company, a Corporation, Appellant,

v.

Anning S. Prall, Eugene O. Sykes, Norman S. Case, Irvin Stewart, Thad H. Brown, George H. Payne, and Paul A. Walker, as the Federal Communications Commission.

Appeal from the District Court of the United States for the District of Columbia.

Decided April 19, 1937.

G. Ridgely Sappington, of Baltimore, Md., and *Stuart T. Saunders* and *J. V. Morgan,* of Washington, D. C., for appellant.

Hampson Gary, George B. Porter, and *Fanney Neyman,* all of Washington, D. C., for appellee.

Before Martin, Chief Justice, and Robb, Groner and Stephens, Associate Justices.

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Make Your Plans Now to Attend the NAB Convention at Hotel Sherman, Chicago, June 20-23, 1937

MARTIN, *Chief Justice:* This is an appeal from a decree of the District Court of the United States for the District of Columbia granting a motion of the appellee to dismiss a bill of complaint filed by appellant. The appellant was plaintiff below, the Federal Communications Commission was defendant, and the parties will be so named in this opinion.

It was alleged in substance in the plaintiff's bill that on June 7, 1935 the plaintiff, the Monocacy Broadcasting Company, a corporation, filed an application with the Federal Communications Commission for a permit to construct a new broadcasting station near Rockville, Md., and appellant set out as a statement of facts in support of the application;

That on July 2, 1935 the Commission considered the application and forthwith granted it without a hearing, under the provisions of Rule 44 of the Commission's Rules and Regulations. A permit accordingly was issued to the applicant;

That Rule 44 aforesaid provided that any application which is properly filed and conforms to the regulations of the Commission may be granted by the Commission without a hearing, if it appears conclusive to the Commission from the face of such application, and from other information had by the Commission, that the granting of such application would serve public interest, convenience, and necessity, and would not adversely affect the interest of any other person or corporation holding a permit or other authorization from the Commission, or having an application therefor pending before the Commission, "provided, however, that any such grant shall be conditional and may be suspended and reconsidered by the Commission as hereinafter provided.";

That on July 23, 1935 WCAU Broadcasting Company, owner and operator of Station WCAU, Philadelphia, filed a protest against the application of plaintiff on the ground that the proposed station would cause objectionable interference with the service rendered by Station WCAU. The protest complied in every respect with the provisions of the Commission's Rule 45 covering such procedure;

That Rule 45 aforesaid provides in substance as follows: In any case where an application is granted in whole or in part without a hearing as provided in Rule 44, any person, whose interests are adversely affected by such grant, may obtain a hearing upon such application by adhering to the following procedure: Such parties shall, within 20 days from the date on which public announcement of such grant is made at the principal office of the Commission, or from its effective date if a later date is specified by the Commission, file with the Commission and serve upon or mail to the applicant a protest in writing directed to the action of the Commission making such grant. Upon the receipt by the Commission of such protest the application involved will be set for hearing and the applicant and other parties in interest notified thereof; provided, however, that upon such hearing the verified protest shall be taken as a pleading limiting the issues to be tried, but not as evidence of the facts therein stated;

That on January 25, 1935 the American Broadcasting Company, owner and operator of Station WOL, Washington, D. C., filed a protest, which however failed to comply with the requirements of Rules 45, *supra,* and the protest was denied by the Commission;

That on September 5, 1935, the Commission notified the plaintiff that its application had been set for hearing on September 25, 1935 upon the protest of Station WCAU, such hearing to be "upon the issues set forth in said protest.";

That on September 16, 1935 the American Broadcasting Company, filed a petition for leave to intervene in the hearing to be held on September 25th upon plaintiff's application, pursuant to the protest of Station WCAU, but the petition did not set out any problem of interference with the WOL service area;

That on September 18, 1935 plaintiff filed an opposition to the aforesaid petition of WOL for leave to intervene, and moved to strike the petition from the files, on the ground that it failed to comply with the Commission's Rule 59, requiring that a petition to intervene in a proceeding must disclose "a substantial interest in the subject matter of the hearing.";

That on September 19, 1935 Station WCAU voluntarily withdrew its protest, and the Commission notified appellant that the hearing scheduled for September 25th was cancelled;

That plaintiff claimed that pursuant to the Commission's Rule 46 no further action was then necessary under the rules to make final a formal grant of the plaintiff's application, inasmuch as no protest remained before the Commission;

That nevertheless on September 24, 1935 the Commission reconsidered the plaintiff's application for the construction of a new station as aforesaid, and designated it for hearing with instructions that notices of the hearing be sent to Stations WCAU and WOL; that this action of the Commission was based upon no facts whatsoever in addition to those originally set forth by plaintiff and upon consideration of which the Commission had found that the public interest would be served and no person adversely affected by the operation of the proposed station;

That on September 27, 1935 plaintiff filed a motion with the Commission to reconsider its action designating appellant's application for a rehearing and to make final the original grant to plaintiff; this motion however was denied by the Commission on October 29, 1935, and the application of appellant was set for hearing before an examiner on February 3, 1936.

Plaintiff avers that upon the aforesaid facts it is lawfully possessed of a valid and absolute construction permit; that the only action which remained for the Commission to perform was to issue its approval of a site for the transmitter of the proposed station, but the Commission refuses to approve a transmitter site, and without such approval plaintiff may not commence construction and its permit may automatically be forfeited and lost; that plaintiff will thereby suffer irreparable damage. Plaintiff alleges that it had no remedy at law and only by the prompt interposition of a court of equity can plaintiff's interest be protected and irreparable injury to it avoided, wherefore, it prays that the court may grant to plaintiff an injunction enjoining the defendant from holding any hearing upon plaintiff's application to construct the new radio station set out in its original application, and to issue a modified permit to plaintiff for the construction of the radio station first applied for by it.

The defendant filed a motion to dismiss the bill of complaint above set out upon the ground, among others, that plaintiff had a plain, speedy, and adequate remedy at law under Sec. 402 (b) of the Communications Act of 1934 which provides for appeals to the United States Court of Appeals for the District of Columbia, and the bill of complaint does not show that plaintiff has exhausted his legal remedy thereunder.

Thereupon the district court sustained the motion and dismissed plaintiff's bill.

We are of the opinion that the decision of the district court is correct. It is fundamental that a court of equity will not issue an injunction where plaintiff has a plain, adequate, and complete remedy at law. Appellant had such a remedy under Sec. 402 (b), Subsec. (2) of the Communications Act of 1934 (48 Stat. 1093) which provides in part as follows:

> "An appeal may be taken, in the manner hereinafter provided, from decisions of the Commission to the Court of Appeals of the District of Columbia [now United States Court of Appeals for the District of Columbia] in any of the following cases:
>
> (1) By any applicant for a construction permit for a radio station, or for a radio station license, or for renewal of an existing radio station license, or for modification of an existing radio station license, whose application is refused by the Commission.
>
> (2) By any other person aggrieved or whose interests are adversely affected by any decision of the Commission granting or refusing any such application."

Under Subsection 2 the appellant had a right to appeal immediately from the refusal of the Commission to make final, without a hearing, the original grant to it. It has been repeatedly held that the foregoing statute delegates to this court exclusive jurisdiction over all such appeals as the present one, and that other courts will not grant equitable relief by injunction in such cases. *United States* v. *American Bond & Mortgage Co.,* 31 F. (2d) 448; *White* v. *Fed. Radio Commission,* 29 F. (2d) 113; *Sykes* v. *Jenny Wren Co.,* 64 App. D. C. 379; 78 F. (2d) 729.

Section 267 of the Judicial Code (28 USCA 384) reads as follows: "Suits in equity shall not be sustained in any court of the United States in any case where a plain, adequate, and complete remedy may be had at law." In the case of *Matthews* v. *Rodgers,* 284 U. S. 521, Mr. Justice Stone, referring to sec. 267 of the Judicial Code, said:

> "The effect of this section which was but declaratory of the rule in equity, established long before its adoption, is to emphasize the rule and to forbid in terms recourse to the extraordinary remedies of equity where the right asserted may be fully protected at law."

It is contended by appellant that the case of *Federal Radio Commission* v. *Stromberg-Carlson Tel. Manufacturing Co.,* 60 App. D. C. 31, is authority for a different rule. We think however that this contention cannot be sustained. In that case the company was an existing licensee and the terms of its unconditional license had been changed by the Commission during a license period without notice to the licensee and without a hearing or an opportunity to the licensee to be heard. The opinion of this court in that case was that the ruling of the Commission was not simply erroneous, but was void. The decision does not furnish authority for the appellant's claim in the present case.

It is contended further by appellant that Sec. 414 of the Communications Act of 1934 is contrary to our conclusion. The section reads as follows:

> "Nothing in this act contained shall in any way abridge or alter the remedies now existing at common law or by statute, but the provisions of this chapter are in addition to such remedies."

It may be observed however that the rule followed in our present decision does not "abridge or alter the remedies now existing at common law or by statute" but is consistent with such existing remedies at common law and by statute.

The decree of the lower court is therefore affirmed.

Affirmed.

TRENTON STATION RECOMMENDED

The Journal Company, Milwaukee, Wis., the Mid-Atlantic Corporation, Washington, D. C., and the Trenton Times, Trenton, N. J., all applied to the Federal Communications Commission for construction permits in their respective cities, all asking for 1570 kilocycles, and unlimited time on the air. The Journal and Mid-Atlantic Corporation asked for 1,000 watts with the Trenton Times asking for 250 watts.

Examiner Ralph L. Walker in Report No. I-395 recommended that the application of the Trenton Times be granted and that the other two applications be denied.

The Examiner stated in his report that "while the programs of research and experimentation of the Journal Company and the Mid-Atlantic Corporation may be expected to provide additional and desirable data in connection with the development and practical application of high fidelity broadcasting, the proposal of the Trenton

Times gives more promise of substantial contribution to the radio art as a whole."

TENNESSEE APPLICATIONS RECOMMENDED FOR DENIAL

The Knoxville Journal Broadcasting Company applied to the Federal Communications Commission for the erection of a new station at Knoxville, Tenn., to use 1200 kilocycles, 100 watts and 250 watts LS and unlimited time. Also Richard M. Casto applied for the same facilities at Johnson City, Tenn.

Examiner George H. Hill in Report No. I-389 recommended that both of the applications be denied. He found that there is sufficient radio service at Knoxville and in the case of the Johnson City application recommendation has been made for the erection of a new station at that point.

MAINE-MASSACHUSETTS APPLICATION RECOMMENDATIONS

The Cumberland Broadcasting Company applied to the Federal Communications Commission for a construction permit for the erection of a new station at Portland, Me., to use 1210 kilocycles, 100 watts and unlimited time. Also the Twin City Broadcasting Company and Philip J. Wiseman both applied to the Commission for the same assignment and both asking to erect a station at Lewiston, Me. The Cape Cod Broadcasting Company applied to the Commission to construct a station at Barnstable, Mass., and George M. Haskins to erect a station at Hyannis, Mass., both asking for 1210 kilocycles, 100 watts and 250 watts LS and unlimited time on the air. Also Arthur E. Seagrave asked for a construction permit for a new station at Lewiston, Me., to use 1420 kilocycles, 100 watts and 250 watts LS and unlimited time on the air.

Examiner Melvin H. Dalberg in Report No. I-388 made the following recommendations relative to these requests.

1. The application of Philip J. Wiseman, of Lewiston, Maine, be dismissed as in the case of default.
2. The application of George M. Haskins, of Hyannis, Massachusetts, which, it was stated, had been withdrawn, be dismissed as in the case of default.
3. The application of Twin City Broadcasting Company, Inc., of Lewiston, Maine, be *denied.*
4. The application of Arthur E. Seagrave, of Lewiston, Maine, be *denied.*
5. The application of Cumberland Broadcasting Company, Inc., for a construction permit to operate on 1210 kilocycles with 100 watts power, unlimited time, be *granted.*
6. The application of Harriett M. Alleman and Helen W. MacLellan, doing business as Cape Cod Broadcasting Company, of Barnstable, Massachusetts, for a construction permit to operate on 1210 kilocycles with 100 watts power at night and 250 watts until local sunset, unlimited time, be *granted.*

RECOMMENDATION ON NEW WYOMING STATION

The Frontier Broadcasting Company applied to the Federal Communications Commission for a construction permit for the erection of a new station at Cheyenne, Wyo., to use 1420 kilocycles, 100 watts night and 250 watts LS, with unlimited time.

Examiner P. W. Seward in Report No. I-391 recommended that the Commission "suspend action until final disposition by the Courts of the application of Paul H. Heitmeyer for authority to construct a radio station in Cheyenne." The Examiner states that if the Heitmeyer application is denied that the granting of this application would be in the public interest.

CHANGES RECOMMENDED FOR WMEX

Broadcasting station WMEX, Boston, Mass., applied to the Federal Communications Commission to change its frequency from 1500 to 1470 kilocycles, and to increase its power from 100 watts and 250 watts LS to 5,000 watts. The station operates on unlimited time.

Examiner John P. Bramhall in Report No. I-392 recommended that the application be granted. He found that a need for the additional service in the area proposed to be served was definitely established. It was also found that no interference would be caused by the changes and the increased power and changed frequency would be in the public interest.

NEW TENNESSEE STATION RECOMMENDED

The Johnson City Broadcasting Company has applied to the Federal Communications Commission for a construction permit for the erection of a new broadcasting station at Johnson City, Tenn., to use 1200 kilocycles, 100 watts and 250 watts LS and unlimited time on the air.

Examiner George H. Hill in Report No. I-387 recommended that the application be granted "subject to the selection of an approved transmitter site" by the Commission. The Examiner states that no objectionable interference would occur to any existing station if the application were granted. Also the Examiner states that adequate local talent is available to supply the needs of the proposed station.

RECOMMENDATIONS IN DALLAS CASES

Richard S. Gozzaldi applied to the Federal Communications Commission for a construction permit for the erection of a new broadcast station at Dallas, Texas, to use 1500 kilocycles, 100 watts and daytime operation. Also A. L. Chilton applied for a construction permit for Dallas to use 990 kilocycles, 1000 watts power and daytime operation.

Examiner Robert L. Irwin in Report No. I-390 recommended that both of the applications be denied, that the latter application be denied if the Commission grants the applications of the Dallas Broadcasting Company and the Centennial Broadcasting Company but that the Chilton application be granted if either of these applications are denied by the Commission. The Examiner found that the operation of the proposed Chilton station would not be expected to cause objectionable interference with any existing station but the operation of the proposed Gozzaldi station would cause interference. The Gozzaldi application is not in the public interest but the Chilton application would be except for the applications now pending before the Commission.

POWER INCREASE RECOMMENDED FOR KARK

Broadcasting station KARK, Little Rock, Ark., operating unlimited time on 890 kilocycles applied to the Federal Communications Commission to increase its power from 500 watts and 1,000 watts LS to 1,000 watts all the time.

Examiner John P. Bramhall in Report No. I-393 recommended that the application be granted. He states that there is need for additional service in the area proposed to be served and that the granting of the application would be in the public interest.

RECOMMENDS DENIAL OF NEW STATION

Arthur H. Groghan applied to the Federal Communications Commission for a construction permit for the erection of a new station at Minneapolis, Minn., to use 1310 kilocycles, 100 watts power and daytime operation.

Examiner Melvin H. Dalberg in Report No. I-394 recommended that the application be denied. He found that it is doubtful if the applicant would be able financially to continue the operation of the proposed station "in the event that the same should not operate at a profit over an appreciable period of time." The Examiner stated also that the evidence failed to disclose a need for the establishment of a new station at Minneapolis and that it would not be in the public interest.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them:

No. 3103. Use of unfair methods of competition, in violation of Section 5 of the Federal Trade Commission Act, is alleged in a complaint issued against **Lawton V.** and **Henry F. Crocker, Chester, Vt.,** engaged in publishing and selling advertising folders and maps in interstate commerce.

Trading as The National Survey Co., The National Survey, and National Survey, the respondents are said to represent their maps as being "official" when, according to the complaint, they are not "official" maps.

The respondents allegedly cause one of their trade names to appear on their advertising folders and maps, together with such labels and designations as "Official National Survey Maps", "Official Map of the World", "Official Map of the United States", "Official Map of New England", and "Official Map of New York". On some of the maps, the complaint alleges, the respondents make use of an imprint of a state seal together with a designation such as "The Official Map of Maine".

No. 3104. Misrepresentations in the sale of cosmetics is alleged in a complaint issued against **Colonial Dames Co., Ltd.,** trading also as **Colonial Dames, Inc.,** 4652 Hollywood Blvd., **Hollywood, Calif.**

Alleging violation of Section 5 of the Federal Trade Commission Act, the complaint charges the respondent company with representing that Colonial Dames Beauty Wash has an instant beautifying effect on the skin, that Colonial Dames Massage Cream will quickly banish all traces of dryness and sluggishness, leaving the skin freshly stimulated and vibrant, and that Colonial Dames Beautifier remains always on the skin surface, thereby preventing pores from becoming clogged and actually building beauty into the skin.

No. 3105. Alleging unfair competition in the sale of hosiery through use of a lottery scheme, a complaint has been issued against **Carl Smith,** 618 Roscoe St., **Chicago,** trading as **Fashion Silk Co.**

The respondent, the complaint charges, distributes through the mails sales outfits, including pushcards and circulars, explaining his plan of selling hosiery and of alloting it and other articles as premiums. Sales of hosiery are made by means of the pushcards and in accordance with instructions printed on the cards, it is alleged. Premiums are awarded to purchasers in accordance with such instructions.

No. 3106. George C. Miller & Co., Inc., 927 Washington St., **Boston,** is charged, in a complaint, with unfair competition in the sale of candy through use of a sales plan involving a lottery. The lottery was conducted by means of punchboards distributed to dealers with assortments of candy, according to the complaint.

No. 3107. Charged with entering into an unlawful agreement to suppress competition and to create a monopoly in the sale of industrial rivets, 13 companies manufacturing such products, their trade association and its president, are named respondents in a complaint alleging violation of Section 5 of the Federal Trade Commission Act.

The respondent companies are: **Shelton Tubular Rivet Co.** and **Shelton Tack Co.,** both of **Shelton, Conn.; Tubular Rivet & Stud Co.,** 87 Lincoln St., **Boston; Judson L. Thomson Mfg. Co.,** South St., **Waltham, Mass.; Milford Rivet & Machine Co., Milford, Conn.; Chicago Rivet & Machine Co.,** 1830 South 54th Ave., **Chicago; Manufacturers' Belt Hook Co.,** 1315 West Congress St., **Chicago; National Rivet & Mfg. Co., Waupun, Wis.; Scovill Mfg. Co.,** Mill St., **Waterbury, Conn.; Penn Rivet Corporation,** 3rd and Huntingdon Sts., **Philadelphia; Townsend Co., New Brighton, Pa.; John Hassall, Inc.,** Clay and Oakland Sts., **Brooklyn,** and **J. W. Coombs Mfg. Co., Inc., Fort Washington, Pa.**

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

Nos. 1963-1964. Under two stipulations entered into, a **Chicago** mail order house and a **St. Louis** firm have agreed to discontinue misbranding and misrepresenting turtle oil cream which they sell in interstate commerce.

Chicago Mail Order Co., 511 South Paulina St., **Chicago**, stipulated that in the sale of a turtle oil cream designated "Vivani", it will cease using the words "turtle oil" as descriptive of a product whose oil content is not composed of turtle oil, and will stop using the words "turtle oil" in any manner so as to imply that the oil content is composed wholly of turtle oil, when such is not a fact. The stipulation provides that when the words "turtle oil" are used to describe a product whose content is composed in substantial part of turtle oil, then such words shall be immediately accompanied by other words in type equally conspicuous, so as to indicate clearly that the oil content is composed in part of other oils.

Benjamin Ansehl Co., 6000 Goodfellow Blvd., **St. Louis**, signed a stipulation to discontinue use of the words "turtle oil" to describe preparations sold under the names "Vivani" and "Amethyst." It agreed also to discontinue the use on labels or in advertising matter of representations to the effect that its so-called "Tissue Cream", when applied externally to the skin, will penetrate or be absorbed by the skin so as to nourish or revitalize impoverished tissues, and thereby prevent cracking, fine lines and wrinkles, or fill in hollows of the neck and arms, when such are not the facts.

Nos. 1965-1966. Graef & Schmidt, Inc., 456 Fourth Ave., **New York**, and **Utility Blade & Razor Corporation**, 200 Burnett Ave., **Maplewood, N. J.**, both engaged in the sale of razor blades, have entered into stipulations to discontinue use of the words "English Razor Steel", as descriptive of blades not made from English steel.

The two companies also agreed to cease using the words "English Razor Steel" in any manner implying that the blades to which such words refer are made from English razor steel or manufactured in England from such steel, when such are not the facts.

No. 1967. E. A. Morgan, 622-626 Broadway, **Cincinnati**, has entered into a stipulation to cease representing in advertising matter, or in any manner, that runs, snags and breaks in silk hosiery and lingerie are prevented by use of two preparations he sells and designates as "Run-safe" and "Runless."

Trading as **Runsafe Sales Co.** and as **E. A. Morgan & Co.**, Morgan also agreed to discontinue the use in advertising matter of pictorial representations purporting to show, in the form of "before" and "after" treatments, the effects of the use of his products on silk hosiery and lingerie, but which pictorial representations are said to be merely the reproduction of incorrect drawings.

Nos. 2322 and **2325.** Prohibiting certain unfair representations in the sale of metal grave vaults, orders have been issued to cease and desist against the **Champion Company, Springfield, Ohio**, and **Perfection Steel Body Company**, trading as **Perfection Burial Vault Company, Galion, Ohio.** The respondent companies' representations were held to constitute unfair competition in violation of Section 5 of the Federal Trade Commission Act.

In the sale and distribution of ferrous metal burial vaults in interstate commerce, the Champion Company is directed to stop the use of representations, in certificates of warranty or guaranty, in advetising, or in any other manner, to the effect that the metal contained in the vaults is able for any fixed period of time, after being placed underground, to resist rust and corrosion or the effects thereof, and that the vaults will remain air-tight, vermin-proof or water-proof.

The order against the Perfection Company directs it to discontinue making representations, in the same manner, to the effect that the metal of which its vaults are made is able to resist rust or corrosion or the effects thereof, or that the vaults will remain air-tight, vermin-proof or water-proof for 50 years, or for any fixed period after being placed underground.

No. 2644. An order to cease and desist has been issued against **Paul Greenberg**, trading as **Beverly Products Co.**, 66 Vernon St., **Springfield, Mass.**, prohibiting certain unfair representations in the sale of medicinal preparations advertised as Beverly Femin Tablets and Beverly Menses Tablets.

Selling these products in interstate commerce, Greenberg was directed to stop representing Beverly Femin Tablets as an effective, potent and powerful germicide under the conditions of use for feminine hygiene, and Beverly Menses Tablets as a cure, remedy or competent and adequate treatment for women's diseases generally.

No. 2916. Prohibiting unfair competition through sale of candy by methods involving use of a lottery, an order to cease and desist has been issued against **Maple City Candy Co.**, 405 Tyler St., **LaPorte, Ind.** The respondent company's practices were held to be in violation of Section 5 of the Federal Trade Commission Act.

CASES CLOSED BY FTC

No. 2622. The Federal Trade Commission has issued an order closing its case against **C. E. Trees & Co., Inc., Indianapolis**, charged with unfair competition in the sale of flavoring extracts.

Closing of the case followed the respondents signing of a stipulation to cease unfair representations in the sale of its product, called "Four Per Cent—the Perfect Mixer". The respondent company agreed to stop describing its product by use of the symbol "4%" or any per cent designation unless such be qualified by use of the phrase "contains no alcohol", in conspicuous type. In closing the case, the Commission reserved its right to reopen it should circumstances warrant.

No. 2632. The Commission has dismissed without prejudice its complaint against **Cummer Products Co., Bedford, Ohio**, which had been charged with using unfair methods of competition in connection with the sale of a cleaning fluid designated "Energine".

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, April 26.

Monday, April 26

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Frank M. Stearns, Salisbury, Md.—C. P., **1200 kc.**, 250 watts, daytime.

WHBB—W. J. Reynolds, Jr., J. C. Hughes, and J. S. Allen, d/b as Selma Broadcasting Co., Selma, Ala.—Modification of license, **1500 kc.**, 100 watts, unlimited time.

WHBB—W. J. Reynolds, Jr., J. C. Hughes, and J. S. Allen, d/b as Selma Broadcasting Co., Selma, Ala.—Voluntary assignment of license, **1500 kc.**, 100 watts, daytime.

Thursday, April 29

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. 1-337:

WOAI—Southland Industries, Inc., San Antonio, Tex.—Transfer of control of corporation; **1190 kc.**, 50 KW, unlimited time.

Examiner's Report No. 1-352:

NEW—George Harm, Fresno, Calif.—C. P., **1310 kc.**, 100 watts, unlimited time.

Examiner's Report No. 1-355:

WAAB—Bay State Broadcasting Corp., Boston, Mass.—Modification of license, **1410 kc.**, 500 watts, 1 KW LS, unlimited. Present assignment: **1410 kc.**, 500 watts, unlimited time.

Examiner's Report No. 1-357:

KWBG—The Nation's Center Broadcasting Co., Inc., Hutchinson, Kans.—C. P., **550 kc.**, 250 watts, unlimited time. Present assignment: **1420 kc.**, 100 watts, unlimited time.

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Robert Raymond McCulla, Oak Park, Ill.—C. P., **1500 kc.**, 100 watts, daytime.

Friday, April 30

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—F. W. Borton, Coral Gables, Fla.—C. P., **1420 kc.**, 100 watts, unlimited time.

FURTHER HEARING BEFORE AN EXAMINER
(Broadcast)

NEW—Earl Weir, St. Petersburg, Fla.—C. P., **1370 kc.**, 100 watts, unlimited time.

APPLICATIONS GRANTED

KEHE—Evening Herald Publishing Co., Los Angeles, Calif.—Granted voluntary assignment of license from Evening Herald Publishing Co. to Hearst Radio, Inc.; **780 kc.**, 1 KW night, 5 KW day, unlimited.

WMFN—P. K. Ewing, Grenada, Miss.—Granted modification ol C. P. extending commencement date to 4-28-37 and completion date to 10-28-37.

KSUB—Harold Johnson and Leland M. Perry, d/b as Johnson & Perry, Cedar City, Utah.—Granted modification of C. P. to make changes in equipment.

WNYC—City of New York, Dept. of Plant and Structures, New York City.—Granted modification of C. P. to extend completion date to 11-15-37.

WDSM—Fred A. Baxter, Superior, Wis.—Granted modification of C. P. approving transmitter site at 38th St. and Tower Ave., Superior, Wis., and studio site 1507 Tower Ave., Superior; and vertical radiator.

KGER—Consolidated Broadcasting Corp., Ltd., Long Beach, Calif. —Granted license to cover C. P., **1360 kc.**, 1 KW, unlimited time.

KRMD—Radio Station KRMD, Inc., Shreveport, La.—Granted license to cover C. P., **1310 kc.**, 100 watts night, 250 watts day, unlimited.

WEBR—WEBR, Inc., Buffalo, N. Y.—Granted license to cover C. P., **1310 kc.**, 100 watts night, 250 watts day, unlimited time.

WLAP—American Broadcasting Corp. of Kentucky, Lexington, Ky.—Granted license to cover C. P. and modifications thereof; **1420 kc.**, 100 watts night, 250 watts day, unlimited time.

WJJD—WJJD, Inc., Chicago, Ill.—Granted modification of license to change time of operation from limited, i.e., 6 a. m., CST, to LS at Salt Lake City, Utah, *to* limited, i.e., 6 a. m., EST, to LS at Salt Lake City, Utah, for period April 25 to September 25, 1937, during Chicago daylight saving time.

NEW—WBNS, Inc., Mobile (Columbus, Ohio).—Granted C. P. for new relay broadcast station, frequencies **1646, 2090** and **2830 kc.**, 175 watts.

KFEQ—KFEQ, Inc., St. Joseph, Mo.—Granted C. P. approving transmitter site southeast of St. Joseph, and approving vertical radiator.

WJBL—Commodore Broadcasting, Inc., Decatur, Ill.—Granted license to cover C. P., **1200 kc.**, 100 watts night and day, sharing with WJBC.

KROY—Royal Miller, Sacramento, Calif.—Granted license to cover C. P. as modified; **1210 kc.**, 100 watts, daytime only.

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Granted amended C. P. covering local move of transmitter to 100 N. Pulaski Road; studio to 14 North Western Ave.; installation of new equipment and vertical radiator.

WDBO—Orlando Broadcasting Co., Inc., Orlando, Fla.—Granted C. P. covering changes in equipment and increase in day power from 1 KW to 5 KW.

WBRE—Louis G. Baltimore, Wilkes-Barre, Pa.—Granted C. P. to move transmitter site to North 3rd Ave., Kingston, Pa., and install vertical radiator.

WAYX—E. F. and S. F. Sapp, d/b as Waycross Broadcasting Co., Waycross, Ga.—Granted C. P. to install new equipment and increase day power from 100 watts to 250 watts.

KGGM—New Mexico Broadcasting Co., Aubuquerque, N. Mex.—Granted license to cover C. P., **1230 kc.**, 1 KW, unlimited time.

WIRE—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Granted license to cover C. P. as modified; **1400 kc.**, 1 KW night, 5 KW day, unlimited time, using directional antenna system for night-time operation only.

WMBO—WMBO, Inc., Auburn, N. Y.—Granted modification of C. P. for changes in equipment and extend completion date from July 24, 1937, to 180 days after grant.

KSTP—National Battery Broadcasting Co., St. Paul, Minn.—Granted consent to involuntary transfer of control of the National Battery Broadcasting Co. from Lytton J. Shields, deceased, to the present stockholders' legal representatives—The First Trust Co. of St. Paul, Helen B. Shields and Frank J. Anderson, representatives of the estate. Also granted renewal of license for the period May 1 to November 1, 1937; **1460 kc.**, 10 KW night, 25 KW day, unlimited.

King Trendle Broadcasting Corp., Detroit, Mich.—Granted extension of authority to transmit programs from Station WXYZ to stations of the Canadian Radio Commission by means of commercial telephone wires of Michigan Bell Telephone Company.

Houston Printing Corp., Houston, Tex.—Granted extension of special temporary authority to operate with power of 5 KW night, for period April 24 to May 23, 1937.

NEW—Radio Air Service Corp., Cleveland, Ohio.—Granted C. P. for new high frequency station, frequencies **31600, 35600, 38600** and **41000 kc.** on experimental basis and these frequencies subject to change without prior notice or hearing; 50 watts.

WABV—Juan Piza, Mobile, San Juan, P. R.—Granted C. P. for relay station, frequencies **1622, 2058, 2150** and **2790 kc.**, 50 watts. Also granted license covering same.

NEW—National Broadcasting Co., Inc., Chicago, Ill.—Granted C. P. for new relay station, frequencies **31100, 34600, 37600** and **40600 kc.**, 50 watts. Also granted license covering same.

NEW—The Crosley Radio Corp., Cincinnati, Ohio.—Granted amended C. P. for new high frequency station, frequency **25950 kc.**, on experimental basis, 200 watts.

W6XRE—Ben S. McGlashan, Los Angeles, Calif.—Granted license to cover C. P. for new high frequency broadcast station on experimental basis, **88000, 120000, 240000** and **500000 kc.**, 500 watts.

W2XAX—Columbia Broadcasting System, Inc., New York City.—Granted C. P. authorizing changes in equipment; increase power of visual broadcast transmitter to 7500 watts power; and move of transmitter to top of Chrysler Bldg., New York City.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

NEW—Utica Observer Dispatch, Inc., Utica, N. Y.—C. P., **950 kc.**, 1 KW LS, daytime.

KFXM—J. C. Lee and E. W. Lee (Lee Bros. Broadcasting Co.), San Bernardine, Calif.—C. P., **1210 kc.**, 100 watts, 250 watts LS, share KPPC.

NEW—E. Virginia Newspaper Publishing Co., Clarksburg, W. Va. —C. P., **1250 kc.**, 1 KW LS, daytime.

KSLM—Oregon Radio, Inc., Salem, Ore.—C. P., **1110 kc.**, 500 watts, 500 watts LS, unlimited.

W3XAU—WCAU Broadcasting Co., Philadelphia, Pa.—Modification of license, **6060, 9590 kc., 15290 kc.**, 10 KW, 10 KW LS, unlimited time.

WAAT—Bremer Broadcasting Corp., Jersey City, N. J.—Modification of license, **940 kc.**, 1 KW LS, daytime until 6 p. m., EST.

APPLICATION RETIRED TO FILES

WAIM—Wilton E. Hall, Anderson, S. C.—Application for C. P. requesting changes in equipment, move transmitter and change frequency to **630 kc.**, power to 1 KW, time to daytime only, which was granted April 7, 1936, contingent upon selection of a satisfactory transmitter site and antenna design, was retired to closed file since the applicant has requested to relinquish this authority.

ACTION ON EXAMINERS' REPORTS

NEW—Ex. Rep. 1-333: A. Frank Katzentine, Miami Beach, Fla.—Granted C. P. for new broadcast station to operate on **1500 kc.**, 100 watts, unlimited time (site to be determined subject to Commission's approval). Examiner John P. Bramhall sustained. Order effective May 25, 1937.

WCOA—Ex. Rep. 1-359: Pensacola Broadcasting Co., Pensacola, Fla.—Granted C. P. to make changes in antenna and transmitter; move transmitter from San Carlos Hotel, northwest corner Palafox and Garden Sts., Pensacola, to (site to be determined subject to Commission's approval); and increase power from 500 watts to 1 KW; **1340 kc.**, unlimited time. Examiner M. H. Dalberg sustained. Order effective May 25, 1937.

NEW—Ex. Rep. 1-374: H. O. Davis, Mobile, Ala.—Denied as in cases of default application for C. P. for new station to operate on **610 kc.**, 250 watts night, 500 watts LS, unlimited time. Examiner P. W. Seward sustained.

ORAL ARGUMENTS GRANTED

NEW—Ex. Rep. 1-370: Falls City Broadcasting Corp., Falls City, Nebr.—Granted oral argument to be held May 20, 1937.

NEW—Ex. Rep. 1-373: J. L. Statler, d/b as Baker Hospital, Muscatine, Iowa.—Granted oral argument to be held May 20, 1937.

NEW—Ex. Rep. 1-377: Radio Enterprises, partnership of J. R. Curtis and R. Lacy, Lufkin, Tex.—Granted oral argument to be held May 20, 1937.

NEW—Red Lands Broadcasting Assn., Ben T. Wilson, Pres., Lufkin, Tex.—Granted oral argument to be held May 20, 1937.

WJBR—Ex. Rep. 1-378: J. B. Roberts, Gastonia, N. C.—Granted oral argument to be held May 27, 1937.

NEW—Virgil V. Evans, Gastonia, N. C.—Granted oral argument to be held May 27, 1937.

EFFECTIVE DATE EXTENDED

NEW—Ex. Rep. 1-291: The Niagara Falls Gazette Publishing Co., Niagara Falls, N. Y.—Effective date of order extended to May 15, 1937.

NEW—Power City Broadcasting Corp., Niagara Falls, N. Y.—Effective date of order extended to May 15, 1937.

WSBT—Ex. Rep. 1-315: The South Bend Tribune, South Bend, Ind.—Effective date of order extended from April 20 to April 27, 1937.

WEMP—Milwaukee Broadcasting Co., Milwaukee, Wis.—Effective date of order extended from April 20 to April 27, 1937.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KGNO, Dodge City, Kans.; WBNX, New York City; WFAB, New York City; WFBL, Syracuse, N. Y.; WHAZ, Troy, N. Y.; WSBT, South Bend, Ind.; WTAQ, Green Bay, Wis.

KOAC—Oregon State Agricultural College, Corvallis, Ore.—Granted renewal of license for the period ending September 1, 1937.

KGGM—New Mexico Broadcasting Co., Albuquerque, N. Mex.—Granted renewal of license for the period ending October 1, 1937.

SET FOR HEARING

NEW—State Broadcasting Corp., New Orleans, La.—C. P. for new station, **1370 kc.,** 100 watts, unlimited time. Exact site to be determined with Commission's approval.

NEW—Zenith Radio Corp., Chicago, Ill.—C. P. for new television broadcast station at Chicago, on an experimental basis under the provisions of Rules 1031, 1033 and 1034; frequencies **42000-56000** and **60000-86000 kc.,** visual power 1000, aural power 1000 watts, unlimited time.

WRVA—Larus & Bros. Co., Inc., Richmond, Va.—C. P. to move transmitter site 15 miles southeast of Richmond, Va.; install new equipment and a directional antenna system for day and night operation, and increase power from 5 KW to 50 KW.

KGB—Don Lea Broadcasting System, San Diego, Calif.—C. P., already in hearing docket, amended so as to request change in transmitter site locally to site to be determined; install new equipment and vertical radiator; and increase power from 1 KW to 5 KW, unlimited time. To be heard before the Broadcast Division.

KJBS—Julius Brunton & Sons Co., San Francisco, Calif.—Modification of license to change frequency from **1070 kc.** to **1080 kc.** and change hours of operation from limited time to specified hours as follows: 6 a. m. to 6:30 p. m. and 9 p. m. to midnight, PST, daily. To be heard before the Broadcast Division.

NEW—Ann Arbor Broadcasting Co., Inc., Ann Arbor, Mich.—C. P., already in hearing docket, amended to request new special broadcast station; **1550 kc.,** 1 KW, unlimited time, using directional antenna system at night to protect WQXR. Hearing scheduled for April 23.

KFNF—KFNF, Inc., Shenandoah, Iowa.—Application for C. P. amended to request move of transmitter locally; install directional antenna for night-time operation, and new equipment; increase night power to 1 KW, day power to 5 KW.

KRKD—Radio Broadcasters, Inc., Frank P. Doherty, Los Angeles, Calif.—Authority to transfer control of corporation from Frank P. Doherty to J. F. Burke, Sr., and Loyal K. King. Operates on **1120 kc.,** 500 watts night, 2½ KW day, S-KFSG.

NEW—Summit Radio Corp., Akron, Ohio.—C. P. amended to request application for new station to operate on **1530 kc.,** 1 KW, unlimited time, using directional antenna system for night-time operation to protect stations WBRY and KXBY. Transmitter site adjacent to Manchester Road, south of Akron city limits, near Akron; studio to be determined in business district of Akron.

NEW—El Paso Broadcasting Co., El Paso, Tex.—Application for C. P. amended to request **940 kc.,** 1 KW, unlimited time; approval of transmitter site at 2250 ft. South Spruce Street on line of Boone Street, extended southward, El Paso, Tex.

NEW—W. W. Luce, Lauderdale, Fla.—Application for C. P. amended to request **1050 kc.,** 1 KW, daytime only, exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

WMAL—National Broadcasting Co., Inc., Washington, D. C.—Application for modification of license to increase night power from 250 to 500 watts; **630 kc.**

NEW—Fall River Herald News Publishing Co., Fall River, Mass.—Application for C. P. amended to request **1210 kc.,** 100 watts night, 250 watts day, unlimited time, exact transmitter site and type of antenna to be determined with Commission's approval.

NEW—Centennial Broadcasting Corp., Dallas, Tex.—C. P. for new station, **1500 kc.,** 100 watts, daytime only, exact transmitter site to be determined with Commission's approval.

NEW—Thomas J. Watson, Endicott, N. Y.—Application for C. P. for new station, **1240 kc.,** 1 KW, unlimited time, using directional antenna system for night-time operation.

NEW—W. W. Hunt, J. B. DeMotte and F. H. Miller, d/b as The Ocala Broadcasting Co., Ocala, Fla.—Application for C. P. for new station, **1500 kc.,** 100 watts night, 250 watts day, unlimited time.

NEW—F. B. Clements & Company, a co-partnership consisting of F. Braden Clements, Clara D. Clements, and C. C. Clements, d/b as Southern Minn. Supply Co., Mankato, Minn.—Application for C. P. for new station, **1500 kc.,** 100 watts night, 250 watts day, unlimited time, exact transmitter site to be determined with Commission's approval.

NEW—A. Annas, K. C. Elliott, D. L. Green, and C. D. Newton, d/b as Hickory Broadcasting Co., Hickory, N. C.—Application for C. P. for new station, **1370 kc.,** 100 watts, daytime only.

EXAMINERS' REPORTS RELEASED

WCOP—Ex. Rep. 1-380: Massachusetts Broadcasting Corp., Boston, Mass.—Examiner George H. Hill recommended grant of modification of license to change frequency from **1120 kc.** to **1130 kc.,** and hours of operation from daytime to limited time until local sunset at Salt Lake City.

NEW—Ex. Rep. 1-381: Cadillac Broadcasting Co., Dearborn, Mich.—Examiner M. H. Dalberg recommended grant of C. P. for new station to operate on **1140 kc.,** 500 watts, daytime.

NEW—Ex. Rep. 1-382: Peninsula Newspapers, Inc., Palo Alto, Calif.—Examiner P. W. Seward recommended denial of C. P. for new station to operate on **1160 kc.,** 250 watts, daytime.

WMBD—Ex. Rep. 1-382: Peoria Broadcasting Co., Peoria, Ill.—Examiner Hill recommended grant of C. P. to increase power from 500 watts night, 1 KW LS, to 1 KW night, 5 KW LS.

NEW—Ex. Rep. 1-384: Edwin A. Kraft, Petersburg, Alaska.—Examiner R. H. Hyde recommended grant of application for C. P. for new station to operate on **1420 kc.,** 100 watts, unlimited.

NEW—Ex. Rep. 1-385: W. H. Marolf, Escanaba, Mich.—Examiner Hyde recommended denial of C. P. requesting new station to operate on **1500 kc.,** 100 watts, unlimited time.

NEW—The Escanaba Daily Press Co., Escanaba, Mich.—Examiner Hyde recommended dismissal of application for C. P., **1500 kc.,** 100 watts, daytime.

KINY—Ex. Rep. 1-386: Edwin A. Kraft, Juneau, Alaska.—Examiner Hyde recommended denial of C. P. requesting change in frequency from **1310 kc.** to **1430 kc.,** and increase in power from 100 to 250 watts.

NEW—Ex. Rep. 1-387: Johnson City Broadcasting Co., Johnson City, Tenn.—Examiner Hill recommended grant of C. P. for new station to operate on **1200 kc.,** 100 watts night, 250 watts local sunset, unlimited time.

NEW—Ex. Rep. 1-389: Knoxville Journal Broadcasting Co., Knoxville, Tenn.—Examiner Hill recommended denial of C. P. for new station to operate on **1200 kc.,** 100 watts night, 250 watts LS, unlimited time.

NEW—Richard M. Casto, Johnson City, Tenn.—Examiner Hill recommended denial of C. P. for new station to operate on **1200 kc.,** 100 watts night, 250 watts LS, unlimited time.

NEW—Ex. Rep. 1-390: Richard S. Gozzaldi, d/b as The Oak Cliff-Dallas County Broadcasting Co., Dallas, Tex.—Examiner R. L. Irwin recommended denial of application for C. P., **1500 kc.,** 100 watts, daytime.

NEW—A. L. Chilton, Dallas, Tex.—Examiner Irwin recommended denial of application for C. P., **1500 kc.,** 100 watts, daytime, if Commission grants applications of Dallas Broadcasting Co. and Centennial Broadcasting Co., and grant if Commission denies either the application of the Dallas Broadcasting Co. or the Centennial Broadcasting Co.

NEW—Ex. Rep. 1-391: Frontier Broadcasting Co., Cheyenne, Wyo.—Examiner P. W. Seward recommended suspension until the final disposition by the courts of the application of Paul H. Heitmeyer for authority to construct a radio broadcast station in Cheyenne. In event the decision of the Commission be sustained by the courts, then it is recommended that application of the Frontier Broadcasting Co. for C. P. to operate on **1420 kc.,** 100 watts night, 250 watts LS, unlimited time, be granted.

NEW—Ex. Rep. 1-388: Cumberland Broadcasting Co., Inc., Portland, Maine.—Examiner Dalberg recommended grant of C. P. for new station to operate on **1210 kc.,** 100 watts, unlimited time.

NEW—Twin City Broadcasting Co., Inc., Lewiston, Me.—Examiner Dalberg recommended denial of C. P. for new station to operate on **1210 kc.,** 100 watts, unlimited time.

NEW—Philip J. Wiseman, Lewiston, Me.—Examiner recommended dismissal of application as in cases of default, same facilities as above.

NEW—Harriet M. Alleman and Helen M. MacLellan, d/b as Cape Cod Broadcasting Co., Barnstable, Mass.—Examiner Dalberg recommended grant of C. P. for new station to operate on **1210 kc.,** 100 watts night, 250 watts LS, unlimited time.

NEW—George M. Haskins, Hyannis, Mass.—Examiner recommended dismissal as in cases of default application for same facilities as above.

NEW—Arthur E. Seagrave, Lewiston, Me.—Examiner recommended denial of application for C. P., same facilities as above.

MISCELLANEOUS

KLZ—KLZ Broadcasting Co., Denver, Colo.—Dismissed without prejudice application for C. P. to erect new broadcast station in Denver to operate on **1210 kc.,** 100 watts night, 250 watts LS, unlimited. Dismissed petition of Colorado Radio Corporation to intervene in hearing of above application.

WHN—Marcus Loew Booking Agency, New York City.—Accepted answer as respondent to appearance of applicant KYW, Westinghouse E. & M. Co., Philadelphia, Pa., for C. P., Docket 4265. Hearing scheduled for May 18, 1937.

NEW—William F. Maag, Youngstown, Ohio.—Denied petition to intervene at hearing of application for C. P. to erect new radio broadcasting station at Youngstown, Ohio, to operate on **1350 kc.,** 1 KW, unlimited. Petition filed only four days before hearing scheduled for April 19, 1937. Rule 105.20 requires that petitions to intervene be filed 10 days prior to hearing.

WBAX—John H. Stenger, Jr., Wilkes Barre, Pa.—Denied petition asking Commission for special temporary authority to operate unlimited time beginning April 15, pending action on application for full time authorization.

KGMB—Honolulu Broadcasting Co., Ltd., Honolulu, T. H.—Denied petition asking Commission to reconsider its action of March 10, 1936, in designating for hearing application for consent to transfer control of stations KGMB, Honolulu, and KHBC, Hilo, from J. L. P. Robinson to the Pacific Theatres and Supply Co., Ltd.

KTSA—KTSA Broadcasting Co., San Antonio, Texas.—Granted petition to intervene in hearing of application of Wichita Falls Broadcasting Company for modification of C. P. to increase power from 250 watts night to 1 KW, and day power from 1 KW to 5 KW LS, unlimited time.

NEW—J. Leslie Boss, Sarasota, Fla.—Denied request for a further extension of 90 days for taking depositions in re application for C. P. to erect new broadcast station at Sarasota, to operate on **1390 kc.,** 250 watts, daytime only.

KHSL—Golden Empire Broadcasting Co., Chico, Calif.—Denied petition to operate under its new assignment of **1260 kc.,** 250 watts, unlimited time, pending compliance with Rule 131. This rule was adopted October 15, 1935, and requires applicants for new, additional or different broadcast facilities to specify a radiating system the efficiency of which complies with the requirements of good engineering practice.

NEW—Smith Keller & Cole, San Diego, Calif.—Granted petition to intervene in hearing of application of Radiotel Corp., for C. P. to erect new broadcast station at San Diego to operate on **920 kc.,** 500 watts, unlimited time.

WSVS—Seneca Vocational High School, Buffalo, N. Y.—Granted renewal of regular license for period ending July 1, 1937. Application for renewal of license for period Jan. 1 to July 1, 1937, was designated for hearing January 26, 1937, because of pendency of application of WHNY, Buffalo, N. Y., for facilities of WSVS. This application has been dismissed from hearing calendar at request of WBNY.

WXYZ—King-Trendle Broadcasting Co., Detroit, Mich.—Granted petition to intervene in hearing of application of Voice of Detroit, Inc., for C. P. to erect new broadcasting station at Detroit, to operate on **1120 kc.,** 500 watts night, 1 KW, LS.

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Granted postponement of hearing from May 14, 1937, to approximately 30 days, new date to be fixed by Docket Section, on application for C. P. to install vertical antenna and increase night time power from 500 watts to 1 KW.

NEW—Virgil V. Evans, d/b as Voice of South Carolina, Spartanburg, S. C.—Waived Rule 106.5(b), and directed that answer filed on behalf of Virgil V. Evans, d/b as the Voice of South Carolina, to the appearance of Carolina Radio, Inc., applicant for C. P. to erect a new station at Charlotte, N. C., to operate on **880 kc.,** 500 watts night, 1 KW, LS, unlimited time, be accepted and that said answer be made a part of the record.

NEW—J. Laurence Martin, Tucumcari, New Mexico.—Denied petition requesting Commission to set aside order of the Broadcast Division rendered October 13, 1936, denying application for a new radio station at Tucumcari, to operate on **1200 kc.,** 100 watts, limited time, and to grant the same. Also denied request for further extension of effective date.

WHB—WHB Broadcasting Company, Kansas City, Mo.—Denied petition for review and reversal of decision of Broadcast Division denying application to install new equipment, change frequency from **860** to **1120 kc.,** change hours of operation from daytime to unlimited, with 500 watts power at night and 1 KW day, and employing a directional antenna system during nighttime operation. Also denied alternate proposal for rehearing and stay of effective date of order fixed as April 15, 1937.

WNNY—Black River Valley Broadcasts, Inc., Watertown, N. Y.—Denied petition requesting Commission to reconsider and set aside its action of December 2, 1936, in which it reversed the order of the Broadcast Division of September 22, 1936, which granted an application for C. P. for a new station at Watertown, N. Y., to operate on **1420 kc.,** 100 watts night, 250 watts day, unlimited time.

SPECIAL AUTHORIZATIONS

WBAA—Purdue University, West Lafayette, Ind.—Granted special temporary authority to operate from 5 to 6 P. M., C. S. T., April 30, in order to broadcast game; 10 to 11 A. M., May 1, baseball game; 4 to 6:30 P. M., May 1, football game and President's banquet; 12 noon to 2 P. M., May 2, Loyalty Luncheon, and from 4 to 6 P. M., May 2, to broadcast Purdue band concert.

WCAD—St. Lawrence University, Canton, N. Y.—Granted special temporary authority to operate from 2:45 to 4:15 P. M., E. S. T., May 9, (instead of May 2, 1937, as granted in minutes of April 2, 1937), in order to observe Charter-Day College Holiday.

WKAR—Michigan State College, East Lansing, Mich.—Granted special temporary authority to operate with reduced power for a period not to exceed 10 days while installing new transformers.

WSMK—WSMK, Inc., Dayton, Ohio.—Granted special temporary authority to operate simultaneously with KQV from 7:15 to 7:30 P. M., E. S. T. (Sundays), April 18 and 25.

WICA—C. A. Rowley, Ashtabula, Ohio.—Granted special temporary authority to operate a 50 watt test transmitter on **940 kc.,** during daytime hours for a period April 15 to

May 14, 1937 in order to test for transmitter sites near Ashtabula. However, such tests not permitted during hours prescribed for Commission monitoring schedule, during experimental period except from 5:10 to 5:30 A..M., May 11.

WBZ—Westinghouse Electric & Manufacturing Co., Boston, Mass. —Granted special temporary authority to operate a 500 watt radio transmitter at and near the site specified in application for C. P., on frequency **1020 kc.,** between hours of 1 and 6 A. M., E. S. T., for period April 26 to May 6, 1937, in order to make measurements as to possible coverage of transmitter to be located as proposed in above mentioned C. P. Schedule should be arranged so as to cause no interference to any station monitoring regular schedule.

WDZ—WDZ Broadcasting Co., Tuscola, Ill.—Granted special temporary authority to operate from 5 to 6 A. M., C. S. T., for period of 30 days, in order to reach farmers in the territory surrounding station WBZ who are in their fields during the summer months by 5 A. M.

WCAL—St. Olaf College, Northfield, Minn.—Granted special temporary authority to operate from 2 to 3 P. M., C. S. T., the following Sundays: April 25, May 2, 9, 16, 23 (provided WTCN remains silent), in order to continue to schedule NBC programs with commencement of daylight saving time in New York City.

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—Same as above except from 3 to 4 P. M., C. S. T., provided WCAL remains silent.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Granted extension of temporary authority to operate on **560 kc.,** with power of 1 KW at night, for period May 1 to May 31, pending filing of and action on license application to cover C. P. for this authority.

WHDF—The Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authority to operate from 10 to 10:30 A. M., C. S. T., April 27 to May 1, inclusive, in order to broadcast (first fifteen minutes) Magic Hour Programs and the balance of the time to broadcast transcription program utilizing music of World Sustaining Library.

KOTN—Universal Broadcasting Corp., Pine Bluff, Ark.—Granted special authority to operate 7:30 to 10:30 P. M., C. S. T., April 21, 22, May 13. 14, 17 to 21 inclusive, in order to broadcast night baseball games.

KFRO—Voice of Longview, Longview, Texas.—Granted special temporary authority to operate from local sunset (May sunset, 7:15 P. M.) to 9 P. M., C. S. T., using power of 100 watts, on Sundays, May 2, 9, 16, 23 and 30, 1937, in order to broadcast church services of the Kelly Memorial Methodist Church of Longview.

WEST—Associated Broadcasters, Inc., Easton, Pa.—Granted special temporary authority to operate simultaneously with station WKBO from 10 to 11 A. M. and 5 to 6 P. M., E. S. T., for period April 25 to May 24, 1937, due to adoption of Daylight Saving Time in Easton, Pa.

WMBG—Havens & Martin, Inc., Richmond, Va.—Granted extension of special temporary authority to operate from 5:30 to 7 P. M., E. S. T., on Sundays from May 1, 1937, to May 31, 1937, inclusive (provided WBBL remains silent), in order to broadcast special programs.

WFBR—The Baltimore Radio Show, Inc., Baltimore, Md.—Granted special temporary authority to operate a 50 watt portable transmitter between the hours 1 and 6 A. M., E. S. T., for the period April 21 to May 20, 1937, in order to conduct a location survey in and around Baltimore. However, such tests not permitted during those hours prescribed for Commission monitoring schedule.

RCA Communications, Inc., Bolinas, Calif.—Granted special temporary authority to operate point-to-point telegraph stations KEQ on frequency **11950 kc.,** KEW on **7715 kc.,** and KEG on **5110 kc.,** to communicate with relay broadcast station aboard plane of United Air Lines Transport Corp., call letters KHAZT, for period April 19 to May 30, 1937, for the purpose of maintaining contact-control communication connection with reception of preliminary test schedules incidental to reception of one-half-hour programs to be delivered to NBC on April 25, May 2, 9, 16, 23 and 30.

W3XDS—RCA Communications, Inc., Camden, N. J.—Granted special temporary authority to operate with power of 5 KW on **590 kc.** during broadcast experimental hours from 1 to 6 a. m., EST, for period not to exceed 10 days, provided schedule is arranged so as to cause no interference to stations maintaining regular programs, in order to make certain measurements of radio frequency harmonic radiation.

KGDY—Voice of South Dakota, Huron, S. Dak.—Granted extension of special temporary authority to remain silent for the period April 16 to May 1, 1937, for the purpose of rebuilding transmitter to comply with Rule 132. Provided, this authority shall not be construed as a finding by the Commission with respect to any application of KGDY pending before it, particularly the renewal application or upon any issues raised thereby. Also that station shall not resume operation until such time as photographs and other necessary evidence are submitted showing equipment is in entire agreement with all requirements of rules and regulations of Commission and good engineering practices.

WJBW—Chas. C. Carlson, New Orleans, La.—Granted special temporary authority to remain silent if necessary for a period not to exceed 15 days pending necessary repairs.

RATIFICATIONS

The Division ratified the following acts authorized on the dates shown:

KABE-KIGA—National Battery Broadcasting Co., St. Paul, Minn. —Granted authority to operate as licensed on Thursdays for period of 30 days from April 22, relaybroadcast from University of Minnesota Farm School instead of authority granted by wire on April 14. Also granted authority to operate as licensed on April 20 relaybroadcast from University of Minnesota Mechanical Engineering Bldg.

W8XIK—Crosley Radio Corp., Cincinnati, Ohio.—Granted authority to operate as licensed April 20 relaybroadcast interviews of early arrivals opening ball game on 4-20 or 4-21, relaybroadcast events at ball game.

W8XHV—The Evening News Assn., Inc., Detroit, Mich.—Granted authority to operate as licensed 4-24 relaybroadcast program connection opening trout fishing season in Michigan.

W10XDX—National Broadcasting Co., Inc., New York City.—Granted authority to operate as licensed April 22, 23 and 24 relaybroadcast description intercollegiate track meet, Philadelphia.

W9XPY—American Broadcasting Corp. of Kentucky, Lexington, Ky.—Granted authority to operate as licensed for period April 17 to 29, inclusive, relaybroadcast from Keeneland Race Track.

WKOK—Radio Station WKOK, Sunbury, Pa.—Granted authority to continue use of present transmitter until not later than midnight April 30, that is Rule 132 waived until that date.

Authority granted change coupling system as necessary to match new transmitter; however, if necessary, change antenna system, necessary submit details which must comply with Rule 131. Above authority shall not be construed as acceptance of explanation of discrepancy report. Use new equipment must comply Rules 164 and 165.

WJEP—Stromberg-Carlson Tel. Mfg. Co., Rochester, N. Y.—Granted temporary authority to operate relay station WJEP as licensed, April 16 to April 25, 1937, to relay broadcast of safety campaign in Rochester.

W4XBT—Radio Station WSOC, Inc., Charlotte, N. C.—Granted temporary authority to operate relay stations as licensed, for period April 15 to 17, 1937, inclusive, to relay broadcast from Carnival Grounds, provided no wire lines available.

Granted petition of WGAR Broadcasting Company to intervene in the proceedings on the application of the Food Terminal Broadcasting Co. for a C. P. to erect a broadcast station at Cleveland, Ohio. Docket 4436.

Granted petition of WKBN Broadcasting Corp. to intervene in the proceedings on the application of Valley Broadcasting Co. for a C. P. to erect a broadcast station at Youngstown, Ohio. Docket 4066.

Denied petition of Isle of Dreams Broadcasting Corp. (WIOD-WMBF), Miami, Fla., requesting that the Commission reconsider its action of February 9, 1937 in designating for hearing its application for modification of license, Docket No. 4425, and grant same without a hearing.

Granted petition of the Great Lakes Broadcasting Corp. to intervene in the proceedings on the application of the Food Terminal Broadcasting Co., Cleveland, Ohio, for a C. P. to erect a new station at Cleveland, Ohio. Docket No. 4436.

Granted the petitions of the Pennsylvania Broadcasting Company (WIP), the Seaboard Radio Broadcasting Corp. (WIBG), and WDAS Broadcasting Station, Inc. (WDAS), to intervene in the proceedings on the application of the Philadelphia Radio Broadcasting Co. for a C. P. to erect a broadcast station in Philadelphia, Pa. Docket 4439.

KVGB—Ernest Edward Buehlen, Great Bend, Kans.—Granted extension of program test for period of 30 days from April 8, 1937.

W9XPS—Peoria Broadcasting Co., Peoria, Ill.—Granted temporary authority to operate relay station W9XPS as licensed on April 30, 1937, to relay broadcast of WMBD Good Neighbor Program.

KROY—Royal Miller, Sacramento, Calif.—Granted extension of program test for period of 30 days from April 14.

WSAY—Brown Radio Service Lab. (Gordon P. Brown, Owner), Rochester, N. Y.—Granted special temporary authority to operate from local sunset April 6:45 p. m. to 8:45 p. m., EST, April 19 to 24, inclusive, in order to contribute time to the Rochester Post of Volunteers of America, who are conducting a drive for funds for welfare and mission work.

WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Granted special temporary authority to operate from local sunset April 6:30 p. m. to 6:45 p. m., CST, each evening from April 16 to 30, inclusive, in order to broadcast the baseball scores in the Cotton States, Southern, National and American leagues.

Granted petition of Decatur Newspapers, Inc., to intervene in the proceedings upon the application of Ann Arbor Broadcasting Co., Inc., for C. P. for new special experimental broadcast station at Ann Arbor, Mich (Docket No. 4178).

Denied petition of Robert J. Craig, d/b as Golden Gate Broadcasting Co. (KGGC), to reconsider and grant their pending application for modification of license without hearing oral argument.

Waived requirements of Rule 104.6(b) and excepted the answers of WKBH, Inc., to the applicants' appearances in Docket No. 4068 (Joplin Broadcasting Co.), Docket No. 4469 (KQV Broadcasting Co.), and Docket No. 4470 (WSMK, Inc.).

NEW—General Electric Co., near Belmont, Calif.—The Broadcast Division reconsidered its action of April 2, 1937, in denying C. P. for **9530, 15330 kc.**, 20 KW, Emission A3, shares W2XAF and W2XAD (unlimited by reason of difference in International time), as in cases of default for failure to file appearance and statement of facts to be proved (R. 104.6(b), and directed that above application be reinstated on hearing docket, hearing to be held commencing on May 17, 1937, and that Rule 104.6(b) be suspended and the appearance of applicant be excepted, and also directed that an order be entered accordingly and forwarded to all interested parties.

APPLICATIONS RECEIVED

First Zone

NEW—Colonial Broadcasting Co., Morristown, N. J.—**620** Construction permit for a new station to be operated on **620 kc.**, 1 KW, unlimited time. Amended to specify directional antenna for day and night use and give transmitter site as near Whippany, N. J.

NEW—The Yankee Network, Inc., Quincy, Mass.—Construction permit for a new facsimile broadcast station to be operated on **41000 kc.**, 500 watts.

NEW—The Yankee Network, Inc., Quincy, Mass.—License to cover above.

NEW—City of New York, Dept. of Plant and Structures, New York, N. Y.—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.**, 40 watts.

Second Zone

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Modification **560** of construction permit (B2-P-1085) for changes in equipment, new antenna, increase in power, and move of transmitter, further requesting authority to install new transmitter, directional antenna for day and night use, increase power from 1 KW to 5 KW, move transmitter from 1500 feet north of Monument and City Line Ave., Merion Twp., Pennsylvania, to 63rd Street and Schuylkill River, Pennsylvania, and extend commencement and completion dates.

WHKC—Associated Radiocasting Corp., Columbus, Ohio.—Con**640**struction permit to install a new transmitter; increase power from 500 watts to 1 KW night, 5 KW day; change hours of operation from limited time to unlimited time; make changes in antenna and move transmitter from Sharon Road (10 miles north), Columbus, Ohio, to site to be determined, Columbus, Ohio. Amended to omit request for unlimited time.

NEW—Genesee Radio Corporation, Flint, Mich.—Construction **1200** permit for a new station to be operated on **1200 kc.**, 100 watts night, 250 watts day, specified hours.

NEW—The Crosley Radio Corp., Cincinnati, Ohio.—Construction permit for a new relay broadcast station to be operated on **1606, 2022, 2102, 2758 kc.**, 50 watts.

W2XGN—Berks Broadcasting Co., Reading, Pa.—Modification of construction permit (B2-PRE-34) to extend commencement and completion dates.

W3XGM—Reading Broadcasting Co., Reading, Pa.—Modification of construction permit (B2-PRE-35) to extend commencement and completion dates.

Third Zone

KMIB—Liner's Broadcasting Station, Inc., Monroe, La.—Con**620** struction permit to change frequency from **1200 kc.** to **620 kc.**; make changes in equipment; increase power from 100 watts night, 250 watts day, to 500 watts day and night, and install directional antenna for night use. Amended re antenna and change transmitter site from Milhaven Road to Loop Road, Monroe, La.

WCOC—Mississippi Broadcasting Co., Inc., Meridian, Miss.— **880** Modification of construction permit (B3-P-1434) for changes in equipment, requesting authority to install vertical antenna and move transmitter from U. S. Highway No. 45, 2½ miles southeast city limits, Meridian, Miss., to U. S. Highway 45 North, 1.3 miles north of city limits, Meridian, Miss.

WBT—Columbia Broadcasting System, Inc., Charlotte, N. C.— **1080** Construction permit to install a directional antenna for night use.

NEW—Radio Station WFNC (Partnership of C. Frank Walker & **1210** Waldo W. Primm) Fayetteville, N. C.—Construction permit for a new station to be operated on **1210 kc.**, 250 watts, daytime.

NEW—Ward Optical Co., Dr. T. B. Ward, Owner, Fayetteville, **1310** Ark.—Construction permit for a new station to be operated on **1310 kc.**, 15 watts, daytime and limited time. Amended: To change power from 15 watts to 100 watts, hours of operation from daytime and limited time to unlimited time, make changes in equipment and give transmitter and studio sites as Wolf Building on West Mt. St., Fayetteville, Ark.

NEW—Harry Schwartz, Tulsa, Okla.—Construction permit for a **1310** new station to be operated on **1310 kc.**, 250 watts, daytime.

NEW—Burl Vance Hedrick, Near Salisbury, N. C.—Construction **1340** permit for a new station to be operated on **1340 kc.**, 1 KW, daytime.

WATL—J. W. Woodruff, tr. as Atlanta Broadcasting Co., Atlanta, **1370** Ga.—License to cover construction permit (B3-P-1228) as modified, for new transmitter and antenna, increase in power and move of transmitter and studio.

NEW—Brenau College, Gainesville, Ga.—Construction permit for **1420** a new station to be operated on **1420 kc.**, 100 watts night, 250 watts daytime, unlimited time.

NEW—Station WIS, Incorporated, Columbia, S. C.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 2 watts.

W4XCA—Memphis Commercial Appeal Co., Memphis, Tenn.—Construction permit to change location of station from Madison & Third Streets to 139 S. Main St., Memphis, Tenn.

W5XCL—Tulsa Broadcasting Co., Inc., Tulsa, Okla.—License to cover construction permit for a new relay broadcast station.

W5XR—Tulsa Broadcasting Co., Inc., Tulsa, Okla.—License to cover construction permit for a new relay broadcast station.

Fourth Zone

KFRU—KFRU, Inc., Columbia, Mo.—Construction permit to **630** make changes in transmitting equipment, install a vertical antenna, increase power from 500 watts, 1 KW day, to 5 KW, and move transmitter from 1200 Broadway to site to be determined, Boone County, Missouri.

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.— **770** Modification of license to change hours of operation from simultaneous daytime, synchronously (experimentally) night with KFAB, to unlimited (contingent upon KFAB being granted change in frequency).

KFAB—KFAB Broadcasting Co., Lincoln, Nebr.—Construction **1080** permit to install a new transmitter and directional antenna for night use; change frequency from **770 kc.** to **1080 kc.**, power from 10 KW to 50 KW, hours of operation from simultaneous day, share WBBM night, to unlimited time; and move transmitter from 17th and Holdrege Streets, Lincoln, Nebr., to Range 7 E., N. W. ¼ Sec. 4, Twp. 12, N. Lancaster County, Nebraska.

KRMC—Roberts-MacNab Co. (Arthur L. Roberts, R. B. MacNab, A. J. Breitbach, Gen. Mgr.), Jamestown, N. Dak.—Modification of license to change frequency from **1310 kc.** to **1370 kc.**, and change hours of operation from simultaneous day KVOX, share KVOX night, to unlimited time.
1370

WSAU—Northern Broadcasting Co., Inc., Wausau, Wis.—Authority to make changes in automatic frequency control equipment.
1370

NEW—Curtis Radiocasting Corp., Richmond, Ind.—Construction permit for a new station to be operated on **1420 kc.**, 100 watts night, 250 watts day, unlimited time.
1420

NEW—The Champaign News-Gazette, Inc., Champaign, Ill.—Construction permit for a new relay broadcast station to be operated on **39700, 39900, 40800, 41400 kc.**, 10 watts.

NEW—The Champaign News-Gazette, Inc., Champaign, Ill.—Construction permit for a new relay broadcast station to be operated on **39700, 39900, 40800, 41400 kc.**, 2 watts.

Fifth Zone

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—Construction permit to install a new transmitter, erect a vertical antenna, increase power from 1 KW to 1 KW night, 5 KW day, and move transmitter from 87 East San Antonio Street, San Jose, Calif., to site to be determined, Santa Clara County, California.
1010

KOOS—Pacific Radio Corp., Marshfield, Ore.—Modification of license to change hours of operation from daytime to unlimited time, using 100 watts night, 250 watts daytime. Amended to install vertical antenna.
1200

KSUB—Harold Johnson and Leland M. Perry, d/b as Johnson & Perry, Cedar City, Utah.—Modification of construction permit (B5-P-841) as modified for a new station, requesting changes in authorized equipment.
1310

KIDO—Frank L. Hill and C. G. Phillips, d/b as Boise Broadcast Station, Boise, Idaho.—Construction permit to make changes in equipment and increase power from 1 KW night, 2½ KW day, to 5 KW night and day. Amended to omit request for increase in night power.
1350

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Construction permit to install a new transmitter and change frequency from **1500 kc.** to **1360 kc.**, change power from 100 watts night, 250 watts day, to 1 KW.
1360

KGER—Consolidated Broadcasting Corp., Ltd., Long Beach, Calif.—License to cover construction permit (B5-P-1483) for changes in equipment.
1360

KSLM—Oregon Radio, Inc., Salem, Ore.—Construction permit to change frequency from **1370 kc.** to **1360 kc.**, install a new transmitter, make changes in antenna, and increase power from 100 watts to 500 watts.
1370

KAWM—A. W. Mills, Gallup, N. Mex.—License to cover construction permit (B5-P-601) as modified for a new station.
1500

The National Association of Broadcasters

NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.

JAMES W. BALDWIN, Managing Director

NAB REPORTS ★ ★ ★ ★ ★

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SLOWIE APPOINTED FCC SECRETARY

Thomas J. Slowie, 41, of Clinton, Iowa, was appointed yesterday as secretary of the Federal Communications Commission. The appointment was made by the members of the FCC sitting *en banc.*

Mr. Slowie was educated in the public schools of Clinton, Iowa. He first came to Washington in 1930 as secretary to Representative P. M. Jacobsen of the Second Congressional District of Iowa, remaining in that position until Mr. Jacobsen's death in 1936. Representative Jacobsen was succeeded by his son, W. M. Jacobsen, who retained Mr. Slowie as secretary up to the present time.

Mr. Slowie was in the army during the World War, and at various times has served as City Auditor and City Clerk of Clinton. He was also in the insurance business for several years.

Insofar as it could be learned late yesterday Mr. Slowie has not had any radio experience. Mr. Slowie succeeds Herbert L. Pettey, who resigned the place several months ago.

ANOTHER COPYRIGHT BILL

Senator Guffey, of Pennsylvania, has introduced a bill (S. 2240) to amend and consolidate the copyright act of March 4, 1909. The bill has been referred to the Senate Committee on Patents and is identical with H. R. 5275 which Representative Daly introduced on March 3.

FCC GRANTS NEW STATION

H. W. Wilson and Ben Farmer were granted a construction permit this week by the Federal Communications Commission for the construction of a new broadcast station at Wilson, N. C., to use 1310 kilocycles, 100 watts power daytime operation. The order is effective on June 1 and sustains the recommendation of Examiner P. W. Seward.

WARING VS. WDAS

The appeal by radio station WDAS to the Supreme Court of Pennsylvania from the adverse decision of the Court of Common Pleas of Philadelphia in the case brought by Fred Waring to enjoin the broadcasting of phonograph records was argued in Philadelphia on April 21. Former Attorney General William A. Schnader argued the case for the station and Maurice J. Speiser presented the case for Waring. The decision was reserved by the Court of seven Judges—Chief Justice Kaphart, Stern, Drew, Shaffer, Maxey, Linn and Barnes. No decision is likely before May 24, when the Court reconvenes at Harrisburg.

Mr. Schnader commenced his argument by reading the pleadings and showing the narrow issues involved. He then referred to the hearing before Judge McDevitt of Common Pleas which he characterized as being far more unique than Waring's performances and in which the rules of evidence were suspended for the day. After discussing the testimony, he stated that the findings of Judge McDevitt were based upon evidence which should have been excluded as having no bearing on the issues in the case, pointing out, among other things, that the defendant's name or the name of its station was mentioned only once throughout the entire hearing by the plaintiff and the plaintiff's witnesses. He then referred to the

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failure of Judge McDevitt to find certain facts which were admitted by the pleadings or by the evidence, following which the station filed 137 exceptions to the decision of the court below. The exceptions, he said, were argued before Judge McDevitt and another Judge instead of before three judges, Judge Kun sitting with Judge McDevitt disagreeing vigorously on the argument with Mr. Speiser's contentions and the decision of the court. After a couple of months a unanimous decision came down, however, dismissing the 137 exceptions without assigning any reason or rendering any opinion.

Mr. Schnader then briefly discussed the law involved and argued that there was no authority in any of the English-speaking countries for giving a common law right of property in the manner in which a performer rendered a selection which he did not own. He next argued that if there was any property right in Waring, that he had lost that right when he published the records by allowing the phonograph manufacturers to market them. He explained that the legend on the record "Not licensed for radio broadcasting" did not refer to Waring at all and could only refer to a copyright license from the copyright owners of the song to broadcast that song and that since the station had a license from ASCAP, the legend was of no significance. He further stated that under the many decisions of the United States Supreme Court and other Federal courts, it was impossible for the seller of an article to restrict the use of that article after its outright sale. As to unfair competition, Mr. Schnader said that the plaintiff had not even pleaded such a cause of action.

Mr. Speiser argued at considerable length claiming that there was a common law right of property, that band leaders all over the country were suffering from the broadcasting of phonograph records and claimed that Waring had made an agreement with the R. C. A. Victor Company, in which the records were agreed not to be used for broadcasting and that their use was to be restricted to the homes. He referred to what he called other broadcasting stations were doing in the way of announcements to deceive the public into thinking that the artist himself was in the studio, but had to admit that such practices did not apply to station WDAS. He claimed, however, that the chancellor was entitled to take into consideration what was being done by other stations and stated that none of the findings of Judge McDevitt was based upon what other stations did. He argued that the records made a number of years ago were not up to Waring's present standards and that this was interfering with his activities and that, furthermore, Waring had an exclusive contract with a radio advertiser which the defendant was interfering with by broadcasting Waring's records.

Various members of the court evidenced their interest in the issues involved by their questions to counsel. One Judge asked if Sarah Bernhardt had spoken lines of a play in a certain way, if that would prevent someone else from speaking it the same way and it was pointed out that it was the contention of Waring that this was so. Another Judge inquired of Mr. Speiser if Waring should have performed "Annie Laurie," which was presumably in the public domain, if he could prevent someone else from performing "Annie Laurie" the same way. Mr. Speiser said that he believed that Waring should be able to prevent this being done. Still another Judge inquired if somebody happened to read Shakespeare aloud in a certain manner if that person could prevent other persons from reading Shakespeare in that identical fashion and Mr. Speiser replied that that was his contention.

It was brought out during the argument that even if a contract did exist between Waring and the phonograph company of the nature claimed by Waring, that the station knew nothing whatever about it and that certainly it could not be bound to observe contracts of which it knew nothing. Mr. Speiser also argued that Waring's right of privacy was violated by using phonograph records. One of the Judges inquired if the station did not use the name of Waring if then there could be no claim of violation of the right of privacy. Mr. Speiser, however, contended that it would make little or no difference if the name were used, that the thing that Waring complained about was the use of his personal performance.

SECURITIES ACT REGISTRATIONS

The following companies have filed registration statements with the Securities & Exchange Commission under the Securities Act:

Apex Gold Mines, Ltd., Vancouver, B. C. (2-2978, Form A-1)
B. F. Avery & Sons Company, Louisville, Ky. (2-2979, Form A-2)
American Forging & Socket Company, Pontiac, Mich. (2-2980, Form A-2)
Parkersburg Rig & Reel Company, Parkersburg, W. Va. (2-2981, Form A-2)
Union Premier Food Stores, Inc., Philadelphia, Pa. (2-2982, Form A-2)
Hamburger Distillery, Inc., Pittsburgh, Pa. (2-2983, Form A-1)
Marion-Reserve Power Company, Marion, Ohio. (2-2984, Form A-2)
Burlington Mills Corporation, Greensboro, N. C. (2-2985, Form A-1)
Aviation Capital, Inc., New York City. (2-2986, Form A-1)
North American Oil Company, Baltimore, Md. (2-2988, Form A-1)
McClelland-Kennard Company, Barnesville, Ohio. (2-2989, Form A-2)
Investment Corp. of Philadelphia, Philadelphia, Pa. (2-2990, Form A-2)
Reynolds Spring Company, Jackson, Mich. (2-2991, Form A-2)
Kane-America Corporation, Fort Worth, Texas. (2-2992, Form E-1)
Educational Pictures, Inc., New York City. (2-2993, Form A-1)
Di-Noc Manufacturing Company, Cleveland, Ohio. (2-2994, Form A-2)
C. D. Marshall et al., Pittsburgh, Pa. (2-2995, Form F-1)
Clear Springs Water Service Co., Wilkes-Barre, Pa. (2-2996, Form A-2)
Monarch Machine Tool Company, Sidney, Ohio. (2-2997, Form A-2)

Payne Furnace & Supply Company, Beverly Hills, Cal. (2-2998, Form A-1)
Atlas Press Company, Kalamazoo, Mich. (2-2999, Form A-2)
Air Associates, Inc., Garden City, N. Y. (2-3000, Form A-2)
Macon Gas Company, Macon, Ga. (2-3001, Form A-2)
Binks Manufacturing Company, Chicago, Ill. (2-3002, Form A-1)
Rheem Manufacturing Company, Richmond, Cal. (2-3003, Form A-2)
Kane's, Inc., Boston, Mass. (2-3004, Form A-2)
Fruehauf Trailer Company, Detroit, Mich. (2-3005, Form A-2)
Davidson Bros., Inc., Detroit, Mich. (2-3006, Form A-2)
Earl Fruit Company, San Francisco, Cal. (2-3007, Form A-2)
National Bellas Hess, Inc., Kansas City, Mo. (2-3008, Form A-2)
Thrifty Drug Stores, Inc., Los Angeles, Cal. (2-3009, Form A-1)
Brown-McLaren Mfg. Company, Detroit, Mich. (2-3010, Form A-2)
Daviess County Distilling Co., Owensboro, Ky. (2-3011, Form A-1)
New England Fire Insurance Co., Pittsfield, Mass. (2-3012, Form A-2)
S. D. Warren Company, Boston, Mass. (2-3013, Form A-2)
Nashua Gummed & Coated Paper Co., Nashua, N. H. (2-3014, Form A-2)
Scherer Leather Company, Cudahy, Mass. (2-3015, Form A-2)
Columbia American Distillers, Inc., Columbia, Ill. (2-3016, Form A-1)
The Zonolite Company, Libby, Mich. (2-3017, Form A-2)
Wilson & Bennett Mfg. Company, Chicago, Ill. (2-3018, Form A-2)
Hupp Motor Car Corp., Detroit, Mich. (2-3020, Form A-2)
National Oil Products Company, Harrison, N. J. (2-3021, Form A-2)
Federal-Mogul Corporation, Detroit, Mich. (2-3022, Form A-2)
Southern New England Telephone Company, New Haven, Conn. (2-3023, Form A-2)
Fort Howard Paper Company, Green Bay, Wis. (2-3026, Form A-2)
Durham Manufacturing Company, Muncie, Ind. (2-3027, Form A-2)
Independence Fund of N. America, Inc., New York City. (2-3028, Form C-1)
The Hendey Machine Company, Torrington, Conn. (2-3029, Form A-2)
San-Nap-Pak Mfg. Co., New York City. (2-3032, Form A-2)
Shamrock Oil & Gas Corp., Amarillo, Texas. (2-3033, Form A-1)
American Colortype Company, Clifton, N. J. (2-3034, Form A-2)
The Foundation Company, New York City. (2-3036, Form A-2)
The Aro Equipment Corp., Bryan, Ohio. (2-3037, Form A-2)
New Idea, Inc., Coldwater, Ohio. (2-3038, Form A-2)
The Schiff Company, Columbus, Ohio. (2-3039, Form A-2)
Struthers Wells-Titusville Corp., Warren, Pa. (2-3040, Form A-2)
Joslyn Mfg. & Supply Co., Chicago, Ill. (2-3042, Form A-2)
General Reinsurance Corp., New York City. (2-3043, Form A-2)
Berghoff Brewing Corp., Fort Wayne, Ind. (2-3044, Form A-2)
Clark Controller Company, Cleveland, Ohio. (2-3045, Form A-2)
Central Steel & Wire Company, Chicago, Ill. (2-3046, Form A-2)
Vacuum Concrete Corp., New York City. (2-3047, Form A-1)
Rio Grande Brewing Corp., San Francisco, Cal. (2-3048, Form A-1)
Moran Transportation Corp., New York City. (2-3049, Form A-2)
National Gas & Electric Corp., New York City. (2-3050, Form A-2)
Transcontinental Petroleum Corp., Dallas, Texas. (2-3051, Form A-1)
H. T. Poindexter & Sons Co., Kansas City, Mo. (2-3052, Form A-2)
Meier & Frank Company, Portland, Ore. (2-3053, Form A-1)
Consolidated Retail Stores, Inc., St. Louis, Mo. (2-3054, Form A-2)
The Englander Spring Bed Co., Brooklyn, N. Y. (2-3055, Form A-1)
Ryan Aeronautical Company, San Diego, Cal. (2-3056, Form A-2)
King David Mining Company, Salt Lake City, Utah. (2-3057, Form A-1)
O'Sullivan Rubber Company, Inc., New York City. (2-3058, Form A-2)
General Carpet Corporation, Philadelphia, Pa. (2-3059, Form A-2)
Belmont Radio Corporation, Chicago, Ill. (2-3060, Form A-2)
New Amsterdam Casualty Company, Baltimore, Md. (2-3061, Form A-2)
Consumers Steel Products Corp., Detroit, Mich. (2-3062, Form A-1)
General Alloys Company, Boston, Mass. (2-3063, Form A-2)
Gandy Bridge Company, St. Petersburg, Florida. (2-3064, Form A-2)
Standard Fruit & Steamship Corp., New Orleans, La. (2-3065, Form A-2)
Cessna Aircraft Company, Wichita, Kans. (2-3066, Form A-1)
Alco Valve Company, Maplewood, Mo. (2-3067, Form A-2)
Credit Acceptance Corporation, Rochester, N. Y. (2-3068, Form A-2)
Laclede Packing Company, St. Louis, Mo. (2-3069, Form A-2)
Pennsylvania Glass Sand Corporation, Lewiston, Pa. (2-3070, Form A-2)
Solar Aircraft Company, San Diego, Cal. (2-3071, Form A-1)
Neisner Brothers, Inc., Rochester, N. Y. (2-3072, Form A-2)

RECOMMENDS AGAINST KSFO TRANSFER

The Associated Broadcasters, Inc., licensee of station KSFO, San Francisco, Cal., and Western Broadcast Company (now incorporated as Columbia Broadcasting System of California, Inc.) applied to the Federal Communications Commission for consent to the assignment of the license of KSFO to the latter corporation.

Examiner R. H. Hyde, in Report No. I-399 recommended that the application be denied. In connection with the recommendation the Examiner says that:

Examination of the contract, consideration of the evidence regarding the properties proposed to be leased and then immediately replaced for the most part by the lessee, and examination of the business of the station, likewise proposed to be leased and then replaced for the most part, indicates that the chief consideration for the "rental" agreed upon is the use or opportunity to use the operating assignment of Station KSFO, subject to the approval of the Commission. The sums proposed to be paid for this privilege and the other conditions of the so-called lease are matters determined by agreement between the applicants, with notice of, and of course subject to, any laws applicable thereto. Nothing in the contract, in the absence of some affirmative action by the Commission, could possibly change the terms of the station license, which, it may be noted, runs for only a fraction of the time period covered in the contract; no rights to the operating assignment in question or any of the privileges for which a license is required by the Communications Act of 1934 could be established against the regulatory power of the Commission by any agreement between these parties or by any payments which one may make to the other as consideration to stand aside or vacate an operating assignment in favor of the second party. But the terms, including payments proposed to be made in a transaction of this character, are nevertheless considered material to the question as to whether or not approval of a transfer of license would be in the public interest.

The payments proposed to be made in this case by the assignee do not appear to be out of line with the usefulness and value the KSFO operating assignment would have to the assignee. On the other hand, it is obvious that the assignor is requiring payments in amounts which can be explained only by the fact that it has a license from the government giving it exclusive privileges as to the use of the operating assignment desired by the assignee. This use of the privileges granted in the station license does not appear consistent with the condition imposed by law and included in each license; that the licensee use the privileges conferred to the full extent thereof to serve the public interest.

It appears that the acquisition of control of Station KSFO by the assignee would result in improvements to the service of the station in the technical quality of its broadcasts and with respect to the quality of the programs provided for the interest of the public. Also, it is apparent that the acquisition of control of Station KSFO by the assignee would contribute to the further development and maintenance of the national network broadcast system represented by the assignee, and be advantageous to the promotion of the interests of that system. But it does not appear from anything in the evidence regarding this particular system, or regarding the requirements of network broadcasting, that there is any necessity for the acquisition of control of this station by the same interests now controlling a number of other stations.

The applicants have not shown that the granting of the application would serve the public interest, convenience or necessity.

NEW FLORIDA STATION RECOMMENDED

The Metropolis Company applied to the Federal Communications Commission for a construction permit for the erection of a new broadcast station at Jacksonville, Florida, to use 1290 kilocycles, 250 watts and unlimited time on the air.

Examiner Melvin H. Dalberg in Report No. I-397 recommended that the application be granted. He found that the proposed station would not cause any objectionable interference. The Examiner states that most of the programs on the existing stations is devoted to chain programs. He feels that the application would be in the public interest.

RECOMMENDS AGAINST IOWA STATION

The Rapids Broadcasting Company applied to the Federal Communications Commission for a construction permit for the erection of a new broadcasting station at Cedar Rapids, Iowa to use 1310 kilocycles, 100 watts power and unlimited time on the air.

Examiner George H. Hill in Report No. I-398 recommended that the application be denied. He found that the operation of the proposed station would result in mutual interference between station KROC and the proposed station. It would also cause interference in the daytime with KRNT and the Examiner states that Cedar Rapids "appears to be receiving ample radio service from existing stations."

CHANGES RECOMMENDED FOR KLPM

Broadcasting station KLPM, Minot, N. D., applied to the Federal Communications Commission to change its frequency from 1240 to 1360 kilocycles, its power from 250 watts to 500 watts night and 1,000 watts day and from sharing time to unlimited time.

Examiner John P. Bramhall in Report No. I-400 recommended that the application be granted. He states that the proposed changes will not adversely affect the interests of WGES, WSBT and KCRC. The Examiner states that granting the application would be in the public interest.

NEW STATION RECOMMENDED

Walter H. McGenty, applied to the Federal Communications Commission for a construction permit for the erection of a new station at Rice Lake, Wis., to use 1210 kilocycles, 250 watts and daytime operation.

Examiner John P. Bramhall in Report No. I-401 recommended that the application be granted. He states that there is a definite need for daytime service in the area proposed to be served, and that the proposed station will not cause any interference with any existing station or proposed one and that the application will serve the public interest.

RECOMMENDS DENYING GEORGIA STATION

The North Georgia Broadcasting Company applied to the Federal Communications Commission for a construction permit for the erection of a new station at Rossville, Ga., to use 1200 kilocycles; 100 watts power and daytime operation.

Examiner P. W. Seward in Report No. I-396 recommended that the application be denied. He found that the applicant is not "financially qualified to construct and operate the proposed station", also he states that "the evidence adduced at the hearing does not show that a need exists for additional radio service in the area proposed to be served."

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them:

Nos. 3108-3109. Alleging unfair competition through use of lottery methods in the sale of candy, complaints have been issued against **Unique Novelties, Inc.,** and **Winthrop Novelty Co., Inc.,** both of 35-37 Claver Place, **Brooklyn.**

The complaint against **Unique Novelties, Inc.,** charges use of a game of chance in the distribution of an assortment of caramels together with small and large pennants which allegedly are distributed free to purchasers procuring caramels of a certain color. This company is also alleged to have sold an assortment of chewing gum by a lottery method in which felt pennants were distributed.

Winthrop Novelty Co., Inc., is alleged to have sold an assortment composed of 150 caramels, together with 12 jigsaw puzzles which were given free to purchasers procuring candies having a certain colored center.

The Winthrop company is also charged with representing itself as a manufacturer, when, in fact, it does not own or control a plant or manufacture any of the candy sold by it.

No. 3110. Reliable Typewriter & Adding Machine Co., 303 West Monroe St., **Chicago,** is charged with unfair competition in the sale of its products, in a complaint.

Representations of the respondent company are alleged to mislead customers into believing that the company's small size adding machines will take the place of large and expensive machines; that its machines are accurate and easy to operate, and that the respondent company manufactures its products and wholesales them at $1.95 each, when, according to the complaint, these are not the facts.

The complaint alleges that the respondent company's adding machines are not comparable and equivalent to the large and more expensive machines in performance and special features; that the company wholesales its adding machines at less than $1.95 a unit, and that it does not manufacture its products, nor own a factory, but has its machines made by an independent establishment.

Nos. 3111-3112. Complaints alleging use of unfair methods of competition in the sale of candy by means of lottery methods have been issued against **Deran Confectionery Co.,** 134 Cambridge St., **Cambridge, Mass.,** and **Keeley's, Inc.,** 258 South State St., **Salt Lake City.**

Under the sales plan used by the Cambridge concern, it is charged that purchasers who select certain pieces of candy from an assortment receive a package or box of candy free.

The plan employed by Keeley's, Inc., it is alleged, involves use of a punch board, certain numbers on which entitle customers to a prize of a box or package of candy.

No. 3113. Charging unfair competition in the sale of cosmetics and toilet articles, a complaint has been issued against **William A. Woodbury Sales Co., Inc.,** 347 Fifth Ave., **New York,** and **William A. Woodbury, Richard Picard** and **Arthur Baum,** individually and as officers of the company.

Alleging violation of Section 5 of the Federal Trade Commission Act, the complaint charges the respondents with use of the words "turtle oil cream" in labels attached to containers of a product comprising an emulsion of oils and fats, the major portion of which preparation is allegedly not turtle oil. The complaint points out that many purchasers prefer facial creams with a turtle oil base.

In selling face creams, shaving creams, tooth pastes and other cosmetics and dentifrices, the respondents are alleged to have had printed on their cartons: "Prepared by William A. Woodbury Corporation." This and other similar designations allegedly serve as representations that William A. Woodbury Sales Co., Inc., is a manufacturer and that it manufactures and prepares the products sold by the respondents, when, according to the complaint, this company operates no factory and is not a manufacturer of such articles.

No. 3115. Lechler Laboratories, Inc., 334 Audubon Ave., **New York,** is charged in a complaint with unfair competition in the interstate sale of its "Lechler '569' Instantaneous Hair Lightener."

The respondent company is alleged to have represented, either directly or by implication, that its hair lightener requires no peroxide; that the bleaching agent of this product is not similar to peroxide, and performs its bleaching action without peroxide, and that the preparation does not contain peroxide and is superior to products which do contain it.

According to the complaint, the respondent company's article is composed of such ingredients that its bleaching action is actually accomplished by hydrogen peroxide. Allegedly it does contain peroxide, and its bleaching action is not substantially different from other products of which peroxide is a part.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 1802. An order has been issued vacating and setting aside an order to cease and desist entered April 3, 1934, against **National Candy Co., Inc., St. Louis,** prohibiting unfair competition in the sale of candy by methods involving a lottery or game of chance.

The Commission has also issued an amended and supplemental complaint charging this company with practices similar to those alleged in the former complaint, namely, distributing to dealers candy so packed and assembled as to involve use of a lottery scheme when sold to consumers.

Such alleged lottery scheme, according to the amended complaint, was affected through use of assortments of uniform sized candies, a small number of which had centers of a different color. Buyers drawing the pieces of different color or the last piece in the assortment, received a prize, according to the amended complaint.

No. 1968. Stark Calendars, Inc., 203 South Dearborn St., Chicago, agreed to cease using in catalogues or on letterheads such words as "Manufacturers" or "Manufactured By" so as to imply that it makes the calendar pads and stands it sells, or that it owns or controls a plant where such products are manufactured. The corporation also will stop stamping its products with the phrase "Pat. Appl'd For," when, in fact, application for a patent has not been made.

No. 1969. Henry F. Martinat, trading as Martinat Hosiery Mills, Valdese, N. C., agrees to stop using the phrase "Pure Thread Silk Reinforced with Art Silk," to designate hosiery not composed of silk, and from use of the word "Silk," alone or with other words, to imply that the products so referred to are made of silk. The stipulation provides that should such articles be composed in substantial part of silk, that word, if used to describe such silk content, shall be accompanied by other words in equally bold type to show that the articles are not made altogether of silk.

No. 1970. Eddie Manufacturing Co., 9 West Illinois St., Chicago, will discontinue as a trade name or brand for its radio dials the name "Majestic," either alone or with the words "Radio Corporation" or with any other words so as to create the impression that the dials or the radio sets to which they are attached are manufactured by Grigsby-Grunow Company or its successor in business, Majestic Radio and Television Corporation of Chicago, when such is not a fact. According to the stipulation, the right to use the name "Majestic" is vested in the latter corporation.

No. 1971. Under a stipulation entered into, **Percy S. Lucas** and **Gerald A. Rice,** trading as **Edison Electrical Schools,** 1740 University Ave., **Berkeley, Calif.,** will cease using certain unfair methods of competition in connection with the sale of correspondence courses in Diesel and radio engineering.

They agreed to discontinue use of representations in advertisements which may tend to confuse or mislead applicants for employment into the erroneous belief that they are in a position to offer employment to men mechanically inclined. They also will stop advertising their business in newspapers under the classification heading "Help Wanted—Men" or "Reliable Men Wanted," when, in fact, the purpose of such advertising is not to obtain male help but to enroll students for a course of instruction.

No. 1973. G. M. and R. J. Plate, trading as The Plate Manufacturing Co., 1328 Broadway, New York, in selling a powdered ammonia alum product, originally under the trade name "Kant-Run" but more recently as "HoSaver," stipulate that they will desist from use in advertisements of the representation "Protects lingerie and silk and rayon hose against runs, rips, snags and breaks," or of other assertions of like meaning when the preparation will not accomplish the results claimed.

No. 1974. H. O. Schmidt and R. C. Kruger, trading as Delta Manufacturing Co. and Delta Furniture Co., 2939 North Oakley Ave., Chicago, engaged in the sale of telephone cabinets, stipulated that they will cease using the words "Manufacturing" in their trade name, or any other words or assertions of similar meaning, or the pictorial representation of a factory to imply that they make the products they sell, or that they own or operate a plant in which such products are manufactured. They also will discontinue representing that their cabinets are made of "only the finest woods" or entirely of quartered oak, when such are not the facts.

No. 1975. Dunham Co., Berea, Ohio, selling farm machinery, agreed to cease representations in advertising matter to the effect that throughout the world at the present time there are 450,000 Dunham machines in use, and that such machines work and re-work 110,000,000 acres every year. According to the stipulation, the representations as to the number of machines in operation and the acreage on which such machines are used are not warranted as they are not properly based on accurately compiled facts.

No. 1976. J. P. Smith Shoe Co., 671 Sangamon St., Chicago, according to its stipulation, will stop using the words "British Walkers" to imply that its shoes are of British origin or made in Great Britain, and, if such a phrase is used as a trade name, brand or label for its shoes, it will be accompanied in equally large type by other words clearly showing that such shoes are not of British origin or made in Great Britain. The stipulation points out that at a time subsequent to its use of the foregoing practice the respondent company caused the phrase "Made in U. S. A." to be stamped below the words "British Walkers," but in comparatively small and inconspicuous type.

No. 1977. Herbert R. Johnson, 4554 Broadway, Chicago, trading as Johnson's Battery Process Co., and selling a battery solution, will discontinue in his advertising matter representations to the effect that his product will counteract the corrosive elements of storage battery electrolyte, restore the efficiency of used batteries, remove sulphate from the plates, or give batteries longer life and superior performance, when such are not the facts. Johnson also stipulated that he will stop using the words "Automotive Test Laboratories of America" on his so-called certificates of merit so as to imply that such laboratory is an accredited institution and that his product has been tested by it or by any accredited testing laboratory, when such is not a fact. According to the stipulation, Johnson's product, known as "Johnson's Battery Process" or "Johnson's More Power," will not in any manner change the performance of or be beneficial to a battery, nor has it been tested by an accredited testing laboratory.

No. 2852. I. B. Kleinert Rubber Co., 485 Fifth Ave., **New York,** has been ordered to cease and desist from representing in advertising matter that a baby garment it sells in interstate commerce under the trade name "Softex," or any other trade name, is free from latex or any other form of gum rubber, or is rubberless, when, in fact, some parts of the garment contain latex or some form of rubber. The respondent company's representations were found to constitute unfair methods of competition, in violation of Section 5 of the Federal Trade Commission Act.

No. 2963. Under an order entered, **Zion Holy Spiritual Mission** and **Eustace N. French,** trading as **Zion Holy Spiritual Mission Laboratories,** 3338 South State St., **Chicago,** have been directed to discontinue unfair methods of competition in connection with the interstate sale of medicinal products.

Specifically, the respondents are ordered to cease and desist from representing, through use of the words "laboratories" and "manufacturers," alone or with other words, or through any other means, that they compound or manufacture their medicinal products, until and unless they own and operate or control a laboratory or plant wherein such products are made.

No. 2976. Olson Rug Co., 2800 North Crawford Ave., **Chicago,** has been ordered to cease and desist from using unfair methods of competition in connection with the interstate sale of rugs which it manufactures from old materials, such as used rugs, carpets and clothing.

Findings in the case are that advertisements in newspapers, catalogues, sample books and other advertising matter contained representations tending to cause a part of the purchasing public to form the mistaken belief that the rugs which the respondent company sells are made from the identical materials sent to it by each customer, together with other materials furnished by the respondent company, such as new wool. It was found that the Olson company does not make a practice of manufacturing the rugs it delivers to customers from the specific materials they send in, but makes them from old materials previously sent in by other customers.

Nos. 3048 and 3080. Orders to cease and desist have been issued against a **Chicago** distributor of a foot treatment and a **New York** manufacturer of a skin treatment, directing those companies to stop misrepresenting the healing value of their products.

Pedodyne Co., Inc., 180 North Wacker Drive, **Chicago,** is ordered to stop asserting that "Pedodyne," sold as a bunion treatment, will banish, cure or heal bunions or give perfect foot comfort, or that it will end bunion torture, give permanent results, penetrate beneath the outer skin, and is a scientific or recent discovery.

No. 3056. Winifred Sorenson and **Edward Beales,** trading as **Sorenson-Beales Candy Co.,** 1114 Fifth St., **Sioux City, Iowa,** have been ordered to cease and desist from selling and distributing in interstate commerce candy so packed and assembled that sales to the public are to be made, or may be made, by means of a lottery scheme.

Findings are that the respondents distributed to wholesalers and jobbers certain assortments of candy together with pushcards. The Commission's order directs that the respondents discontinue supplying dealers with such pushcards, either with assortments of candy or separately, for use in the sale of candy to the purchasing public.

No. 3066. An order to cease and desist has been issued against **Russek's Fifth Avenue, Inc.,** Fifth Avenue at Thirty-Sixth St., **New York,** directing discontinuance of certain unfair methods of competition in the sale of dress goods and garments.

Such merchandise is not to be described as silk, according to the order, when not composed entirely of silk, and the word "satin" is not to be used, alone or with other words, to refer to the fabric of merchandise, dress goods or garments not made wholly from silk.

FTC CLOSES CASES

No. 2730. The Federal Trade Commission has closed its case against **W. H. Charleston,** who traded as **Marajah & Co.** and as **Kala Products Co.,** at 5930 South Parkway, **Chicago.** The case was closed for the reason that the respondent is no longer engaged in the sale of cosmetics and medicinal preparations, and therefore has discontinued the practices alleged in the complaint which the Commission issued against him, and which alleged the use of unfair methods of competition. The case was closed without prejudice to the Commission's right to reopen it should circumstances warrant.

The Commission also dismissed its complaint against the **Chilean Nitrate Sales Corporation** and the **Chilean Nitrate Educational Bureau, Inc.,** a subsidiary, New York corporations with offices at 120 Broadway, **New York City.**

The complaint was dismissed upon execution of a stipulation with the Commission by the respondent corporations.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, May 3:

Monday, May 3

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—J. Leslie Doss, Sarasota, Fla.—C. P., **1390 kc.,** 250 watts, daytime.

NEW—KLZ Broadcasting Co., Denver, Colo.—C. P., **1210 kc.,** 100 watts, 250 watts LS, unlimited.

WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—Modification of license, **920 kc.,** 250 watts, 500 watts LS, unlimited. Present assignment: **920 kc.,** 250 watts, 500 watts LS, share WRAX.

WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—Authority to transfer control of corporation to John Iraci; **920 kc.,** 250 watts, 500 watts LS, share WRAX.

WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—Modification of license, **920 kc.,** 1 KW, share WRAX day and night. Present assignment: **920 kc.,** 250 watts, 500 watts LS, share WRAX.

WRAX—WRAX Broadcastnig Co., Philadelphia, Pa.—Authority to transfer control of corporation to John Iraci; **920 kc.,** 250 watts, 500 watts LS, share WPEN.

WRAX—WRAX Broadcasting Co., Philadelphia, Pa.—Modification of license, **920 kc.,** 1 KW, share WPEN day and night. Present assignment: **920 kc.,** 250 watts, 500 watts LS, share WPEN.

WORL—Broadcasting Service Organization, Inc., Boston, Mass.—C. P., **920 kc.,** 1 KW, unlimited time. Present assignment: **920 kc.,** 500 watts, day.

Tuesday, May 4

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Clarence A. Berger and Saul S. Freeman, Coeur d'Alene, Idaho.—C. P., **1200 kc.,** 100 watts, daytime.

KGKO—Wichita Falls Broadcasting Co., Wichita Falls, Tex.—Modification of C. P., **570 kc.,** 1 KW, 5 KW LS, unlimited time (directional antenna). Present assignment: **570 kc.,** 250 watts, 1 KW LS, unlimited time.

WSAJ—Grove City College, Grove City, Pa.—Renewal of license, **1310 kc.,** 100 watts, specified hours.

Wednesday, May 5

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—David J. Mercier and Geo. F. Warren, d/b as Northern Broadcasting Co., Traverse City, Mich.—C. P., **830 kc.,** 500 watts, daytime.

WLB—University of Minnesota, Minneapolis, Minn.—C. P., **760 kc.,** 1 KW, 5 KW LS, S-WCAL (⅔ daytime). Present assignment: **1250 kc.,** 1 KW S.H.

WCAL—St. Olaf College, Northfield, Minn.—C. P., **760 kc.,** 1 KW, 5 KW LS, S-WLB (⅓ daytime). Present assignment: **1250 kc.,** 1 KW, 2½ KW LS, specified hours.

WTCN—Minn. Broadcasting Corp., Minneapolis, Minn.—Modification of license, **1250 kc.,** 1 KW, 5 KW LS, unlimited time. Present assignment: **1250 kc.,** 1 KW, 5 KW LS, specified hours.

Thursday, May 6

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. 1-336:

NEW—Advertiser Publishing Co., Ltd., Honolulu, T. H.—C. P., **1370 kc.,** 100 watts, unlimited time.

NEW—Fred J. Hart, Honolulu, T. H.—C. P., **600 kc.,** 250 watts, unlimited time.

Examiner's Report No. 1-360:

NEW—Central States Broadcasting Co., Council Bluffs, Iowa.—C. P., **1500 kc.,** 100 watts, unlimited time.

Examiner's Report No. 1-361:

WLLH—Merrimac Broadcasting Co., Inc., Lawrence, Mass.—Special experimental authority, **1370 kc.,** 10 to 100 watts, unlimited time, synchronously with WLLH. Present assignment: **1370 kc.,** 100 watts, 250 watts LS, unlimited time.

Examiner's Report No. 1-362:

NEW—Sioux City Broadcasting Co., Sioux City, Iowa.—C. P., **1420 kc.,** 100 watts, 250 watts LS, unlimited.

NEW—C. W. Corkhill, Sioux City, Iowa.—C. P., **1420 kc.,** 100 watts, unlimited time.

Friday, May 7

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—W. E. Whitmore, Hobbs, N. Mex.—C. P., **1500 kc.,** 100 watts, daytime.

WEAN—The Yankee Network, Inc., Providence, R. I.—C. P., **780 kc.,** 1 KW, 5 KW LS, unlimited time. Present assignment: **780 kc.,** 1 KW, unlimited time.

NEW—Warner & Tamble Radio Service (R. V. Warner and G. H. Tamble), Memphis, Tenn.—C. P., **2558 kc.,** 25 watts, unlimited.

APPLICATIONS GRANTED

KIDO—Frank L. Hill and C. C. Phillips, d/b as Boise Broadcast Station, Boise, Idaho.—Granted amended C. P. covering changes in equipment and increase in day power from 2½ KW to 5 KW.

WTMJ—The Journal Co. (The Milwaukee Journal), Milwaukee, Wis.—Granted C. P. to install new equipment.

KGGC—The Golden Gate Broadcasting Co. (Robert J. Craig), San Francisco, Calif.—Granted C. P. approving transmitter site and vertical radiator.

KAWM—A. W. Mills, Gallup, N. Mex.—Granted license to cover C. P. as modified, **1500 kc.,** 100 watts, unlimited time.

WCPO—Continental Radio Co., Cincinnati, Ohio.—Granted license to cover C. P., **1200 kc.,** 100 watts night, 250 watts day, unlimited time.

WCAX—Burlington Daily News, Inc., Burlington, Vt.—Granted license to cover C. P., **1200 kc.,** 100 watts night, 250 watts day, specified hours.

WPRA—Puerto Rico Advertising Co., Mayaguez, P. R.—Granted modification of C. P. covering authority to install apparatus other than that previously approved and extend commencement date to 30 days after grant and completion date to 90 days after grant.

WSAU—Northern Broadcasting Co., Inc., Wausau, Wis.—Granted authority to make changes in automatic frequency control equipment.

WWJ—The Evening News Assn., Inc., Detroit, Mich.—Granted extension of present license for a period of 1 month.

WSAN—WSAN, Inc., Allentown, Pa.—Granted renewal of license on a temporary basis, pending hearing on renewal application.

WCBA—B. Bryan Musselman, Allentown, Pa.—Granted renewal of license on a temporary basis, pending hearing on renewal application.

KDAL—Red River Broadcasting Co., Inc., Duluth, Minn.—Granted renewal of license on a temporary basis, pending hearing on renewal application.

WNBR—Memphis Broadcasting Co., Memphis, Tenn.—Granted extension of present license for a period of 1 month.

WTNJ—WOAX, Inc., Trenton, N. J.—Granted extension of present license for a period of 1 month.

KGMB—Honolulu Broadcasting Co., Ltd., Honolulu, T. H.—Granted renewal of license on a temporary basis and application for renewal set for hearing.

KHBC—Honolulu Broadcasting Co., Ltd., Hilo, T. H.—Granted renewal of license on a temporary basis and application for renewal set for hearing.

KgXCJ—Honolulu Broadcasting Co., Ltd., Mobile.—Same, except experimental relay broadcast station.

KFDY—South Dakota State College, Brookings, S. Dak.—Granted special temporary authority to operate 8:45 to 9:45 p. m., CST, April 28, 1937, to broadcast debate between South Dakota State College and Yankton College.

SET FOR HEARING

NEW—Continental Radio Company, Denver, Colo.—Application for C. P. for new station to operate on **630 kc.,** 500 watts night, 1 KW day, unlimited time, exact transmitter and studio sites to be determined with Commission's approval.

NEW—Floyd A. Parton, San Jose, Calif.—Application for C. P. for new station to operate on **1150 kc.,** 250 watts, day only, exact transmitter site to be determined with Commission's approval.

NEW—William F. Maag, Jr., Youngstown, Ohio.—Application for C. P. for new station to operate on **1420 kc.,** 100 watts, daytime only, exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

NEW—Havens & Martin, Inc., Petersburg, Va.—Application for C. P. for new broadcast station to operate on **1210 kc.,** 100 watts night, 250 watts day, specified hours as follows: unlimited, except Sundays, 10:30 a. m. to 1:30 p. m.; 5:30 to 7 p. m., and 7:30 to 9:30 p. m., EST; transmitter and studio sites to be approved. (Applicant requests facilities of WMBG when that station changes frequency from **1210 kc.** to **1350 kc.**)

NEW—Arthur Lucas, Savannah, Ga.—Application for C. P. for new station to operate on **1310 kc.,** 100 watts night-day, unlimited time, exact transmitter and studio sites and type of antenna to be determined subject to Commission approval.

NEW—The Hampden-Hampshire Corp., Holyoke, Mass.—Application for C. P. for new station to operate on **1240 kc.,** 1 KW, unlimited time, using directional antenna system for both day and night-time operation.

NEW—E. B. McChristy, Brownwood, Tex.—Application for C. P. for new station to operate on **630 kc.,** 250 watts day, exact transmitter and studio sites to be determined subject to Commission approval.

NEW—Utica WUTK, Inc., Utica, Oneida Co., N. Y.—Application for C. P. for new station to operate on **1420 kc.,** 100 watts, unlimited time, exact transmitter site to be determined with Commission's approval.

KATE—Albert Lea Broadcasting Corp., Albert Lea, Minn.—Application for modification of C. P. for change in studio location locally; install new equipment; change frequency from **1200 kc.** to **1420 kc.;** increase power from 100 watts to 250 watts, davtime only.

WHKC—Associated Broadcasting Corp., Columbus, Ohio.—Application for C. P., already in hearing docket, amended to request move of transmitter site to site to be determined (locally); install new equipment and vertical radiator; increase night power from 500 watts to 1 KW and day power from 500 watts to 5 KW, limited time.

KFRU—KFRU, Inc., Columbia, Mo.—Application for C. P., already in hearing docket, amended to request move of transmitter site locally to site to be determined; install new equipment; increase night power from 500 watts to 5 KW and day power from 1 KW to 5 KW. To be heard before the Broadcast Division.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KFBK, Sacramento, Calif.; WBBR, Brooklyn, N. Y.; WHK, Cleveland, Ohio; WHP, Harrisburg, Pa.; WTFI, Athens, Ga.

KGDY—Voice of South Dakota, Huron, S. Dak.—Granted renewal of license on a temporary basis subject to whatever action may be taken by the Commission upon the pending application for renewal.

WKBH—WKBH, Inc., La Crosse, Wis.—Granted renewal of license on a temporary basis subiect to whatever action may be taken by the Commission upon the pending application for renewal.

KGNC—Plains Radio Broadcasting Co., Amarillo, Tex.—Granted renewal of license on a temporary basis only subject to whatever action may be taken upon application for renewal and upon the question of transfer of control of this station.

WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—Granted conditional renewal of license on a temporary basis only subject to whatever action may be taken upon application for renewal and upon petition of WSPD in opposition to the granting of renewal of license to this station; also subject to the condition that applicant shall not permit the night-time signal intensity without attenuation of station WFEA radiated in the direction of station WSPD to be greater than 62.5 millivolts per meter at a distance of 1 mile from transmitter of WFEA.

KXYZ—Harris County Broadcast Co., Houston, Tex.—Present license extended on a temporary basis only for the period May 1 to June 1, 1937, pending receipt and action on renewal application.

WQDM—E. J. Regan and F. Arthur Bostwick, d/b as Regan & Bostwick, St. Albans, Vt.—Present license extended on a temporary basis only for the period May 1 to June 1, 1937, pending receipt and action on renewal application.

WSMB—WSMB, Inc., New Orleans, La.—Present license extended on a temporary basis only for the period May 1 to June 1, 1937, pending receipt and action on renewal application.

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska.—Present license extended on a temporary basis only for the period May 1 to June 1, 1937, subject to such action as may be taken on pending application for renewal.

WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—Present license extended on a temporary basis only for the period May 1 to June 1, 1937, subject to such action as may be taken on pending application for renewal.

KGBU—Alaska Radio & Service Co., Inc., Ketchikan, Alaska.—Present license extended on a temporary basis only for the period May 1 to June 1, pending receipt and action on renewal application.

W3XDD—Bell Tel. Labs. Inc., Whippany, N. J.—Granted renewal of experimental broadcast station license for the period May 1, 1937, to May 1, 1938, in exact conformity with existing license.

W8XO—The Crosley Radio Corp., Nr. Mason, Ohio.—Granted renewal of experimental broadcast station license for the period May 1, 1937, to May 1, 1938, in exact conformity with existing license.

W3XL—National Broadcasting Co., Inc., Bound Brook, N. J.—Granted renewal of experimental broadcast station license for the period May 1, 1937, to May 1, 1938, in exact conformity with existing license.

W8XAR—Westinghouse E & M Co., Nr. Saxenburg, Pa.—Granted renewal of experimental broadcast station license for the period May 1, 1937, to May 1, 1938, in exact conformity with existing license.

W2XKI—National Broadcasting Co., Inc., New York City.—Granted renewal of experimental broadcast station license for the period May 1, 1937, to May 1, 1938, on an experimental basis subject to change without prior notice or hearing.

W10XR—National Broadcasting Co., Inc., Portable-Mobile.—Granted renewal of experimental broadcast station license for the period May 1, 1937, to May 1, 1938, on an experimental basis subject to change without prior notice or hearing.

W1XEH—The Travelers Broadcasting Serv. Corp., Avon, Conn.—Granted renewal of experimental broadcast station license for the period May 1, 1937, to May 1, 1938, on an experimental basis subject to change without prior notice or hearing.

W1XAC—The Yankee Network, Inc., Quincy, Mass.—Granted renewal of experimental broadcast station license for the period May 1, 1937, to May 1, 1938, on an experimental basis subject to change without prior notice or hearing.

W1XEV—Conn. State College, Storrs, Conn.—Granted renewal of experimental broadcast station license for the period May 1, 1937, to May 1, 1938, on an experimental basis subject to change without prior notice or hearing.

W9XER—Midland Broadcasting Co., Inc., Kansas City, Mo.—Granted renewal of high frequency broadcast station license on an experimental basis for the period ending April 1, 1938, subject to change without prior notice or hearing.

W4XCA—Memphis Commercial Appeal Co., Memphis, Tenn.—Present high frequency broadcast (experimental) station license extended for a period of one month from May 1 to June 1, 1937, pending receipt and action on application for renewal of license.

SPECIAL AUTHORIZATIONS

WTAW—Agricultural and Mech. College of Texas, College Station, Tex.—Granted special temporary authority to operate from 3:50 to 7 p. m., CST, May 4, 13; from 3:55 to 4:30 p. m., and 5:30 to 7 p. m., CST, May 14; and 2:55 to 6 p. m., CST, May 8 in order to broadcast intercollegiate baseball games.

WCAD—St. Lawrence University, Canton, N. Y.—Granted special temporary authority to operate from 1:30 to 3 p. m., and 4 p. m. to local sunset (April sunset, 6:45 p. m.), April 30, 1937 (instead of May 1, 1937, as granted on April 2, 1937), in order to broadcast baseball games.

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Granted special temporary authority to operate from 9:30 to 10 p. m., EDST, Thursday, April 29, in order to broadcast a speech by James Roosevelt, guest of honor at banquet to be tendered Peter F. Tague, Postmaster, Boston.

WAAF—Drovers Journal Pub. Co., Chicago, Ill.—Granted special temporary authority to operate from 5 to 6 a. m., CST, from April 25 to August 31, 1937, in order to conform with the adoption of Daylight Saving Time in Chicago.

WPTF—WPTF Radio Company, Raleigh, N. C.—Granted special temporary authority to rebroadcast special NBC program of the coronation of King George VI from 4 to 6 a. m., EST, Wednesday, May 12, 1937.

WSMK—WSMK, Inc., Dayton, Ohio.—Granted special temporary authority to operate simultaneously with station KQV from 8 to 9:30 p. m., EST, Friday, May 14, in order to broadcast a Band Festival of the Oakwood High Schools.

WAGM—Aroostook Broadcasting Corp., Presque Isle, Maine.—Granted special temporary authority to operate on Eastern Daylight Saving Time in place of EST for period April 25 to July 1, 1937.

WCAX—Burlington Daily News, Inc., Burlington, Vt.—Granted special temporary authority to operate Daylight Saving Time instead of EST as licensed, during the period that DST is recognized as official time in Burlington, Vt., but for the period beginning April 25 and ending no later than June 1, 1937.

WFBG—The Gable Broadcasting Co. (Lessee), Altoona, Pa.—Granted special temporary authority to operate new WE 100-watt transmitter, style 310A, for period not to exceed 30 days, pending receipt and action on application for C P.

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Granted special temporary authority to operate a 100 watt portable test transmitter on **1290 kc.**, between the hours of 1 and 6 a. m., MST, for the period ending in no event later than May 10, in order to conduct location survey.

KRMC—Roberts-MacNab Co., Jamestown, N. Dak.—Granted special temporary authority to operate unlimited nighttime for a period not to exceed 30 days or in no event later than June 1 (provided KVOX remains silent).

WFLA-WSUN—Clearwater Chamber of Commerce and St. Petersburg Chamber of Commerce, Clearwater, Fla.—Granted special temporary authority to transmit programs originating aboard the Yacht IORANO for a period not to exceed 30 days.

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Granted extension of special temporary authority to operate with power of 50 watts from local sunset (May sunset 7:15 p. m.), to 11 p. m., EST, on Tuesdays, Thursdays, Saturdays and Sundays, beginning May 1 and ending in no event later than May 30, 1937, pending compliance with Rule 131 on modification of license application requesting this authority.

KGNC—Plains Radio Broadcasting Co., Amarillo, Tex.—Granted special temporary authority to rebroadcast over radio station KGNC the conversation taking place between general experimental portable mobile stations W5XAS and W5XAR, operating on frequency of **31600 kc.**, for 1 hour between dates of May 1 and May 6, 1937, flying weather permitting.

WNAD—University of Oklahoma, Norman, Okla.—Granted special temporary authority to operate from 2 p. m. to 4 p. m., CST, May 3 to 6, 1937, inclusive (provided KGGF remains silent), in order to broadcast a special educational program.

WCBD—WCBD, Inc., Chicago, Ill.—Granted extension of special temporary authority to use transmitter of WMBI for the period of 30 days from May 3, pending repair to WCBD's transmitter, which was destroyed by fire.

WHDF—The Upper Mich. Broadcasting Co., Calumet, Mich.—Granted special temporary authority to operate from 12:30 to 1 p. m., CST, May 5, 12, 19 and 26, 1937, in order to broadcast religious programs of Calvary Northland Mission stations of Ontonagon, Mich.

KGGF—Powell & Platz, Coffeyville, Kans.—Granted special temporary authority to operate from 7:15 to 9:15 P. M., CST, May 11, 13, 18, 20, 25 and 27, and from 8:15 to 9:15 p. m., CST, May 12, 19 and 26 (provided WNAD remains silent), in order that WNAD may remain silent during University examinations and vacation.

Ben S. McGlashan, Aboard Yacht EL PERRITO—Granted special temporary authority to operate ship transmitter WDFL aboard Yacht EL PERRITO as a relay broadcast station utilizing frequencies **1622, 2058, 2150, 2790 kcs.**, in order to broadcast Foreign Trade Week Program sponsored by Los Angeles Chamber of Commerce, for period May 15 to May 22, 1937.

W10XGY—Donald Roebling on board yacht IORANO—Granted special temporary authority to operate general experimental station aboard yacht IORANO as a relay broadcast station to transmit programs, under sponsorship of Smithsonian Institution over station WFLA-WSUN, Clearwater, Fla., for period not to exceed 30 days.

WSAY—Brown Radio Service Lab., Rochester, N. Y.—Granted special temporary authority to operate from 12 midnight to 6 a. m., EST, April 25 through May 10, 1937, for purpose of taking field intensity measurements. However, not permitted to operate during hours prescribed for Commission's monitoring schedule in May.

WXYZ—King-Trendle Broadcasting Corp., Detroit, Mich.—Granted special temporary authority to operate with power not to exceed 25 watts on the following frequencies: **550, 590, 650, 710, 780, 830, 890, 940, 990, 1050, 1100, 1140, 1190, 1240, 1300, 1350, 1400, 1460, 1520, 1550** and **1600 kc.**, between hours of 1 and 6 a. m., for period May 1 to 21, 1937, in order to obtain information on the performance of roof antennas by taking measurements of field produced by new tower at various heights, providing operating schedule is arranged so objectionable interference is not caused to any station maintaining regular program during this period.

EXAMINERS' REPORTS RELEASED SINCE APRIL 20, 1937

WMEX—Ex. Rep. 1-392: The Northern Corporation, Boston, Mass.—Examiner John P. Bramhall recommended grant of application for C. P. to change frequency from **1500 kc.** to **1470 kc.**, and power from 100 watts, 250 watts LS, to 5 KW.

KARK—Ex. Rep. 1-393: Arkansas Radio & Equipment Co., Little Rock, Ark.—Examiner Bramhall recommended grant of modification of C. P. to change power from 500 watts, 1 KW LS, to 1 KW, unlimited.

NEW—Ex. Rep. 1-394: Arthur H. Croghan, Minneapolis, Minn.—Examiner M. H. Dalberg recommended denial of application for C. P. for new station to operate on **1310 kc.**, 100 watts, daytime.

NEW—Ex. Rep. 1-395: The Journal Company, Milwaukee, Wis.—Examiner R. L. Walker recommended denial of application for C. P. to operate on **1570 kc.**, 1 KW, unlimited time.

NEW—Mid-Atlantic Corp., Washington, D. C.—Examiner R. L. Walker recommended denial of application for C. P. to operate on **1570 kc.**, 1 KW, unlimited time.

NEW—Trenton Times, Trenton, N. J.—Examiner Walker recommended grant of application for C. P. for new station to operate on **1570 kc.**, 250 watts, unlimited.

NEW—Ex. Rep. 1-396: F. M. Gleason, d/b as North Georgia Broadcasting Co., Rossville, Ga.—Examiner P. W. Seward recommended denial of application for C. P. for new station to operate on **1200 kc.**, 100 watts, daytime.

NEW—Ex. Rep. 1-397: The Metropolis Company, Jacksonville, Fla.—Examiner Dalberg recommended grant of application for C. P. for new station to operate on **1290 kc.**, 250 watts, unlimited time.

NEW—Ex. Rep. 1-398: Stanley Reid and Chas. Withnell Boegel, Jr., d/b as The Rapids Broadcasting Co., Cedar Rapids, Iowa.—Examiner Geo. H. Hill recommended denial of application for C. P. for new station to operate on **1310 kc.**, 100 watts, unlimited time.

KSFO—Ex. Rep. 1-399: The Associated Broadcasters, Inc., Assignor, and Western Broadcast Co. (now Columbia Broadcasting System of California), Assignee.—Examiner R. H. Hyde recommended denial of application for consent to voluntary assignment of license of station KSFO, San Francisco, to the Columbia Broadcasting System of California, Inc. Station operates on **560 kc.**, 1 KW, unlimited time.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

NEW—Ben S. McGlashan, San Diego, Calif.—C. P., **550 kc.**, 250 watts, daytime.

KFVD—Standard Broadcasting Co., Los Angeles, Calif.—Application for **990 kc.**, 250 watts, 250 watts LS, limited time.

APPLICATION DENIED

NEW—Scott M. Matheson, d/b as Provo Broadcast Co., Provo, Utah.—Denied as in cases of default for failure to file an appearance in accordance with Rule 104.6(c) application for C. P. for **1210 kc.**, 100 watts, 100 watts LS, unlimited time.

APPLICATION RETIRED TO FILES

WLBL—State of Wisconsin, Wisconsin Department of Agriculture and Markets, Stevens Point, Wis.—Application for **900 kc.**, 5 KW LS, specified hours, retired to files, inasmuch as a succeeding application to move transmitter, install new equipment and antenna, increase power to 5 KW, and change hours of operation from specified to daytime only, was granted without a hearing on September 22, 1936.

MISCELLANEOUS

KUJ—KUJ, Inc., Walla Walla, Wash.—Denied petition asking Commission to reconsider action denying application in Docket No. 3187, and to remand application to docket section for further hearing. This is an application for modification of license to install new equipment, move transmitter locally, change frequency from **1370 kc.** to **1250 kc.**, and to increase power from 100 watts, unlimited, to 250 watts, unlimited.

WSOC—WSOC, Inc., Charlotte, N. C.—Granted petition to intervene in hearing on application of Carolina Radio, Inc., for C. P. to erect new broadcast station at Charlotte, N. C., to operate on **880 kc.**, 500 watts night, 1 KW LS, unlimited time (Docket 4488).

Columbia Radio Co., Inc., Columbia, S. C.—Granted petition for continuance of hearing on application of Carolina Advertising Corp. Hearing scheduled for May 10, 1937, now fixed for May 24, 1937. This application by Carolina Advertising Corp. is for C. P. to erect new broadcast station at Columbia, S. C., to operate on **1370 kc.**, 100 watts night, 250 watts day, unlimited time.

NEW—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Denied petition asking Commission to reconsider its action of April 9, 1937, in designating for hearing application for new broadcast station at Raleigh, N. C., to operate on **1210 kc.**, 250 watts, daytime only, and to grant the same without hearing.

KHUB—F. W. Atkinson, Licensee, Watsonville, Calif.—Granted further extension for 60 days of temporary authority to Anna Atkinson, widow of F. W. Atkinson, who died April 3, 1937, to operate station pending filing of formal application looking toward transfer of license to the widow, sole beneficiary under will.

Robert Raymond McCulla, Oak Park, Ill.—Granted petition asking Commission to continue for 30 days hearing upon application for C. P. to authorize establishment of new broadcast station at Oak Park, Ill., upon frequency **1500 kc.**, 100 watts, daytime (Docket No. 3647).

WSPR—Quincy A. Brackett et al., d/b as Connecticut Valley Broadcasting Co., Springfield, Mass.—Granted petition to intervene in hearing of application of Westinghouse Electric & Manufacturing Co. (licensee WBZA, Springfield), for C. P. specifying **550 kc.**, 1 KW, unlimited time (Docket 4120).

WHDH—Matheson Radio Co., Inc., Boston, Mass.—Granted petition to intervene in proceedings upon application of Radio Broadcasting Service Organization, Inc. (WORL), Boston, for C. P. specifying the operating assignment of **920 kc.**, 1 KW, unlimited time (Docket 4206).

WOAI—Southland Industries, Inc., San Antonio, Tex., and Columbia Broadcasting System.—Granted 60-day postponement of oral argument (now scheduled for April 29) upon pending application for consent to transfer control of WOAI to the Columbia Broadcasting System.

WSAU—Northern Broadcasting Co., Inc., Wausau, Wis.—Hearing on application for modification of C. P. reopened. Further hearing is to determine stock ownership of applicant corporation.

EFFECTIVE DATES EXTENDED

NEW—Ex. Rep. 1-345: H. Wimpy, Albany, Ga.—Effective date of order extended to May 4, 1937.

NEW—Americus Broadcast Corp., Albany, Ga.—Effective date of order extended to May 4, 1937.

WSBT—Ex. Rep. 1-315: The South Bend Tribune, South Bend, Ind.—Effective date of order extended to May 11, 1937.

WEMP—Milwaukee Broadcasting Co., Milwaukee, Wis.—Effective date of order extended to May 11, 1937.

RATIFICATIONS

The Division ratified the following acts authorized on the dates shown:

W10XAL—Columbia Broadcasting System, New York City.—Granted authority to operate as licensed for period of 30 days from April 24.

W2XE—Columbia Broadcasting System, New York City.—Granted extension of equipment tests for period of 10 days from April 22.

WAAK-W4XBT-W4XBZ—Radio Station WSOC, Inc., Charlotte, N. C.—Granted authority to operate as licensed May 1, relaybroadcast program from Charlotte's new Municipal Airport over WSOC.

WCPO—Continental Radio Co., New York City.—Granted extension program test period 30 days from 4/18.

WAAQ-W8XIR—WGAR Broadcasting Co., Cleveland, Ohio.—Granted authority operate as licensed beginning 4/17 to 5/16, inclusive, relaybroadcast interviews with school children.

KFNF—KFNF, Inc., Shenandoah, Iowa.—Granted authority commence operation under terms of license granted July 22, 1936, and revised time sharing agreement submitted in December, 1936, inasmuch as WILL has been authorized to commence program tests on **520 kc.**, effective 4/19.

KUSD—University of South Dakota, Vermillion, S. D.—Granted authority commence operation under terms of license granted July 25, 1936, in accordance with revised time sharing agreement submitted by KFNF in December, 1936, inasmuch as WILL has been authorized to commence program tests on **580 kc.**, effective April 19.

WSBC—WSBC, Inc., Chicago, Ill.—Granted special temporary authority to use the facilities of WEDC beginning 6 a. m., CST, April 20, and ending no later than April 29, 1937, during equipment tests.

KSRO—Press Democrat Publishing Co., Santa Rosa, Calif.—Granted special temporary authority to operate a 100-watt test transmitter between 12 midnight and 6 a. m., PST, for period April 25 to May 4, in order to make field intensity survey tests.

WSVS—Elmer S. Pierce, Principal, Seneca Vocational High School, Buffalo, N. Y.—Granted special temporary authority to operate from 8:30 to 10 a. m. and from 2 to 3 p. m., EDST, instead of EST, from April 25 to June 30, 1937, provided WBNY remains silent.

Granted petition of WRBL Radio Station, Inc., to intervene in proceedings upon application of John C. Hughes for C. P. to erect new station at Phenix City, Ala., and denied petition of WRBL Radio Station, Inc., to postponement of the hearing upon the above application of Hughes, until such time as it might be heard simultaneously with the application of the petitioner.

Granted petition of WHFC, Inc., to intervene in proceedings upon application of Robert Ramond McCulla for C. P. for new broadcast station at Oak Park, Ill. (Docket 3647).

The Broadcast Division approved a letter to be sent to the licensees of all stations under the jurisdiction of the Broadcast Division requesting the submission immediately to the Commission properly certified copies of all contracts entered into since July 15, 1934 (not previously furnished), which may in anywise affect control of the station.

ACTION ON EXAMINERS' REPORTS

WKZO—Ex. Rep. 1-306: WKZO, Inc., Kalamazoo, Mich.—Granted C. P. to move transmitter from Nichol's Road, west of Kalamazoo, to (site to be determined, subject to Commission's approval), Kalamazoo Twp.; make changes in equipment; change power from 1 KW day to 250 watts night, 1 KW day; and change hours of operation from daytime to unlimited; **590 kc.** Examiner Geo. H. Hill sustained. Order effective June 8, 1937.

NEW—Ex. Rep. 1-329: Bayou Broadcasting Co., Houston, Tex.—Denied application for C. P. for new broadcast station to operate on **1210 kc.**, 100 watts, daytime. Examiner R. L. Walker reversed. Order effective June 15, 1937.

WGBI—Ex. Rep. 1-342: Scranton Broadcasters, Inc., Scranton, Pa.—Granted application for modification of license to increase power from 500 watts to 500 watts night, 1 KW day, **880 kc.**, share with WQAN. Examiner John P. Bramhall sustained. Order effective May 25, 1937.

KALB—Ex. Rep. 1-348: Alexandria Broadcasting Co., Inc., Alexandria, La.—Granted modification of license to change frequency from **1420 kc.** to **1210 kc.**; increase power from 100 watts day to 100 watts day and night; change hours of operation from daytime to unlimited. Examiner John P. Bramhall sustained. Order effective June 15, 1937.

NEW—Ex. Rep. 1-364: Isadore Goldwasser, Anniston, Ala.—Denied application for C. P. for new broadcast station to operate on **1420 kc.**, 100 watts, daytime. Examiner R. L. Walker reversed. Order effective June 1, 1937.

NEW—Ex. Rep. 1-368: H. W. Wilson and Ben Farmer, Wilson, N. C.—Granted application for C. P. for new broadcast station to operate on **1310 kc.**, 100 watts, daytime. Examiner P. W. Seward sustained. Order effective June 1, 1937.

ORAL ARGUMENT

WELI—Ex. Rep. 1-372: City Broadcasting Corp., New Haven, Conn.—Granted oral argument to be held May 27, 1937.

NEW—Lawrence K. Miller, Pittsfield, Mass.—Granted oral argument to be held May 27, 1937.

APPLICATIONS RECEIVED

First Zone

WORL—Broadcasting Service Organization, Inc., Boston, Mass.—
920 Construction permit to make changes in equipment.

WLWL—Missionary Society of St. Paul the Apostle, New York,
1100 N. Y.—Voluntary assignment of license from Missionary Society of St. Paul the Apostle to Arde Bulova.

WTNJ—WOAX, Inc., Trenton, N. J.—Construction permit to
1280 install a new transmitter.

WQXR—Interstate Broadcasting Co., Inc., New York, N. Y.—
1550 Construction permit to install new equipment, increase power from 1 KW to 5 KW, and give transmitter site as site to be determined, New York, N. Y.

NEW—National Broadcasting Co., Inc., vicinity of Canton and Enderbury Islands.—Construction permit for a new experimental broadcast station (on board U. S. S. Avocet) to be operated on **6425, 8655, 12862.5, 17310 kc.,** 1000 watts. Amended to change class of service from relay to experimental broadcast.

NEW—National Broadcasting Co., Inc., vicinity of Canton and Enderburv Islands.—License to cover above.

Second Zone

WQAN—The Scranton Times (copartnership), E. J. Lynett, Wm.
880 R. Lynett, Elizabeth R. Lynett and Edward J. Lynett, Scranton, Pa.—Modification of license to use WGBI's transmitter as a main transmitter and increase power from 250 to 500 watts.

WGBI—Scranton Broadcasters, Inc., Scranton, Pa.—License to use
880 the present transmitter of WQAN as an auxiliary transmitter for WGBI. Contingent upon the granting of application for modification of license to use WGBI's transmitter as WQAN's main transmitter and increase power.

WQAN—Tte Scranton Times (copartnership), E. J. Lynett, Wm.
880 R. Lynett, Elizabeth R. Lynett and Edward J. Lynett, Jr., Scranton, Pa.—License to use present main transmitter as an auxiliary transmitter. Contingent upon the granting of application to use WGBI's transmitter as WQAN's main transmitter and increase power.

KYW—Westinghouse Electric & Manufacturing Co., Philadelphia,
1020 Pa.—Construction permit to make changes in equipment and increase power from 10 KW to 50 KW. Amended to make changes in directional antenna.

WKOK—Sunbury Broadcasting Corp., Sunbury, Pa.—Modification
1210 of license to change hours of operation from specified hours to unlimited time.

WBLY—Herbert Lee Blye, Lima, Ohio.—Construction permit to
1210 make changes in transmitter and increase power from 100 watts to 250 watts.

WBLK—The Exponent Co., Clarksburg, W. Va.—License to cover
1370 construction permit (B2-P-1127) as modified, for a new station, requesting approval of studio site at Robinson Grand Theatre Bldg., 444½ W. Pike Street, Clarksburg, W. Va.

NEW—Richland Broadcasting Co., Mansfield, Ohio.—Construction
1370 permit for a new station to be operated on **1370 kc.,** 100 watts, daytime. Amended to change name from Frazier Reams to Richland Broadcasting Co.

WSMK—WSMK, Inc., Dayton, Ohio.—Construction permit to in-
1380 stall a new transmitter; increase power from 200 watts to 250 watts night, 500 watts day; change hours of operation from simultaneous day, specified hours night, to unlimited time; move transmitter from near Dayton, Ohio, to Montgomery County, Ohio; and install directional antenna for night use. Amended to make changes in directional antenna for night use.

Third Zone

KGKO—Wichita Falls Broadcasting Co., Wichita Falls, Texas.—
570 License to cover construction permit (B3-P-1715) for a new transmitter.

KTUL—Tulsa Broadcasting Co., Inc., Tulsa, Okla.—Construction
1400 permit to install a new transmitter, erect a directional antenna for night use, increase power from 500 watts, 1 KW day to 1 KW night, 5 KW day and move transmitter from 38th & Newport Streets, Tulsa, Oklahoma to 6 mi. North of Tulsa, 1½ mi. E. of Turley, Oklahoma.

NEW—A. L. Beaird, Jasper, Ala.—Construction permit for a new
1500 station to be operated on **1500 kc.,** 100 watts, unlimited time.

WKEU—Radio Station WKEU—Griffin, Ga.—Authority to install
1500 automatic frequency control.

NEW—United Broadcasting Co., Tulsa, Okla.—Construction per-
1550 mit for a new special broadcast station to be operated on **1550 kc.,** 1 KW, unlimited time.

Fourth Zone

NEW—Southern Minnesota Broadcasting Co., Rochester, Minn.—
920 Construction permit for a new broadcast station to be operated on **920 kc.,** 1 KW night, 5 KW day, unlimited time. To use directional antenna at night. Amended: To make changes in transmitter.

WEAU—Central Broadcasting Co., Eau Claire, Wis.—License to
1050 cover construction permit (B4-P-736) as modified, for a new station.

WCBD—WCBD, Incorporated, Chicago, Ill.—Construction permit
1080 to install a new transmitter and vertical antenna, and move transmitter from Temple Site, Zion, Illinois to Church Road, Addison Township, Illinois.

NEW—John P. Harris, Hutchinson, Kans.—Construction permit
1200 for a new station to be operated on **1200 kc.,** 100 watts, 250 watts day, unlimited time.

NEW—Decatur Newspapers, Inc., Decatur, Ill.—Construction per-
1550 mit for a new special broadcast station to be operated on **1550 kc.,** 1 KW, unlimited time.

NEW—Minnesota Broadcasting Corp., Minneapolis, Minn.—Construction permit for a new high frequency broadcast station to be operated on **26100 kc.,** 150 watts. Amended: To delete **26100 kc.** and add **26050 kc.**

Fifth Zone

None.

Alaskan Zone

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska—Author-
780 ity to transfer control of corporation from J. P. Hannon to R. E. McDonald, 166 shares Common Stock.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS

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BUCHAREST DELEGATES NAMED

The State Department has announced that the President has approved the designation of the following delegation to represent the American government in the fourth meeting of the International Radio Consulting Committee, which will be held at Bucharest, Rumania, commencing May 21.

Delegates:

Dr. J. H. Dellinger, Chairman,
Bureau of Standards,
Department of Commerce.
Captain Stanford C. Hooper,
Vice Chairman,
United States Navy.
Lieutenant Colonel D. M. Crawford,
United States Army.
Mr. E. K. Jett,
Federal Communications Commission.
Mr. Gerald C. Gross,
Federal Communications Commission.
Mr. Francis Colt de Wolf,
Treaty Division,
Department of State.

Technical Adviser:

Colonel J. Carroll Cone,
Department of Commerce.

Secretary:

William Walter Schott,
American Legation,
Budapest, Hungary.

McNARY TO REPRESENT NAB

James C. McNary, consulting radio engineer, will represent the National Association of Broadcasters at the fourth meeting of the International Radio Consulting Committee to begin May 21 at Bucharest, Rumania.

PLEASE RETURN DELEGATE CARDS

Members are urged to return promptly the cards furnished to them indicating the names of the delegate and alternate designated to represent the station at the NAB Convention in Chicago, June 20-23, 1937.

BROADCAST ADVERTISING BILL

Representative Martin, of Massachusetts, has introduced a bill in the House (H. R. 4960) to regulate advertising of imported articles. The bill has been referred to the House Committee on Interstate and Foreign Commerce. Section 3 is devoted to broadcast advertising and is as follows:

"Sec. 3. In radio broadcasting where commercial broadcasting is used in the promotion of and to advertise for sale in the United States any imported article or material, a broadcasting announcer shall, at the beginning and end of each broadcast period, clearly state the name of the country of origin of the article or material advertised."

GOSPEL PENCIL COMPANY

Member stations should examine carefully the proposal which is being made by the Gospel Pencil Company. An

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Make Your Plans Now to Attend the NAB Convention at Hotel Sherman, Chicago, June 20-23, 1937

examination here of the correspondence between this company and a member station indicates the proposal is a scheme to obtain free time on radio stations.

J. J. MOORE—NATIONAL FEATURE SERVICE COMPANY

Quincy A. Brackett, Radio Station WSPR, Springfield, Mass., is anxious to learn the whereabouts of one J. J. Moore and one M. V. Watson, recently operating as the National Feature Service Company of Indianapolis, Indiana. Mr. Brackett requests that members notify him immediately should they be able to assist him in locating Moore or Watson.

UNEMPLOYMENT INSURANCE

The Pennsylvania Unemployment Compensation Division in an official analysis of the State Unemployment Compensation Law stated in question and answer form as follows:

"Q. Hotels, restaurants, and clubs frequently engage the services of orchestras, entertainers and other artistic talent. Are they considered the employers of such talent?

"A. If the hotel, restaurant or club directs and controls the activity of the entertainers, in addition to paying their salaries, they are the employers. If the hotel, restaurant or club enters into a contract with a director or agent of the entertainers and if the latter controls and pays the entertainers, then the director or agent is the employer." (See Prentis-Hall Labor and Unemployment Insurance Service, p. 29,537 (.031); Page Pa. 29,519, 4-28-37.)

SECURITIES ACT REGISTRATIONS

The following companies have filed registration statements with the Securities and Exchange Commission under the Securities Act:

Michigan Bumper Corporation, Grand Rapids, Mich. (2-2534, Form A-1)
Ray Airconditioning Corp., New York City. (2-2642, Form A-1)
Mexican Quicksilver Company, Wilmington, Del. (2-3073, Form A-1)
Herman Hanson Oil Syndicate, Turtle Lake, N. Dak. (2-3074, Form A-1)
U. S. Realty & Improvement Co., New York City. (2-3075, Form A-2)
Strouss-Hirshberg Company, Youngstown, Ohio. (2-3076, Form A-2)
Sheller Manufacturing Corp., Portland, Ind. (2-3077, Form A-2)
Gardner Aircraft, Inc., Wilmington, Del. (2-3077, Form A-1)
Interstate Department Stores, Inc., New York City. (2-3080, Form A-2)
British-American Mining Company, Inc., Philadelphia, Pa. (2-3081, Form A-1)
Naybob Gold Mines, Ltd., Toronto, Canada. (2-3032, Form A-1)
Boulder Dam Hotel Corp., San Diego, Calif. (2-3083, Form A-1)
Time Cap Corporation, Brooklyn, N. Y. (2-3084, Form A-1)
Koine Brothers Company, New York City. (2-3085, Form A-2)
Jacob Kline, Chicago, Ill. (2-3036, Form A-1)
George Kline, New York City. (2-3087, Form A-1)
Nunn-Bush Shoe Company, Milwaukee, Wis. (2-3088, Form A-2)
Revere Cooper & Brass, Inc., New York City. (2-3089, Form A-2)
Chateau Dubois International Vintages, New York City. (2-3092, Form A-1)
Gray & Dudley Company, Nashville, Tenn. (2-3093, Form A-2)
Columbia Country Club, Chevy Chase, Md. (2-3094, Form A-2)
Carrell Steel Company, Chicago, Ill. (2-3095, Form A-1)
Inland Steel Company, Chicago, Ill. (2-3096, Form A-2)
Central Ohio Light & Power Co., Findlay, Ohio. (2-3097, Form A-2)
Professional Insurance Corp., Jacksonville, Fla. (2-3098, Form A-1)
C. A. Antrim et al., St. Louis, Mo. (2-3099, Form F-1)

RECOMMENDS POWER INCREASE FOR WJAR

Broadcasting station WJAR, Providence, R. I., applied to the Federal Communications Commission to increase its daytime power from 1,000 to 5,000 watts. The station now operates full time on 890 kilocycles.

Examiner Ralph L. Walker in Report No. I-404 recommended that the application be granted. He states that the record disclosed the need for additional service in the area proposed to be served. Also the increased power will not cause interference with any existing stations, and it would be in the public interest.

CHANGES RECOMMENDED FOR KDON

Broadcasting station KDON, Del Monte, Cal., applied to the Federal Communications Commission to change its frequency from 1210 to 1400 kilocycles, and to increase its power from 100 watts to 250 watts and 1,000 watts LS. It operates unlimited time. Also the Salinas Newspapers Inc., of Salinas, Cal., applied to the Commission for a construction permit for the erection of a new station at that place to use 1390 kilocycles, 250 watts and daytime operation.

Examiner P. W. Seward in Report No. I-405 recommended that the KDON application be granted and that the other application be denied. The Examiner found that only one of these applications could be granted. He states that the present station is rendering a superior service and considered that in the public interest its application should be granted.

RECOMMENDS ASSIGNMENT FOR KFXR

Broadcasting station KFXR, Oklahoma City, Okla., applied to the Federal Communications Commission for a license renewal and the station and the Plaza Court Broadcasting Company applied to the Commission for consent to assignment of the station license to the latter named company. The station uses 1310 kilocycles, 100 watts and 250 watts LS and unlimited time on the air.

Examiner Robert L. Irwin in Report No. I-402 recommended that both applications be granted. He found that the granting of the application would be in the public interest.

BROADCAST ADVERTISING IN MARCH

HIGHLIGHTS OF THE MONTH

Total broadcast advertising in March amounted to $11,628,154, an increase of 14.2% over the February level and a gain of 24.6% over the level of last March. Gross time sales for the month were the greatest in history, being slightly greater than the total recorded for last October. Advertising in all portions of the medium increased in volume as compared to last month, with national non-network business registering the greatest gain. Total broadcast advertising for the first three months of 1937 amounted to $32,180,035, a gain of 26.1% as compared to the corresponding period of 1936. Radio broadcast advertising seems to be headed for another record-breaking year.

Although advertising in national magazines and newspapers increased to a greater extent than radio as compared to last month, radio broadcasting continued to show the greatest increase in advertising volume as compared to corresponding periods of last year. Whereas radio showed a gain of 24.6% in volume over last March, national magazine volume increased 15.6%, national farm paper volume 7.1%, and newspaper volume 4.1%.

Continuing the seasonal trend, non-network advertising increased 18.5% over February and 35.6% over last March. Although all sizes of stations registered substantial gains, the greatest increase occurred in the regional station group. Advertising in this group rose 23.5% over February. The New England-Middle Atlantic Area led all geographical districts in increased volume, both as compared to last month and as to March 1936.

Transcription volume showed the greatest gain of any type of rendition as compared to last month, rising 31.2%. As against last March, announcements showed the greatest increase but was seconded by transcriptions. Transcriptions in the national non-network field and announcements in the local field experienced the most important increases over February. All types of rendition in the local field, with the exception of records, were ahead of last March levels.

The principal gains over last month among the sponsor groups were as follows: national network household equipment and soap and kitchen supply, regional network drug and household equipment, national non-network automotive and local tobacco and confectionery advertising. Compared to last March, national network radio set and household equipment, regional network clothing and financial, national non-network beverage, soap and kitchen supply and tobacco, and local confectionery and tobacco advertising registered the principal gains. Total retail broadcast advertising increased 21.0% over last month and 20.8% over March 1936.

TOTAL BROADCAST ADVERTISING

Total broadcast advertising for the month of March is found in Table I.

TABLE I

TOTAL BROADCAST ADVERTISING

1937 Gross Time Sales

Class of Business	*February*	*March*	*Cumulative Jan.-Mar.*
National networks...	$5,714,443	$6,344,510	$18,120,340
Regional networks...	96,382	101,944	290,495
National non-network	2,517,000	3,037,000	7,867,700
Local...............	1,854,500	2,144,700	5,901,500
Total.........	$10,182,325	$11,628,154	$32,180,035

Total broadcast advertising for the month increased 14.2% over the level of February, with all portions of the medium registering gains. National non-network business increased to the greatest extent, rising 20.6%. Local business increased 15.6%, national network volume 11.0% and regional network volume 5.7%.

Compared to the corresponding month of last year, broadcast advertising showed an increase of 24.6% in volume. National non-network business also showed the greatest gain when compared to last March, increasing 44.8%. Local volume rose 24.5% and national network volume 17.4%. Regional network business declined 9.4%.

COMPARISON WITH OTHER MEDIA

Advertising in national magazines showed the greatest gain of any major medium as compared to last month, rising 22.9%. However, newspaper advertising recorded a gain of 22.3%. Farm paper volume declined 1.0% as compared to February.

Continuing the trend of the last two months, radio broadcasting showed the greatest gain in advertising volume of any major medium as compared to the corresponding month of last year. Compared to the 24.6% gain for radio over last March, national magazine volume increased 15.6%, national farm paper volume 7.1% and newspaper volume 4.1%.

Advertising volume by major media is shown in Table II.

TABLE II

ADVERTISING BY MAJOR MEDIA

1937 Gross Time and Space Sales

Advertising Medium	*February*	*March*	*Cumulative Jan.-Mar.*
Radio broadcasting...	$10,182,325	$11,628,154	$32,180,035
National magazines [1].	12,679,572	15,586,852	37,331,996
National farm papers [1]	807,703	799,755	2,148,997
Newspapers [2]........	41,082,000	50,264,000	130,832,000
Total.........	$64,751,600	$78,278,761	$202,493,028

[1] Publishers' Information Bureau.

[2] Estimated.

NON-NETWORK ADVERTISING

Total non-network broadcast advertising showed an 18.5% gain in volume as compared to February and a 35.6% increase compared to March of 1936. Regional station volume showed the greatest increase both as compared to February of the current year and March 1936. Advertising over clear channel and high-powered regional stations increased 13.1% over February. Regional station volume increased 23.5% and local station volume 20.9%. As compared to March 1936, clear channel and high-powered regional station volume rose 22.7%, regional station volume 54.7% and local station volume 25.2%.

Broadcast advertising by power of station is found in Table III.

TABLE III

NON-NETWORK ADVERTISING BY POWER OF STATION

Power of Station	*1937 Gross Time Sales* *February*	 *March*	 *Cumulative Jan.-Mar.*
Over 1,000 watts	$1,941,700	$2,195,500	$5,960,300
250–1,000 watts	1,876,300	2,316,800	6,033,000
100 watts	553,500	669,400	1,775,900
Total	$4,371,500	$5,181,700	$13,769,200

Non-network advertising in the New England-Middle Atlantic Area led all geographical districts in increased volume as compared to last month. Advertising volume in this area increased 29.5%. Non-network advertising in the South Atlantic-South Central Area increased 12.5%, in the North Central Area 16.0% and in the Pacific and Mountain Area 15.5%.

All sections of the country showed substantial gains in non-network advertising volume as compared to the corresponding month of last year. Advertising in the New England-Middle Atlantic Area increased 54.4%, in the South Atlantic-South Central Area 27.5%, in the North Central Area 30.5% and in the Pacific and Mountain Area 31.3%.

Non-network advertising by geographical districts is shown in Table IV.

TABLE IV

NON-NETWORK BROADCAST ADVERTISING BY GEOGRAPHICAL DISTRICTS

Geographical District	*1937 Gross Time Sales* *February*	 *March*	 *Cumulative Jan.-Mar.*
New England-Middle Atlantic Area	$1,060,600	$1,373,800	$3,532,300
South Atlantic-South Central Area	858,200	966,100	2,607,300
North Central Area	1,658,800	1,924,800	5,148,300
Pacific and Mountain Area	793,900	917,000	2,481,300
Total	$4,371,500	$5,181,700	$13,769,200

NON-NETWORK ADVERTISING BY TYPE OF RENDITION

Total transcription volume continued to show the greatest rate of increase of any type of rendition, rising 31.2% above the level of February. Live talent business increased 13.1% and announcement volume 20.7%. Record volume declined 13.8%. Compared to last March, transcriptions rose 36.5%, live talent 30.1%, records 9.2%, and announcements 49.3%.

In the national non-network field, transcriptions rose 33.9% as compared to the level of last month. Live talent business increased 11.4%, announcements 20.4%, and record volume nearly doubled. Compared to last March, transcriptions rose 36.4%, live talent 37.1%, announcements 88.4% and record volume again doubled.

In the local field, increases were general with the exception of record volume which declined 25.6% from the level of February. Transcriptions rose 19.3%, live talent 15.2% and announcements 21.0%. As against last March, transcriptions in the local field increased 36.6%, live talent 22.8% and announcements 27.2%. Record volume again declined, dropping 4.5%.

Non-network advertising by type of rendition is found in Table V.

TABLE V

NON-NETWORK BROADCAST ADVERTISING BY TYPE OF RENDITION

	1937 Gross Time Sales						
	National Non-network		*Local*		*Total*		*Cumulative*
Type of Rendition	*February*	*March*	*February*	*March*	*February*	*March*	*Jan.-Mar.*
Electrical transcriptions	$804,800	$1,077,800	$179,400	$214,100	$984,200	$1,291,900	$3,177,080
Live talent programs	1,217,500	1,356,900	1,016,800	1,171,600	2,234,300	2,528,500	6,985,790
Records	9,000	17,300	80,600	59,900	89,600	77,200	256,110
Announcements	485,700	585,000	577,700	699,100	1,063,400	1,284,100	3,350,220
Total	$2,517,000	$3,037,000	$1,854,500	$2,144,700	$4,371,500	$5,181,700	$13,769,200

SPONSOR TRENDS IN MARCH

With the exception of beverage, confectionery and miscellaneous advertising, all sponsor groups showed gains in the national network field as compared to last month. Gains were general, with the greatest increases being recorded in the household equipment, soap and kitchen supply, accessory, tobacco and cosmetic sponsor groups. In the regional network field, household equipment and miscellaneous advertising doubled, while drug and tobacco advertising also enjoyed substantial gains. Accessory and cosmetic advertising declined materially. Automotive advertising nearly tripled in the national non-network field and clothing, beverage and household equipment advertising increased materially. In the local field, clothing, confectionery and tobacco advertising increased in volume to the greatest extent. Only amusement and drug volume showed a decrease in the local field.

Household equipment, soap and kitchen supply, financial, radio set and automotive advertising showed the most substantial gains in the national network field as compared to March of 1936. The clothing and miscellaneous sponsor groups registered declines. In the regional network field, clothing, financial and tobacco advertising showed the most marked gains, while soap and kitchen supply and confectionery volume declined materially. Beverage, soap and kitchen supply, and tobacco advertising tripled in the national non-network field, while confectionery and tobacco advertising increased materially in the local field. Drug advertising in the local field declined 24.4%.

Broadcast advertising during March by major product and sponsor groups is shown in Table VI.

TABLE VI
RADIO BROADCAST ADVERTISING BY TYPE OF SPONSORING BUSINESS
(MARCH, 1937)

	Gross Time Sales				
Type of Sponsoring Business	*National Networks*	*Regional Networks*	*National Non-network*	*Local*	*Total*
1a. Amusements	———	———	$2,420	$32,990	$35,410
1–2. Automobiles and accessories:					
(1) Automobiles	$607,592	———	235,320	115,880	958,792
(2) Accessories, gas and oils	484,272	$9,908	165,100	53,790	713,070
3. Clothing and apparel	25,494	820	52,290	303,280	381,884
4–5. Drugs and toilet goods:					
(4) Drugs and pharmaceuticals	586,200	15,032	438,070	49,380	1,088,682
(5) Toilet goods	1,172,322	1,120	154,360	21,760	1,349,562
6–8. Food products:					
(6) Foodstuffs	1,333,284	33,660	737,210	328,530	2,432,684
(7) Beverages	285,252	6,495	159,800	115,310	566,857
(8) Confections	119,232	1,930	54,390	12,480	188,032
9–10. Household goods:					
(9) Household equipment and furnishings	162,386	2,488	114,440	204,670	483,984
(10) Soaps and kitchen supplies	517,010	875	223,450	9,480	750,815
11. Insurance and financial	75,751	2,220	19,390	88,400	185,761
12. Radios	249,802	———	5,290	18,740	273,832
13. Retail establishments	———	———	18,450	187,620	206,070
14. Tobacco products	509,883	13,200	152,630	11,830	687,543
15. Miscellaneous	216,030	14,196	504,390	590,560	1,325,176
Total	$6,344,510	$101,944	$3,037,000	$2,144,700	$11,628,154

Details as to trends in the various fields of sponsorship are as follows:

1a. ***Amusements.*** National non-network volume down 62.1% and local business 8.7% as compared to February. National non-network volume 82.8% lower than during March 1936. Local business rose 6.4% over last March.

1. ***Automotive.*** Compared to February, gains as follows: national network 10.2%, local 21.1%, and national non-network almost three times as great. Compared to last March, national network volume rose 41.8%, while national non-network and local advertising remained approximately the same.

2. ***Gasoline and accessories.*** As against last month, national network volume up 16.7%, national non-network business 14.9%, and local advertising 9.5%. Regional network volume declined 42.5%. National network and national non-network increased 8.1% and 6.5%, respectively, as compared to last March, while regional network and local advertising declined 16.5% and 22.4%, respectively.

3. ***Clothing.*** Gains over February as follows: national networks 3.9%, regional networks 3.8%, national non-network 41.2%, and local 34.2%. Compared to March of the preceding year, national network volume declined 40.5%, while national non-network and local advertising rose 18.1% and 22.0%, respectively, and regional network volume more than doubled.

4. ***Drugs and pharmaceuticals.*** National network volume up 3.6% and regional network volume 54.2% as compared to February. National non-network business declined 13.2% and local advertising 7.8%. As against March 1936, national network volume rose 31.7% and regional network volume 5.3%, while national non-network business declined 12.3% and local advertising 24.4%.

5. ***Toilet goods.*** National network volume up 16.1% as compared to February. National non-network volume increased 17.4% and local advertising remained the same. Regional network volume declined 76.9%. Compared to last March, national network volume increased 0.8%, national non-network business 28.3%, and local advertising remained the same. Regional network volume declined 50.4%.

6. ***Foodstuffs.*** Gains over February as follows: national networks 11.3%, regional networks 4.8%, national non-network 23.1%, and local 18.7%. Gains as compared to March of the preceding year as follows: national networks 27.3%, regional networks 8.6%, national non-network 70.0%, and local 44.1%.

7. ***Beverages.*** National network volume dropped 9.7% as compared to February and regional network volume declined 21.9%. National non-network volume increased 48.4% and local advertising rose 14.5%. Compared to last March, national network volume declined 14.1%, while regional network volume increased 9.1%, local advertising 40.1%, and national non-network volume tripled.

8. ***Confectionery.*** Compared to February, national network volume declined 5.4%, regional network volume 20.9%, and national non-network business 9.9%. Local advertising increased 52.9%. As against last March, national network volume declined 1.2%, regional network volume 67.2%, and national non-network business 3.3%. Local advertising tripled in volume.

9. ***Household equipment.*** As against February, national network volume increased 37.4%, national non-network business 64.0%, and local advertising 14.6%. Regional network volume doubled. National network volume three times as great as during March 1936. Regional network volume declined 50.4% and national non-network and local advertising increased 44.8% and 8.3%, respectively.

10. ***Soap and kitchen supplies.*** Gains compared to February as follows: national networks 26.8%, regional networks 25.0%, national non-network 13.7%, and local 3.1%. Compared to March 1936, national network volume increased 61.3% and national non-network business more than tripled. Regional network business declined materially, while local advertising dropped 20.2%.

11. ***Insurance and financial.*** As against February, national network volume increased 10.5%, regional network volume 21.0%, and local advertising 14.9%. National non-network volume declined 14.9%. National network volume 43.2% ahead of last March. Regional network volume increased four times and local advertising remained the same. National non-network volume declined 29.8%.

12. ***Radio.*** National network advertising 3.4% ahead of February. Local advertising increased 12.2%, while national non-network advertising dropped 14.6%. National network volume doubled as compared to March of 1936, while national non-network advertising declined 53.2%. Local advertising increased 17.5%.

13. ***Department and general stores.*** Compared to February, national non-network advertising increased 21.2% and local advertising 19.8%. As against last March, national non-network advertising rose 39.9% and local business 44.5%.

14. ***Tobacco products.*** Gains over February as follows: national networks 16.8%, regional networks 33.3%, national non-network 30.1%, and local 70.7%. Compared to last March, national network volume increased 34.0% and regional network volume 42.8%. National non-network volume more than tripled, while local advertising doubled in amount.

15. ***Miscellaneous.*** Whereas national network volume declined 8.6% as compared to February, regional network volume doubled, national non-network business increased 21.3%, and local advertising rose 11.0%. Compared to last March, national network volume dropped 51.6% and regional network volume 8.4%. National non-network volume rose 93.0% and local advertising 41.4%.

RETAIL BROADCAST ADVERTISING

Total retail broadcast advertising increased 21.0% as compared to the preceding month and exceeded the level of March of 1936 by 20.8%. Compared to February, the principal gains occurred in the clothing, drug, grocery store, restaurant, household equipment, hardware and department store advertising groups. Beauty parlor, furniture store and radio set advertising declined. As against last March, principal gains were recorded in the drug, restaurant, beverage, confectionery, household equipment, hardware store and department store advertising fields. Automotive, gasoline station, and grocery store advertising declined as compared to last March.

Broadcast advertising by retail establishments will be found in Table VII.

TABLE VII

RETAIL BROADCAST ADVERTISING OVER INDIVIDUAL STATIONS

	1937 Gross Time Sales	
Type of Sponsoring Business	*February*	*March*
Automobiles and accessories:		
Automobile agencies and used car dealers	$98,870	$105,910
Gasoline stations, garages, etc	31,720	34,720
Clothing and apparel shops	245,900	332,130
Drugs and toilet goods:		
Drug stores	13,790	20,470
Beauty parlors	7,600	6,980
Food products:		
Grocery stores, meat markets, etc	38,320	47,180
Restaurants and eating places	19,350	35,500
Beverage retailers	1,840	4,900
Confectionery stores	4,850	9,180
Household goods:		
Household equipment dealers	53,600	65,920
Furniture stores	119,500	112,090
Hardware stores	13,870	29,590
Radio retailers	17,190	14,860
Department and general stores	171,730	204,280
Tobacco shops	....	....
Miscellaneous	133,700	152,500
Total	$971,830	$1,176,210

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them:

No. 3114. Germania Tea Co., 608 First Ave.,**Minneapolis,** and **Consolidated Drug Trade Products, Inc.,** 544 South Wells St., **Chicago,** are named respondents in a complaint alleging unfair competition in the sale of Germania Herb Tea and Germania Orange Pekoe Tea.

In advertising matter, on labels and over the radio, the respondent companies allegedly represent that the two products, when used in connection with a designated reducing diet, have a substantial therapeutic value in the treatment of obesity.

According to the complaint, the products are of no value as a remedy for obesity, neither plays any important part in reducing weight when used in connection with a designated reducing diet, and they might prove harmful to a substantial portion of persons using them continuously without the direction or supervision of a doctor.

No. 3116. False and misleading representations in connection with the sale of soap, in violation of Section 5 of the Federal Trade Commission Act, are alleged in a complaint issued against **Wolf Creek Soap Co.,** North Western Ave., **Dayton, Ohio.**

Certain brands of the respondent company's soap allegedly are marked to retail at from 50 cents to $1 a unit, when, in fact, the complaint charges, they are sold to retail dealers for 8 cents each, are made from cheap and inferior ingredients, and are not of such quality as to justify a retail price in any way closely approximating the retail price or value represented. The prices at which these soaps are actually sold to customers do not appear on the containers, according to the complaint.

No. 3118. Continental Briar Pipe Co., Inc., 80 York St., **Brooklyn,** is charged in a complaint with using unfair methods of competition in the interstate sale of tobacco pipes.

The respondent company sells two of its products under the names "Doctor Pipe" and "The Famous Doctor Pipe", the word "Doctor" being stamped on each pipe. By means of such designation and through the use of certain assertions in advertising matter, the company allegedly makes representations to the effect that such pipes and the filters in them have been designed by or are made under the supervision of doctors and tested by doctors and others in laboratories; that they have special qualities not possessed by similar products, and furnish a filtered and sanitary smoke.

No. 3119. New York Pattern Co., Inc., Fashion Institute, Inc., and **John Howie Wright,** who is said to control the two organizations, all of 119 West 19th St., **New York,** are charged, in a complaint with unfair competition in violation of Section 5 of the Federal Trade Commission Act.

Disparagement of the products and business of their competitor, Hollywood Pattern Co., controlled by Conde Nast Publications, Inc., is alleged in the complaint. The respondents, distributors of low-priced style patterns, are charged with circulating among retail stores where the Hollywood Pattern Company's low-priced patterns are sold, various false and deceptive assertions regarding the latter's salability, the quality and workmanship of the higher priced patterns sold by the Nast company through Vogue magazine, and the financial standing and ability of Conde Nast Publications, Inc.

The respondents are also charged with imitating the design and color of the Hollywood Pattern Company's counter display books.

Fashion Institute, Inc., through use of the word "institute", is alleged to have represented itself to retailers as an impartial and reliable agency for dissemination of fashion news and information, when, in fact, according to the complaint, it is a private organization manufacturing low-priced paper dress patterns and selling these and fashion news and information for private gain.

The complaint points out that Conde Nast Publications, Inc., issuing Vogue patterns in the higher class field, in 1934 began also a lower priced pattern business, entirely separated from the Vogue trade, and organized the separate corporation, Hollywood Pattern Co., to sell cheaper patterns under the registered trade name "Hollywood".

When, according to the complaint, the New York Pattern Co., Inc., learned of the Nast plans to enter the lower-priced field, it also obtained from the Patent Office a trade-mark in the name "Hollywood" for use on its low-priced paper dress patterns.

No. 3120. Use of fictitious price markings and of other false representations in connection with the interstate sale of various articles of merchandise is alleged in a complaint issued against **Gotham Sales Co., Inc.,** and **Harry J., Alfred, Max, Martin** and **Alexander Gottsegen,** having their principal place of business at 37 Union Square, **New York,** and branch offices in **Chicago, New Orleans** and **San Francisco.**

The respondents are wholesalers of peddlers' and retail dealers' supplies, including cosmetics, perfumes, dental and shaving creams, toilet accessories, spices, extracts, and other household products and notions. They trade under the names Universal Merchandise Co., Tip Top Laboratories, Scientific Food Products Co., Prize Medal Laboratories, Scientific Beauty Institute, RX Manufacturing Co., Scientific Laboratories, and Lady Fair Laboratories. The Gottsegens are officers of Gotham Sales Co., Inc.

Retail prices stamped on certain of the respondents' products and advertised in catalogues and other printed matter, the complaint alleges, are greatly in excess of their true prices and actual values. The retail prices so marked are described as being false and fictitious, and in no sense representing either the true values or true selling prices of the articles so price-marked.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 01561. The Kalo Co., Quincy, Ill., agreed to cease representing that its product, designated "Kalo Spray", has been officially approved by the United States Department of Agriculture or by the State College of Washington; that its use instead of lead arsenate will produce any increase in production of sound fruit or improvement in color unless such results are substantiated by competent scientific experiments conducted under all climatic conditions; that Kalo Spray combined either with fish oil or summer oil emulsion, as a substitute for lead arsenate, will obviate the necessity of washing the fruit and that the amount of the product used in any State or locality is greater than the amount actually sold in that particular State or locality.

No. 01571. Albert L. Edelman, trading as The Marvel Wash Co., 623 West Vine St., Milwaukee, and Merchants Grocery Co. of Green Bay, Inc., 112 Stuart St., Green Bay, Wis., stipulated that they will stop representing that their solution, called "Marvel Wash", will remove all stains and destroy all odors, and that it will disinfect certain articles or places, unless they indicate that such articles or places should be washed before application of the disinfectant.

No. 1919. Capital Bakers, Inc., 58 North Thirteenth St., **Harrisburg, Pa.,** has entered into a stipulation to discontinue advertising to the effect that its "El Aguinaldo Cuban Honey Bread" contains certain health-producing properties, when, in fact, according to the stipulation, the results obtained from its consumption are no different than those obtainable from use of any ordinary type of bread containing honey.

The honey content of this bread had been represented as producing remarkable results in all forms of stomach ailments, colds, coughs, and constipation, the product's health-giving benefits having been advertised as "boundless", according to the stipulation.

No. 1937. American Surveys, Inc., 180 North Michigan Ave., **Chicago,** has entered into a stipulation to discontinue unfair methods of competition in the interstate sale of a set of books entitled "Library of Knowledge Encyclopedia".

Among the representations to be discontinued are that certain prospective purchasers, as a selected group of business or professional men, are being offered the books at a special price, when, in fact, the price asked is not special but is the regular price asked of any and all persons who could be induced to purchase the books.

No. 1972. M. Epstein & Sons Co., Inc., 207 West Baltimore St., **Baltimore,** distributor of hats and caps, has entered into a stipulation to discontinue use of certain representations which imply that it manufactures the products it sells, or owns a plant or factory in which they are made, when these are not the facts.

According to the stipulation, this company caused the phrase "Manufacturers of Varsity Club Hats and Caps", to be printed in connection with its corporate name on stationery, billheads and invoices.

No. 2608. Prohibiting certain unfair representations in the sale of a cosmetic product, an order has been entered to cease and desist against **Hec Barth,** trading as **Hec Barth Laboratories and Dark-Eyes Laboratories,** 412 Orleans St., **Chicago.**

In the sale of an eyelash darkener known as "Dark Eyes", the respondent is directed to cease asserting that the use of this product gives permanent beauty to or is a permanent darkener of the eyebrows and eyelashes; that it is safe and harmless, and is a new discovery.

No. 2655. An order to cease and desist from using unfair methods of competition, in violation of Section 5 of the Federal Trade Commission Act, has been entered against a group of manufacturers of and dealers in radio sets and radio parts. The order also is directed against two companies manufacturing and selling escutcheons and name plates for use in radio products.

The order prohibits the respondents from using as marks or brands on their products certain well-known and long established names of other manufacturers and dealers in the radio and like industries without consent of the lawful owners of such names.

According to findings in the case, among the names, brands and symbols adopted and used by the respondents, without authority from the owners, are Marconi, Edison, Bell, Victor, Majestic and Brunswick, and the letters R.C.A. and G. E., standing alone or with other words, or colorable imitations or simulations thereof.

Metal Etching Corporation, 1001 Essex St., Brooklyn, and its president, M. Hermann, and Crowe Nameplate and Manufacturing Co., 1749 Grace St., Chicago, and its officers, E. C. Coolidge and I. Robinson Smith, are ordered to discontinue selling or distributing escutcheons and name plates, bearing the trade-marks and names in question, to manufacturers, assemblers or dealers in radio products, except to the owners of such trade names or marks, or to the licensees of the owners.

The order further directs that the respondent manufacturers and dealers cease representing, directly or indirectly, through use of trade names or marks of which they are not the owners, and without the permission of the lawful owners, that their radio products are those manufactured, sold, endorsed or licensed by the late Thomas A. Edison, Thomas A. Edison, Inc., American Telephone & Telegraph Co., Western Electric Co., Marconi Wireless Telegraph Company of America, Radio Corporation of America, Victor Talking Machine Co., Brunswick-Balke-Collender Co., Warner Brothers Pictures, Inc., and its subsidiary, Brunswick Radio Corporation, Grigsby-Grunow Co., Majestic Radio and Television Corporation, and General Electric Co.

The respondent manufacturers and dealers who are ordered to cease and desist from unfair methods of competition, together with their officers or agents, are: King Trading Corporation, 51 Vesey St., New York, and Royal Radio Co., Inc., 168 Washington St., New York, and A. M. Frank, David Morrison and Murray Auerbach; Harvard Radio Tube Testing Stations of Pennsylvania, Inc., 208 North Broad St., Philadelphia, and Jules M. Schoenberg; Ross Distributing Co., 2020 Chancellor St., Philadelphia, and Larry B. Ross; Sun Radio & Service Supply Corporation, 938 F St., Washington, and Emanuel Rosensweig; Schiller Bros., Inc., 922 F St., Washington, and Louis S. Schiller; Peter Robbins, trading as Robbins Radio Co. and as Ambassador Radio Co., 940 F St., Washington, and F. C. Scruggs, trading as Call Radio Co., 636 H St., N. E., Washington.

The complaint in this case was dismissed as to the following respondent companies and their officers for the reason that there was no evidence to establish the allegations made against them: Etched Products Corporation, 3901 Queens Boulevard, Long Island City, N. Y., and Albert Nierenberg and Walter H. Miller; Electro Chemical & Engraving Co., 1100 Brook Ave., New York, and F. E. Switzer, N. L. Jacobus, Robert Schlesinger, Julius Erdoes and L. S. Southwick; Premier Metal Etching Co., 2103 44th Ave., Long Island City, N. Y., and Herbert Pape, Karl D. Johnson, Ernest A. Rottach, and Hugo Lehrfeld; American Emblem Co., 22 East 40th St., New York, and Paul B. Williams, Clarence S. C. Williams, James Eels, Fred B. King and Edgar Denton, Jr.

The case was closed without prejudice as to the following respondents: Metro Manufacturing Co., Inc., Metro Radio Corporation, Metro Sales Co., Inc., Pyramid Distributors, Inc., and Regina Gadol, George Levine and Max Scafford.

Findings are that all of the respondents, except those against whom the complaint was dismissed or the case closed without prejudice, have cooperated among themselves and with one another and are engaged in a scheme to deceive the public and to compete unfairly with other manufacturers and dealers in radio products.

No. 2753. Prohibiting unfair methods of competition in the sale of a preparation designated "Sunlife Chlorophyllian Oil," an order to cease and desist has been entered against **C. C. Miller, W. B. Mather, W. M. Louisson, H. M. Young, D. A. Lester,** and **L. D. Marr,** trading as **Sunlife Chlorophyllian Laboratories, Ltd.,** 2702 South Hill St., **Los Angeles.**

The order directs the respondents to discontinue representing in any manner that their preparation will cure, or is a competent and an effective treatment for, or will relieve, nervous tension, muscular rheumatism, lumbago, gouty conditions, coughs and colds, sprains, cuts, burns and arthritis.

The respondents also are ordered to cease representing through use of the word "Sunlife", alone or with other words in their trade name or in any manner, that their product contains any beneficial elements of the natural rays of the sun or that it will bring the beneficial effects of sunshine to users.

No. 2812. Millinery Quality Guild, Inc., 711 Fifth Ave., **New York,** and 24 member and affiliate companies manufacturing high quality women's hats and credited with being a substantial majority of the originators of leading styles and designs used in their class of trade, are named respondents in an order to cease and desist.

These companies, through their guild, effected a cooperative plan which had a tendency unduly to hinder competition and create a monopoly in interstate commerce in violation of Section 5 of the Federal Trade Commission Act, according to findings in the case.

This plan is said to have involved a "declaration of cooperation" among and between the 24 companies and 1600 high grade retailers in several States who, according to findings, agreed to promote and observe the guild rules intended to prevent piracy of styles and designs originated by the company members and to restrict the sale of high grade millinery to models originated by such members.

No. 2886. Discontinuance of false advertising in the sale of baby chicks has been directed in an order entered against **Gusta Atz, Milltown, Ind.,** trading as **Atz's Hatchery, Atz's Blue Mount Hatchery** and **Atz's Mammoth Hatchery.**

The respondent was ordered to cease and desist from representing that baby chicks hatched from pullet eggs are hatched from hen's eggs or from old hens' eggs, or that baby chicks are from eggs of flocks 100 per cent blood-tested, when they are from flocks over which the respondent has not had continuous control and supervision since such flocks were tested.

No. 2899. Engaged in the interstate sale of a liquid finish for shoes and certain other articles, designated "Sav-An-Upper", **Perfect Manufacturing Co.,** 3325 Madison Road, **Cincinnati,** has been ordered to cease and desist from exaggerating the earnings agents may realize through selling the preparation and from misrepresenting its qualities and the results which may be obtained from its use.

Findings in the case are that the respondent company advertised that its product has unusual sales appeal and that large sums of money may easily be made by agents, one representation being to the effect that earnings up to $5,000 a year should be reached by quite a few salesmen.

No. 3013. Trading as **American Remedy Co.,** 301 Green St., **Philadelphia, Jean G. Subin, Israel Subin** and **John N. Kinderman** have been ordered to cease and desist from false representations in connection with the sale of "American Purest Aspirin", which they distribute in interstate commerce.

The respondents are ordered to discontinue advertising that their product is registered in the United States Patent Office, that it is the purest aspirin in America and superior to other products composed of similar ingredients, and that it is a cure for colds and a competent and effective treatment or palliative for all aches and pains.

FTC CLOSES CASE

No. 2649. The Federal Trade Commission has issued an order closing its case against **M. Swift & Sons, Inc.,** of **Hartford, Conn.,** charged with unfair competition in the sale of gold leaf of the type used for gold lettering on signs and for gilding articles like badges and lead pencils. The Commission reserved the right to resume prosecution should the facts so warrant. The complaint alleging these practices was issued December 7, 1935.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, May 10:

Monday, May 10

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—T. E. Kirksey, Waco, Tex.—C. P., **930 kc.,** 250 watts, 500 watts LS, unlimited time.

WBZA—Westinghouse Electric and Manufacturing Co., Springfield, Mass.—C. P., **550 kc.,** 1 KW, unlimited time (requests facilities WDEV).

WDEV—Chas. B. Adams, Admr. of Estate of Harry C. Whitehill Estate and Executor of Mary M. Whitehill Estate, Waterbury, Vt.—Renewal of license, **550 kc.**, 500 watts, daytime.

NEW—Earle Yates, Las Cruces, N. Mex.—C. P., **930 kc.**, 500 watts, daytime.

KGLO—Mason City Globe Gazette Co., Mason City, Iowa.—C. P., **1210 kc.**, 100 watts, 250 watts LS, unlimited. Present assignment: **1210 kc.**, 100 watts, unlimited time.

Tuesday, May 11

HEARING BEFORE AN EXAMINER

(Broadcast)

KFUO—Evangelical Lutheran Synod of Missouri, Ohio and other states, Rev. R. Kretzschmer, Chairman, Board of Control, Concordia Seminary, Clayton, Mo.—C. P., **550 kc.**, 1 KW, 5 KW LS, one-half time (requests facilities of KSD). Present assignment: **550 kc.**, 500 watts, 1 KW LS, share-KSD.

KSD—The Pulitzer Publishing Co., St. Louis, Mo.—Renewal of license, **550 kc.**, 1 KW, 5 KW LS, share-KFUO.

Wednesday, May 12

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Young People's Association the Propagation of the Gospel, Shark River Bay, N. J.—C. P., **640 kc.**, 5 KW, daytime to LS at KFI.

Thursday, May 13

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. 1-341:

NEW—Dallas Broadcasting Co., Dallas, Tex.—C. P., **1500 kc.**, 100 watts, daytime.

Examiner's Report No. 1-358:

NEW—Loyal K. King, Pasadena, Calif.—C. P., **1480 kc.**, 250 watts, daytime.

Examiner's Report No. 1-363:

NEW—State Capitol Broadcasting Assn., R. B. Anderson, President, Austin, Tex.—C. P., **1120 kc.**, 500 watts, 1 KW LS, specified hours (all hours not used by WTAW).

Examiner's Report No. 1-365:

WLMU—Lincoln Memorial University, Middlesboro, Ky.—C. P., **1210 kc.**, 100 watts, unlimited time.

Friday, May 14

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—S. O. Ward and P. C. Ward, d/b as Louisville Broadcasting Co., Louisville, Ky.—C. P., **1210 kc.**, 250 watts, daytime.

NEW—The Louisville Times Co., Louisville, Ky.—C. P., **1210 kc.**, 100 watts, unlimited time.

NEW—Harold F. Gross, Lansing, Mich.—C. P., **580 kc.**, 500 watts, 1 KW LS, unlimited.

KRKD—Frank P. Doherty, Transferor, and J. J. Burke, Sr., and Loyal K. King, Transferees, Los Angeles, Calif.—Authority to transfer control of corporation; **1120 kc.**, 500 watts, 2½ KW LS, share-KFSG.

APPLICATIONS GRANTED

KELO—Sioux Falls Broadcast Assn., Inc., Sioux Falls, S. Dak.—Granted modification of C. P. approving transmitter site and studio site, installation of new equipment, and present antenna system of KSOO to be used for KELO.

KGU—Marion A. Mulroney & Advertiser Publishing Co., Ltd., Honolulu, T. H.—Granted modification of C. P. extending completion date to June 4, 1937.

WEAU—Central Broadcasting Co., Eau Claire, Wis.—Granted license to cover C. P. and modifications thereof; **1050 kc.**, 1 KW, daytime only.

WRBL—WRBL Radio Station, Inc., Columbus, Ga.—Granted license to cover C. P. and modifications thereof; **1200 kc.**, 100 watts night, 250 watts day, unlimited.

KORE—Eugene Broadcast Station, Eugene, Ore.—Granted license to cover C. P., **1420 kc.**, 100 watts, unlimited time.

WSBC—WSBC, Inc., Chicago, Ill.—Granted license to cover C. P., **1210 kc.**, 100 watts night, 250 watts day, specified hours.

WBLK—The Exponent Company, Clarksburg, W. Va.—Granted license to cover C. P., **1370 kc.**, 100 watts, daytime only.

KGKO—Wichita Falls Broadcasting Co., Wichita Falls, Tex.—Granted license to cover C. P., **570 kc.**, 250 watts night, 1 KW day, unlimited time.

WKEU—Radio Station WKEU, Griffin, Ga.—Granted authority to install automatic frequency control.

Mutual Broadcasting System, Inc., Chicago, Ill.—Granted extension of authority to exchange programs with Station CKLW, Windsor, Ontario, and through the telegraph office of the Canadian Pacific Railway at Windsor, with the Canadian Broadcasting Corp., for the period June 1 to December 1, 1937.

KIUP—C. Guy Shepard, Durango, Colo.—Granted voluntary assignment of license to San Juan Broadcasting Co.; **1370 kc.**, 100 watts, unlimited time.

WFIL—Lit Bros. Broadcasting System, Inc., Philadelphia, Pa.—Granted authority to transfer control of corporation to Lit Brothers; **560 kc.**, 500 watts night, 1 KW day, unlimited time.

WFIL—WFI Broadcasting Co., Philadelphia, Pa.—Granted authority to transfer control of corporation to Strawbridge and Clothier; **560 kc.**, 500 watts night, 1 KW day, unlimited time.

WLWL—Missionary Society of St. Paul the Apostle, New York City.—Granted voluntary assignment of license to Arde Bulova; **1100 kc.**, 5 KW, specified hours.

NEW—The Crosley Radio Corp., Mobile (Cincinnati, Ohio).—Granted C. P. for new relay broadcast station, frequencies **1606, 2022, 2102** and **2758 kc.**, 50 watts.

NEW—City of New York, Dept. of Plant and Structures, Mobile (New York City).—Granted C. P. for new relay broadcast station, frequencies **1622, 2058, 2150** and **2790 kc.**, 40 watts.

NEW—Station WIS, Inc., Mobile (Columbia, S. C.).—Granted C. P. for new relay broadcast station, frequencies **31100, 34600, 37600** and **40600 kc.**, on an experimental basis; 2 watts.

NEW—Oregonian Publishing Co., Mobile (Portland, Ore.), 2 applications.—Granted C. P. for new relay broadcast station, frequencies **31100, 34600, 37600** and **40600 kc.**, on an experimental basis; 2 watts.

NEW—The Champaign News Gazette, Inc., Mobile (Champaign, Ill.), 2 applications.—Granted C. P. for new relay broadcast station, frequencies **39700, 39900, 40800** and **41400 kc.**, on an experimental basis; 10 watts.

W3XGM—Reading Broadcasting Co., Mobile, Reading, Pa.—Granted modification of C. P. extending commencement date to 5-1-37 and completion date to 11-1-37.

W8XJZ—WJR, The Goodwill Station, Detroit, Mich. (Mobile).—Granted modification of C. P. extending commencement date to 5-29-37 and completion date to 8-29-37.

W3XGN—Berks Broadcasting Co., Reading, Pa. (Mobile).—Granted modification of C. P. extending commencement date to 5-1-37 and completion date to 11-1-37.

SET FOR HEARING

NEW—The Colonial Network, Inc., Providence, R. I.—Amended C. P. so as to request new station to operate on **720 kc.**, 1 KW, limited time, and to change name from Bay State Broadcasting Corp. to The Colonial Network, Inc. Original application already in hearing docket.

NEW—WDSU, Inc., New Orleans, La.—Application for C. P. for new station, **1500 kc.**, 100 watts night, 250 watts day, unlimited time. Approval of transmitter and studio sites at 214 Royal St., New Orleans.

WBLY—Herbert Lee Blye, Lima, Ohio.—Application for C. P. to make changes in equipment and increase day power from 100 watts to 250 watts; **1210 kc.**

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Application for C. P. to install new equipment; change frequency from **1500 kc.** to **1360 kc.**; and increase power from 100 watts night, 250 watts day, unlimited time, to 1 KW, unlimited time; also extend commencement date to 30 days after grant and completion date to 90 days thereafter.

WMIN—Edward Hoffman, St. Paul, Minn.—Application for modification of licenses, already in hearing docket, amended to request change in frequency to **1400 kc.**, and increase in night power to 250 watts (present assignment: **1370 kc.**, 100 watts night, 250 watts day, unlimited).

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Application for special experimental authority to change time of operation from sharing with WGNY, WGBB and WRBR to simultaneous with WRBR and sharing with WGNY and WGBB for regular license period.

SPECIAL AUTHORIZATIONS

WNYC—City of New York, Dept. of Plant and Structures, New York City.—Granted special temporary authority to operate from 5 to 7 a. m., EDST, Wednesday, May 12, in order to broadcast Coronation Ceremonies.

KVI—Puget Sound Broadcasting Co., Inc., Tacoma, Wash.—Granted special temporary authority to operate formerly licensed transmitter at near Des Moines, as described in license dated August 15, 1936, as an auxiliary for a period not to exceed 30 days, without an approved modulation or frequency monitor.

WMEF—National Broadcasting Co., Inc., Mobile—Granted special temporary authority to operate relay broadcast station WMEF for period May 10 to June 10, utilizing frequencies of **4797.5, 6425, 8655, 12862.5** and **17310 kc.**, for relay broadcast program material originating from U. S. Navy National Geographic Society Expedition, describing solar eclipse.

WCAT—So. Dak. State School of Mines, Rapid City, S. Dak.—Granted special temporary authority to operate from 9 a. m. to 1:30 p. m., CST, and from 2:30 p. m. to 12 midnight, May 5, in order to broadcast the Annual Senior Day for the various high schools.

W3XDS—RCA Mfg. Co., Inc., Camden, N. J.—Granted extension of special temporary authority to operate with power of 5 KW on **590 kc.**, during broadcast experimental hours from 1 to 6 a. m., EST, for period of 10 days from May 4, in order to make certain measurements of radio frequency harmonic radiation, providing no interference is caused to stations maintaining regular programs.

RCA Communications, Inc., New York City.—Granted special temporary authority to operate pt. to pt. telegraph stations KQH, KIO, KEQ, KRO, located at Kahuku, T. H. and pt. to pt. telegraph stations KQJ, KKZ, KEI, KEB located at Bolinas, Cal., for a period of 30 days beginning May 10 and ending no later than June 10, 1937, to communicate with relay broadcast station WMEF located aboard USS AVOCET, for purpose of transmitting program relating to solar Expedition.

WNLC—Thames Broadcasting Corp., New London, Conn.—Granted special temporary authority to operate from 5 to 6 a. m., EST, May 12, in order to broadcast Coronation Ceremony with Mutual Network.

APPLICATIONS DENIED

WSAY—Brown Radio Service & Lab., Rochester, N. Y.—Denied special temporary authority to operate Sundays, May 2, 9, 16, 23 and 30, from local sunset (7:30 p. m.) to 9 p. m., EST, in order to broadcast local church program, and from 9 to 9:30 p. m., EST, in order to broadcast Willys-Overland show of the Mutual network.

WELI—City Broadcasting Corp., New Haven, Conn.—Denied special temporary authority to operate from local sunset (May sunset 7 p. m.) to 11 p. m., EST, May 8, 1937, in order to broadcast concert of Johnson Little Symphony Orchestra from Woolsey Hall, Yale University.

WKY—WKY Radiophone Co., Oklohoma City, Okla.—Denied special temporary authority to operate with power of 5 KW nighttime in order to overcome interference caused by station XENT.

EXAMINERS' REPORTS RELEASED SINCE APRIL 27, 1937

KLPM—Ex. Rep. 1-400—John B. Cooley, Minot, N. Dak.—Examiner John P. Bramhall recommended grant of C. P. to change frequencies from **1240** to **1360 kc.**, power from 250 watts night and day to 500 watts night, 1 KW day, and time from sharing to unlimited.

NEW—Ex. Rep. 1-401—Walter H. McGenty, Rice Lake, Wis.—Examiner Bramhall recommended grant of C. P. for new station to operate on **1210 kc.**, 250 watts, daytime.

KFXR—Ex. Rep. 1-402—Exchange Ave. Baptist Church of Okla. City, Oklahoma City, Okla.—Examiner Robert L. Irwin recommended grant of renewal of license. Station operates on **1310 kc.**, 100 watts, 250 watts LS, unlimited time; also recommended grant of application asking authority to transfer control of station from the Exchange Ave. Baptist Church to Plaza Court Broadcasting Company.

NEW—Ex. Rep. 1-403: Lillian E. Kiefer, Brooklyn, N. Y.—Examiner R. L. Walker recommended denial of C. P. to construct new station to use assignment of station WMBQ involving frequencies of **1500 kc.**, 100 watts, specified hours.

WWRL—Long Island Broadcasting Corp., Woodside, L. I.—Examiner Walker recommended grant of application for modification of license seeking authority to use time now used by station WMBQ on **1500 kc.**, 100 watts night, 250 watts day.

NEW—Paul J. Gollhofer, Brooklyn, N. Y.—Examiner Walker recommended denial of C. P. requesting facilities of WWRL.

WMBQ—Metropolitan Broadcasting Corp., Brooklyn, N. Y.—Examiner Walker recommended denial of application for renewal of license to operate on **1500 kc.**, 100 watts, specified hours, and denial as in cases of default of application for C. P.

APPLICATIONS DISMISSED

The following application, heretofore set for hearing, was dismissed at request of applicant:

NEW—R. W. Page, Corp., Phenix City, Ala.—**1240 kc.**, 250 watts, unlimited time.

The following application, heretofore set for hearing, was dismissed with prejudice, inasmuch as applicant's request for withdrawal was received less than 30 days prior to hearing scheduled thereon:

WKOK—Sunbury Broadcasting Corp., Sunbury, Pa.—**1210 kc.**, 100 watts, 250 watts LS, specified hours.

MISCELLANEOUS

KGNC—Plains Radio Broadcasting Co., Amarillo, Tex.—Granted petition to intervene in proceedings relative to application of J. Laurence Martin for C. P. to authorize establishment of a new station in Amarillo, to operate on **1120 kc.**, 250 watts, specified hours (Docket 4532).

WWJ—Evening News Assn., Inc., Detroit, Mich.—Granted increase in night power to 5 KW for 30 days on a temporary basis, subject to revocation without notice and hearing.

Big Springs Herald Broadcasting Co., Big Spring, Tex.—Granted petition to intervene in the hearing on the application of W. E. Whitmore for a new station at Hobbs, N. Mex., to use **1500 kc.**, 100 watts, daytime only. Docket 4174.

KTUL—Tulsa Broadcasting Co., Inc., Tulsa, Okla.—Granted petition to intervene in the hearing on the application of G. Kenneth Miller for new broadcast station at Tulsa, Okla., to operate on **1310 kc.**, 250 watts, daytime only. (Docket 4446.)

WMMN—Monongahela Valley Broadcasting Co., Fairmont, W. Va.—Granted petition to intervene in hearing on application of The Exponent Co. (Station WBLK, Clarksburg, W. Va.), for modification of C. P. to operate on **1370 kc.**, 100 watts, unlimited time. (Docket 4538.)

NEW—Ex. Rep. 1-245: W. P. Stuart, Prescott, Ariz.—Granted petition to rehear and review the order granting the application of the Southwest Broadcasting Co., Prescott, Ariz. (Ex. Rep. 1-245), requesting a C. P. to establish a new station in Prescott, Ariz. to operate on **1500 kc.**, 100 watts night, 250 watts day, unlimited time. This application was granted by the Commission on December 1, 1936, at which time the application of W. P. Stuart to establish a station in Prescott, utilizing **1500 kc.**, 100 watts, unlimited time was denied.

WTJS—The Sun Publishing Co., Inc., Jackson, Tenn.—Denied petition asking Commission to reconsider action in denying C. P. to change frequency from **1310 kc.** to **920 kc.**, and increase power from 100 watts night, 250 watts LS to 250 watts night, 500 watts LS, and to grant the same.

KGB—Don Lee Broadcasting System, San Diego, Cal.—Granted petition to intervene in hearing on application of Warren E. Worcester, San Diego, Cal., for a C. P. to authorize establishment of new broadcast station in San Diego to use frequency of **1400 kc.**, 250 watts, 1 KW LS, unlimited time. (Docket 4531.)

WSAN—WSAN, Inc., Allentown, Pa.—Denied petition asking Commission to reconsider and grant applications, designated for hearing, in Dockets 4514 and 4515. These are applications of WSAN for Voluntary Assignment of station license of WSAN (Incorporated) a Delaware Corporation to WSAN

(Inc.), a Penna. Corp., recently formed and for the voluntary assignment of license of WCBA to WSAN (Inc.), the Penna. Corp.

WILM—Delaware Broadcasting Co., Inc., Wilmington, Del.—Granted petition for leave to withdraw application for C. P. to move studio and transmitter to Chester, Pa. (Docket 4183).

WHAT—Independence Broadcasting Co., Inc., Philadelphia, Pa.—Granted petition to reconsider Commission's action denying application of WHAT for C. P. to authorize changes in equipment and operation on frequency of **1220 kc.**, with 1 KW, unlimited time, and effective date of Commission's order extended to May 18, 1937.

NEW—Young People's Assn. for the Propagation of the Gospel, Shark River Bay, N. J.—Denied petition asking continuance of hearing, now scheduled for May 12, 1937, on application for C. P. to erect new broadcast station to operate on **640 kc.**, 5 KW, daytime.

NEW—John Stewart Bryan, Petersburg, Va.—Accepted answer as respondent in re application of Petersburg Newspaper Corp., for C. P. for new station at Petersburg, to operate on **1210 kc.**, 100 watts night, 250 watts-LS (specified hours on Sunday), scheduled to be heard June 1, 1937. Rule 104.6(b) waived.

NEW—Albert Lea Broadcasting Corp., Albert Lea, Minn.—Reconsidered action of April 27, 1937, designating for hearing application for modification of C. P. to change site, install new equipment, change frequency from **1200 kc.** to **1420 kc.**, and increase power from 100 watts to 250 watts daytime only, and granted the same.

WRC—National Broadcasting Co., Washington, D. C.—Reconsidered action of April 2, 1937, designating for hearing application to increase night power from 500 watts to 1 KW and day power from 1 KW to 5 KW and granted the same.

WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—Granted amended petition asking Commission to approve transaction by which control of license was relinquished and in connection therewith suspended operation of Rule 103.18, particularly paragraph (b) thereof, relating to the transfer of control of licensed corporations.

L. L. Coryell & Son, Lincoln, Neb.—Continued hearing on application of L. L. Coryell to June 28, 1937 (Docket 4509), and continued time for taking depositions to May 15, 1937.

ACTION ON EXAMINERS' REPORTS

NEW—Ex. Rep. 1-239: Ventura County Star, Inc., Merced Star Pub. Co., Inc., Ventura, Cal.—Denied C. P. for new station to operate on **1170 kc.**, 250 watts; daytime. (Site to be determined, subject to Commission's approval). Examiner P. W. Seward reversed. Order effective June 22, 1937.

NEW—Ex. Rep. 1-257: Ted R. Woodard, Kingsport, Tenn—Denied application for C. P. for new broadcast station to operate on **1210 kc.**, 100 watts, daytime. Examiner R. L. Walker sustained. Order effective June 15, 1937.

NEW—Ex. Rep. 1-286: Leon S. Packard, Lewis H. Stebbins, Alden S. Packard, d/b as Valley Broadcasting Co., Pomona, Cal.—Denied application for C. P. for new broadcast station to operate on **1160 kc.**, 250 watts, daytime. Examiner R. H. Hyde sustained. Order effective June 29, 1937.

NEW—Ex. Rep. 1-305: The Pottsville Broadcasting Co., Pottsville, Pa.—Denied C. P. for new broadcast station to operate on **580 kc.**; 250 watts, daytime. (Site to be determined, subject to Commission's approval). Examiner M. H. Dalberg reversed. Order effective June 29, 1937.

NEW—Ex. Rep. 1-330: Brownwood Broadcasting Co., Brownwood, Tex.—Denied C. P. for new broadcast station to operate on **1370 kc.**, 100 watts, daytime. (Site to be determined subject to Commission's approval). Examiner R. H. Hyde reversed. Order effective June 15, 1937.

NEW—Ex. Rep. 1-331: Sweetwater Broadcasting Co., Sweetwater, Tex.—Denied C. P. for new broadcast station to operate on **1310 kc.**, 100 watts, daytime. (Site to be determnied, subject to Commission's approval). Examiner R. H. Hyde reversed. Order effective June 22, 1937.

WMAS—Ex. Rep. 1-339: WMAS, Incorporated, Springfield, Mass. —Denied C. P. to make changes in equipment, install directional antenna, move studio, move transmitter from Springfield, Mass. to Agawam, Mass.; change frequency from **1420** to **560 kc.**, increase power from 100 watts night, 250 watts day to 1 KW, unlmiited time. Examiner M. H. Dalberg sustained. Order effective June 8, 1937.

KMPC—Ex. Rep. 1-356: Beverly Hills Broadcasting Corp., Beverly Hills, Cal.—Granted authority to transfer control of corporation from Pacific Southwest Discount Corp., a Delaware corporation, to George A. Richards. Station operates on **710 kc.**, 500 watts, L-WOR. Examiner R. L. Walker sustained. Order effective June 8, 1937.

WBAX—Ex. Rep. 1-371—John H. Stenger, Jr., Wilkes-Barre, Pa. —Remanded to docket for further hearing on engineering feature, application for modification of license to change hours of operation from specified to unlimited time. **1210 kc.**, 100 watts.

RATIFICATIONS

The Broadcast Division ratified the following acts authorized on the dates shown:

WTBO—Radio Station WTBO, Asso. Broadcasting Corp., Cumberland, Md.—Granted authority to operate in strict compliance with Rules 23.

WJAC—WJAC, Inc., Johnstown, Pa.—Granted authority to operate in strict compliance with Rules 23.

KFXR—Exchange Avenue Baptist Church of Oklahoma City, Okla.—Granted extension of program period 30 days from April 20, 1937.

WAAU-WIEK—Columbia Broadcasting System, Inc., New York City.—Granted authority to operate as licensed April 29 to May 4, inclusive, relaybroadcast program from University of Kentucky.

WJEP—Stromberg-Carlson Tel. Mfg. Co., Rochester, N. Y.—Granted authority to operate as licensed April 25 to May 4, inclusive, relaybroadcast Safety Campaign in Rochester, N. Y. Also granted authority to operate as licensed May 5, relaybroadcast Boy Scout Camp meeting and arrival Rochester Ball Team.

WAAK-W4XBT-W4XBZ—Radio Station WSOC, Inc., Charlotte, N. C.—Granted authority to operate as licensed May 1 through 15th, relaybroadcast opening airport, May 20, dedication Municipal Stadium; also to operate Tuesdays for period April 27 to May 25, inclusive, relaybroadcast from industries and other points. Action taken 4-23. Also granted authority to operate as licensed May 7, relaybroadcast 50th Anniversary, Thompson Orphanage, provided no wire lines available.

W3XGO-W3XGP—Baltimore Radio Show, Inc., Baltimore, Md.—Granted authority to operate as licensed April 29 to May 15, inclusive, relaybroadcast interviews and scenes at Pimlico. Action taken 4-27.

W10XFR—National Broadcasting Co., Inc., New York City.—Granted authority to operate as licensed April 27th.

W10XY-W10XAK-W10XN—National Broadcasting Co., Inc., New York City.—Granted authority to operate as licensed period May 4 to 8, inclusive, connection with tests and relaybroadcast description of Kentucky Derby.

W10XEP—National Broadcasting Co., Inc., New York City.—Granted authority to operate as licensed period May 10 to June 10, relaybroadcast description in re solar eclipse from Canton and Enderbury Islands.

W9XPN-W9XPV—WDZ Broadcasting Co., Tuscola, Ill.—Granted authority to operate as licensed period 30 days beginning May 4, relaybroadcast from Douglas County Farms Schools and WPA projects, provided no wire lines available.

KABE—National Battery Broadcasting Co., St. Paul, Minn.—Granted authority to operate May 4, relaybroadcast from University of Minnesota Pharmacy Building, description of the Pharmacy work.

W9XSB—South Bend Tribune, South Bend, Ind.—Granted authority to operate as licensed May 3, 4 and 5, relaybroadcast Indiana PGA Golf Tournament.

WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—Granted extension program test period March 9 to May 30.

WSPA—Radio Station WSPA, Spartanburg, S. C.—Granted authority to operate with reduced power period not to exceed 10 days, in accordance with Rule 142, pending installation of new resistance.

WSPA—Voice of South Carolina, Spartanburg, S. C.—Granted special temporary authority to operate from local sunset (April, 7 p. m.) to 12 midnight, EST, April 27; and from local sunset (May, 7:30 p. m.) to 12 midnight, EST, May 4, 1937, in order to broadcast primary election returns, using 500 watts power.

Granted petition of Michigan Broadcasting Co. (WMBC), Detroit, to intervene in the proceedings upon the application of Voice of Detroit, Inc., to erect a new station at Detroit (Docket 3998).

Granted petition of The Good Will Station (WJR), Detroit, to intervene in the proceedings upon the application of The Voice of Detroit, Inc., for C. P. for new station (Docket 3998).

Denied motion of the Matheson Radio Co., Ltd. (WHDH), Boston, Mass., for recommitment of Examiner's Report No. 1-380, covering application of the Massachusetts Broadcasting Corp. (WCOP), Boston, for modification of license (Docket 3332).

Granted request of Northern Broadcasting Co., Inc. (WSAU), and directed that date of further hearing upon application of Northern Broadcasting Co., Inc., Wasau, Wis., Docket 4374, be advanced from 10 a. m. on July 2 to 10 a. m. on April 30.

Granted joint motion of Wave, Inc. (WAVE), Louisville, Ky.; WDAY, Inc., Fargo, N. Dak.; Congress Square Hotel Co. (WCSH), Portland, Me.; KOIN, Inc., Portland, Ore.; and Bremer Broadcasting Co. (WAAT), Jersey City, respondents, for postponement of hearing upon application of World Publishing Co., Tulsa, Okla., Docket 4185, and KGKL, Inc., San Angelo, Tex., Docket 4479, for C. P.'s, now scheduled for May 18, and further directed that these applications be heard together with the applications of El Paso Broadcasting Co., El Paso, Tex., and the Tribune Co., Tampa, Fla., Dockets Nos. 4545 and 3932, respectively, on June 16, 1937.

Granted petition of National Battery Broadcasting Co. for authority to announce Station KSTP as being located at St. Paul and Minneapolis, using the following announcement: "This is Station KSTP with studios in St. Paul and Minneapolis." The Broadcast Division also granted authority to Minnesota Broadcasting Corp. (WTCN) and Columbia Broadcasting System, Inc. (WCCO), to make similar announcements, and approved letters to the above stations notifying them of same.

NEW—F. W. Borton, Coral Gables, Fla.—Dismissed, at request of applicant, and directed that an order be entered accordingly and forwarded to all interested parties, application for C. P. for new station to operate on **1420 kc.,** 100 watts, unlimited.

Granted motion of Northern Corp., respondent, for extension of time within which to file exceptions under Ex. Rept. No. 1-380, covering the application of the Massachusetts Broadcasting Corp. (WCOP), Boston, and directed that all parties interested in these proceedings be given until May 6, 1937, to file exceptions to Ex. Rept. 1-380.

APPLICATIONS RECEIVED

First Zone

WJTN—James Broadcasting Co., Inc., Jamestown, N. Y.—License
1210 to cover construction permit (B1-P-1511) for a new transmitter and antenna, increase in power, and move of transmitter and studio.

NEW—Platt & Platt, Inc., Poughkeepsie, N. Y.—Construction per-
1310 mit for a new station to be operated on **1310 kc.,** 100 watts night, 250 watts day, unlimited time.

WNBF—Howitt-Wood Radio Co., Inc., Binghamton, N. Y.—
1500 License to cover construction permit (B1-P-1642) for changes in equipment and increase in power.

W2XE—Columbia Broadcasting System, Inc., Wayne, N. J.—License to cover construction permit (B1-PA-12) for a new transmitter and increase in power.

WJEN—Stromberg-Carlson Telephone Manufacturing Co., Rochester, N. Y.—License to cover construction permit for a new relay station.

Second Zone

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Modification
560 of construction permit (B2-P-1085) for changes in equipment, vertical antenna, increase in power, and move of transmitter, further requesting changes in antenna and move of transmitter from 1500 feet north of Monument and City Line Avenue, Merion Twp., Pennsylvania, to 63rd Street and Schuylkill River, Philadelphia, Pa., and extend commencement and completion dates.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Modification
560 of construction permit (B2-P-1085) for new equipment, increase in power, new antenna, and move of transmitter, requesting extension of commencement and completion dates.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Construction
560 permit to install a new transmitter and directional antenna for day and night use, increase power from 1 KW to 5 KW, and move transmitter from 1500 feet north of Monument and City Line Avenue, Philadelphia, Pa., to 63rd Street and Schuylkill River, Philadelphia, Pa.

WKOK—Sunbury Broadcasting Corp., Sunbury, Pa.—License to
1210 cover construction permit (B2-P-1368) for a new transmitter.

WFBG—The Gable Broadcasting Co. (Lessee), Altoona, Pa.—
1310 Modification of construction permit (B2-P-1367) for a new transmitter, requesting change in power from 100 watts night, 250 watts day, to 100 watts day and night, and make changes in antenna.

WBRE—Louis G. Baltimore, Wilkes-Barre, Pa.—Modification of
1310 construction permit (B2-P-1708) to make changes in transmitting equipment and increase power from 100 watts to 100 watts night, 250 watts day, and extend commencement and completion dates.

WHDF—Upper Michigan Broadcasting Co., Calumet, Mich.—
1370 License to cover construction permit (B2-P-1376) for a new transmitter.

W8XLT—Leo J. Omelian, Erie, Pa.—License to cover construction permit for a new relay broadcast station.

NEW—KQV Broadcasting Co., Pittsburgh, Pa.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.,** 5 watts.

NEW—KQV Broadcasting Co., Pittsburgh, Pa.—License to cover above.

Third Zone

NEW—Carolinas Radio, Inc., Charlotte, N. C.—Construction
880 permit for a new station to be operated on **880 kc.,** 500 watts night, 1 KW day, unlimited time. Amended: To change power from 500 watts night, 1 KW day to 1 KW day and night.

WTOC—Savannah Broadcasting Co., Inc., Savannah, Ga.—Con-
1260 struction permit to install a new transmitter and increase power from 1 KW to 1 KW night, 5 KW day.

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—Authority
1390 to determine operating power by direct measurement of antenna.

KGNC-KFYO—Plains Radio Broadcasting Co., Amarillo, Tex.—
1410 Authority to transfer control of corporation from estate of Wilbur C. Hawk and Gene A. Howe to Globe-News Publishing Co., Inc., 498 shares common stock.

NEW—Meno Schoenbach, Woodward, Okla.—Construction permit
1500 for a new station to be operated on **1500 kc.,** 100 watts, unlimited time.

NEW—George H. Evans & Davis O. Vandivier, d/b as The
1500 Chickasha Daily Express, Chicasha, Okla.—Construction permit for a new station to be operated on **1500 kc.,** 250 watts, daytime. Amended: To give name of applicant as George H. Evans & Davis O. Vandivier, d/b as The Chickasha Daily Express.

NEW—The Ardmoreite Publishing Co., Inc., Ardmore, Okla.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.,** 2 watts.

WBPA—The National Life and Accident Insurance Co., Inc., Nashville, Tenn.—License to cover construction permit for a new relay broadcast station.

Fourth Zone

WILL—University of Illinois, Urbana, Ill.—License to cover con-
890 struction permit (B4-P-1219) as modified, for directional antenna and move of transmitter.

NEW—Jules J. Rubens, Aurora, Ill.—Construction permit for a
1040 new station to be operated on **1040 kc.,** 250 watts, daytime.

WSBC—WSBC, Incorporated, Chicago, Ill.—License to cover con-
1210 struction permit (B4-P-1506) for new equipment and increase in power.

KGBX—Springfield Broadcasting Co., Inc., Springfield, Mo.—
1230 Modification of license to make changes in directional antenna.

NEW—Martin R. O'Brien, Aurora, Ill.—Construction permit for a
1500 new station to be operated on **1500 kc.,** 250 watts, daytime.

W9XAI—The Journal Co. (The Milwaukee Journal), Milwaukee, Wis.—License to cover construction permit (B4-PRE-95) for a new transmitter and increase in power.

W9XAL—The First National Television Corp., Kansas City, Mo.—Construction permit to move station from 106 West 14th Street to 911 Walnut Street, Kansas City, Mo.

WJER—The Journal Co. (The Milwaukee Journal), Milwaukee, Wis.—Construction permit to increase power from 7.5 watts to 30 watts.

WJER—The Journal Co. (The Milwaukee Journal), Milwaukee, Wis.—License to cover above.

Fifth Zone

KEHE—Hearst Radio, Inc., Los Angeles, Calif.—Construction
780 permit to erect an auxiliary transmitter at KEHE's present site to operate on 1 KW power for emergency purposes only.

NEW—Dickmar Broadcasting Co., San Diego, Calif.—Construction
890 permit for a new station to be operated on **890 kc.**, 1 KW night, 5 KW day, unlimited time. Amended: To change name of applicant from R. M. Dickinson to Dickmar Broadcasting Co.

NEW—Richard Field Lewis, Oakland, Calif.—Construction permit
1160 for a new station to be operated on **1160 kc.**, 1 KW, daytime.

KPFA—The Peoples Forum of the Air, Helena, Mont.—Modifica-
1210 tion of construction permit (B5-P-1577) for a new station, requesting changes in authorized equipment and for approval of transmitter and studio sites at 1800 E. 11th, Helena, Montana. Amended: Changes in equipment, increase power from 100 watts to 100 watts night, 250 watts day and approval of transmitter and studio at 11th Street near Intermountain College, Helena, Montana.

NEW—Sims Broadcasting Co., Bartley T. Sims, Mgr., Globe,
1210 Ariz.—Construction permit for a new station to be operated on **1210 kc.**, 100 watts night, 250 watts day, unlimited time.

KYA—Hearst Radio, Inc., San Francisco, Calif.—Modification of
1230 construction permit (B5-P-328) for new equipment, increase in power and move of transmitter, requesting extension of completion date from 5-15-37 to 7-15-37.

KMED—Mrs. W. J. Virgin, Medford, Oregon.—License to cover
1310 construction permit (B5-P-1194) for changes in equipment, change in hours of operation and move of transmitter.

KGAR—Tucson Motor Service Co., Tucson, Arizona.—Construc-
1370 tion permit to change frequency from **1370 kc.** to **1340 kc.**, change power from 100 watts night, 250 watts day to 250 watts, install a vertical antenna and move transmitter from Sixth Avenue & 12th Street, Tucson, Arizona to N. W. corner of Prince Road & N. First Avenue, Tucson, Arizona.

Hawaiian Zone

KGU—Marion A. Mulroney and Advertiser Publishing Co., Ltd.,
750 Honolulu, T. H.—Modification of construction permit (B-P-1312) for changes in equipment, requesting extension of completion date.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
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KENNETH HOUSEMAN

Members contemplating employing Kenneth Houseman should first communicate with Harold F. Gross, Radio Station WJIM, Lansing, Michigan. Mr. Gross will appreciate any information concerning this man's whereabouts.

SENATOR DUFFY ON COPYRIGHTS

Senator Duffy of Wisconsin, made a speech recently before the Section of International and Comparative Law of the American Bar Association on the convention for the protection of literary and artistic works. Anyone interested in the speech will find it reprinted in the May 6th issue of the Congressional Record.

BROADCASTING COPYRIGHT MUSIC

The following statement was issued recently by the Performing Right Society of Great Britain:

"The license granted by the Performing Right Society for the broadcasting of the copyright music it controls by the British Broadcasting Corporation having expired on December 31 last, both bodies agreed that the terms of payment for a further license should be settled by voluntary arbitration. The arbitrators (A. T. Miller, K. C., Chairman; Sir Harold Gibson Howitt; and Sir William Jarratt) whose hearings extended over thirteen days, have now issued their Award. This provides for payment to the Society in respect of the Home broadcasting stations of a sum calculated at the rate of 7d. per listener's license, such payment to be made monthly on the basis of the number of licenses in force at the end of the preceding month. In addition, payment is to be made in respect of the Empire service at the rate of one-tenth of the amount payable for the Home stations."

The Award is for a period of two years from January 1, 1937.

IOWA LEGISLATURE PASSES RADIO LIBEL BILL

The General Assembly of the State of Iowa has enacted the following law in respect of libel by broadcasting:

An Act in relation to the civil liability of owners, lessees, licensees and operators of radio broadcasting stations and the agents and employees of any such owner, lessee, licensee or operator, for radio defamation.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. The owner, lessee, licensee or operator of a radio broadcasting station, and the agents or employees of any such owner, lessee, licensee or operator, shall not be liable for any damages for any defamatory statement published or uttered in or as a part of a radio broadcast, by one other than such owner, lessee, licensee or operator, or agent or employee thereof, if such owner, lessee, licensee, operator, agent or employee, shall prove the exercise of due care to prevent the publication or utterance of such statement in such broadcast.

Section 2. This act shall not be applicable to or affect any cause of action existing at the time this act becomes effective.

STATUS OF PENDING RADIO LITIGATION

Following are the radio cases now pending in the United States Court of Appeals for the District of Columbia:

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Make Your Plans Now to Attend the NAB Convention at Hotel Sherman, Chicago, June 20-23, 1937

No. 6762—Paul R. Heitmeyer, Cheyenne, Wyom. vs. FCC.

No. 6772—Eastland Company vs. FCC.

No. 6773—Congress Square Hotel Company, Logan, Utah vs. FCC.

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No. 6869—Missouri Broadcasting Company vs. FCC.

No. 6870—A. H. Belo (licensee of WFAA) vs. FCC.

No. 6906—Red River Broadcasting Company, Inc., vs. FCC.

No. 6911—Continental Radio Company vs. FCC.

No. 6931—Tri State Broadcasting Company, Inc., (licensee of KTSM) vs. FCC.

The following case is pending in the District Court of the United States for the District of Columbia:

No. 64322—Black River Valley Broadcasts, Inc. vs. Anning S. Prall et al.

BROWN INTERVIEWED ON WGAR

Federal Communications Commissioner, Thad H. Brown, was interviewed this week on station WGAR, Cleveland, by Ted Hanna of the Cleveland News. Included in the interview was the following:

Mr. Hanna: Do you think, Commissioner Brown, that there is any basis for the charge sometimes heard that there is censorship of radio broadcasting?

Comm. Brown: There has been a great deal of talk about governmental control of programs, about censorship and all of that, but I am not aware of any action either direct or indirect which would warrant any belief that the government intends, now or later, to censor or limit radio as an avenue of free speech. Under the Communications Act, we are prohibited from exercising any degree of censorship. Rest assured, Mr. Hanna, there is full freedom of speech on the air in America today.

Mr. Hanna: Of course, there are a lot of people who think radio is given over to too much frivolous entertainment and ought to be controlled more rigidly in that respect.

Comm. Brown: That is true enough, but can you suggest any better method without entailing program dictatorship by the Commission? Radio has a great many faults, but it cannot be accused of political partisanship or of failing to give the people what most of them like to hear. Every person, after all, is his own radio censor controlling his own dial. Then, of course, there is the Federal Trade Commission to regulate improper advertising and they are doing a very satisfactory job in outlawing offensive products and claims, if not actually stimulating the broadcasters to see that better advertising copy is written.

Mr. Hanna: Do you believe in advertising support in radio?

Comm. Brown: There is only one other alternative—radio set taxes such as the British and most European countries impose. But, over there the Governments manage the radio, which manifestly means that the parties in power could control it. I think our American system is superior in that it is kept free from political control just like our newspapers. There must always be freedom of speech on the radio just as there is freedom of the press.

Mr. Hanna: We all know, Commissioner Brown, that great strides in broadcasting have been made the past few years from the cumbersome experimental sets to the splendid reception of today. I am sure that the Commission has done many things to bring this about. What do you think the average listener may expect in radio within the next few years?

Comm. Brown: That is a large order indeed, Mr. Hanna. The experiences of the past teach us to be cautious in making any statements concerning the future. So fantastic have the accomplishments of the past been that the things which are to come truly stagger the imagination.

Radio continues to play an important part in many varied fields of endeavor besides that of broadcasting. Daily it expands the communication frontiers to the farthest corners of the world. These strange voices from the fringes of the earth are the foes of silence and of distance and of time. We hear it reliably said that a day will come when your radio receiver will print your newspaper in your home, bring you actual pictures of events and reproduce sound with absolute fidelity.

Mr. Hanna: It would seem from all this then, Commissioner Brown, that radio touches the lives of all of us and that the Communications Commission has an extremely important function to perform.

Comm. Brown: That is correct, Mr. Hanna. It is extremely difficult to estimate the true effect upon the American people of radio broadcasting today. Radio, like the newspaper, is preacher, teacher, father, counsellor, entertainer, informer and helper. Every morning it, figuratively speaking, starts the cycle of life, then every evening banks the fire and winds the clock. The waking hours of millions of Americans are paced to the tempo of the radio. There is no escaping its influence.

The world of radio touches the life and the thought of practically every citizen in the nation. There is not a man, woman, or child within the sound of our voices or anywhere in these United States whose welfare and future are not going to be affected by radio. That being so, it devolves upon the Communications Commission to make these instruments of communication more effective in order that they may contribute as much as possible to the life and the culture and the development of the American people.

RECOMMENDS DENIAL OF NEW STATION

Leonard A. Versluis applied to the Federal Communications Commission for a construction permit for the erection of a new station at Grand Rapids, Mich., to use 830 kilocycles, 500 watts and daytime operation.

Examiner Ralph L. Walker in Report No. I-406 recommended that the application be denied. He found that "operation of a station as proposed will cause objectionable interference within the normally protected service area of one existing station, namely WKAR, at East Lansing, Mich."

NEW PUERTO RICAN STATION RECOMMENDED

Juan Piza, applied to the Federal Communications Commission for a construction permit for the erection of a new station at San Juan, Puerto Rico, to use 1500 kilocycles, 100 watts night and 250 watts until local sunset and unlimited time on the air.

Examiner P. W. Seward in Report No. I-407 recommended that the application be granted. He found that a need does exist for the additional radio service proposed in the area. The Examiner states that granting of the application would be in the public interest.

RECOMMENDS AGAINST POWER INCREASE

Broadcasting station WHOM, Jersey City, N. J., operating on 1450 kilocycles, 250 watts unlimited time applied to the Federal Communications Commission to increase its daytime power to 1,000 watts.

Examiner R. H. Hyde in Report No. I-410 recommended that the application be denied. He found that the applicant "has not shown a public need for additional daytime facilities in the area proposed to be served such as would warrant the increase in power proposed herein with the resultant increase in interference conditions which the evidence indicates would be likely to follow."

RECOMMENDS KGFF APPLICATION DISMISSED

Broadcasting Station KGFF, Shawnee, Okla., operating on a frequency of 1420 kilocycles, 100 watts and 250 watts LS and unlimited time applied to the Federal Communications Commission to change its frequency to 1430 kilocycles, and its power to 250 watts, all time.

When the matter came on for hearing the applicant requested permission to withdraw the application without prejudice.

Examiner P. W. Seward in Report No. I-409 recommended that the application be dismissed without prejudice.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them:

No. 3121. Misrepresentation of the curative value of a preparation known as "A & O", offered as an effective treatment for colds, is alleged in a complaint issued against **Joe Anderson,** trading as **The A & O Company, New Bern, N. C.**

In advertising matter and radio broadcasts, the respondent allegedly makes representations to the effect that his product relieves and cures the most stubborn colds when other treatments fail, giving relief with the first dose; that it checks fever, restores the system to normal, and protects one from influenza, pneumonia or serious lung trouble; that it is a secret combination of ingredients which doctors prescribe for colds, and is entirely different from any other known preparation.

No. 3122. Alleging use of unfair methods of competition in the sale of a preparation known as "Radio Active Hair Restorer," a complaint has been issued against **Mary Mauthe,** trading as **Mauthe & Son Remedy Co.,** 923-927 Twenty-third St., **Denver, Colo.**

The respondent allegedly represents in advertising matter and in radio broadcasts that her preparation is not a dye and is harmless to the most delicate scalp and hair; that it will effectively restore the natural color of the hair and bring to gray hair a lustrous, youthful and permanent color, and that it will stop falling hair, promote growth of the hair, and do away with dandruff.

No. 3123. A complaint has been issued against **John Petrie,** 6023 Harper Ave., **Chicago,** trading under the names **Purity Products Co.** and **BX Laboratories.**

The complaint charges violation of Section 5 of the Federal Trade Commission Act, through unfair competition in the sale of feminine hygiene products.

These preparations, sold under the names "Minex", "Hygeen Tablets", and other names, allegedly were advertised as competent and reliable treatments or remedies, when, in fact, according to the complaint, they were not effective as treatments for the ailments or conditions designated.

No. 3124. Charging unfair competition in the sale of medicinal products, a complaint has been issued against **Wolf Drug Company,** 683 Broad St., **Newark, N. J.,** and certain other affiliated firms and individuals with headquarters in **Newark** and **New York.**

As a part of their advertising and sales promotion plans, the respondents, according to the complaint, have registered with the United States Patent Office the trade name "Health Institute, Battle Creek, Michigan", thus representing that they conduct a place of business at Battle Creek and that they are an "institute". The complaint alleges that no clinic is maintained nor are any research work, experiments or analyses performed by these respondents, and that they do not operate laboratories in Battle Creek or anywhere, but have merely a Battle Creek mailing address.

No. 3125. Kelvinator Corporation, 14250 Plymouth Road, and **Ross Roy Service, Inc.,** 403 West Baltimore Ave., both of **Detroit,** are charged, in a complaint, with unfair competition through cooperating to disparage the products of Kelvinator's competitors.

Ross Roy Service, Inc., is alleged to have published statistical data regarding mechanical refrigerators in "The Ross Roy Comparative Hand-Book", and in a series of bulletins, such publications allegedly having been issued in cooperation with Kelvinator Corporation, which gave financial assistance although, according to the complaint, no connections between Kelvinator and Ross Roy were indicated. These publications were distributed to approximately 5,000 dealers in and distributors of Kelvinator refrigerators, who are alleged to have paid Ross Roy Service, Inc., substantial amounts for them.

The respondents are charged with representing that the material in the statistical hand-book and other literature was accurate, authoritative and unbiased, and that it was published entirely independent of all manufacturers, when, according to the complaint, these were not the facts. The purpose of such representations allegedly was to mislead the trade and buyers into believing that the representations and comparisons made were those of a disinterested organization having no connection with Kelvinator Corporation.

The concealment of this affiliation, according to the complaint, was calculated to prevent Kelvinator's competitors from fixing responsibility on it for such representations, and the methods devised and adopted by the respondents are alleged to have been calculated to deceive the trade and buyers as to the origin and weight of the attacks made upon competitive producers.

No. 3126. Unfair competition in the sale of the "Circe Line" of packaged drugs, chemical specialties and feminine hygiene products, is alleged in a complaint issued against **M. J. Levinson,** trading as **J. Lewis, Francine Laboratories and Superior Products Co.,** 1302 South Karlov Ave., **Chicago,** and 539 State St., **Hammond, Ind.**

Advertising for agents to sell his products, including "our superb line of French cosmetics," the respondent is alleged to have represented that agents could obtain certain articles to sell at retail prices of $4.95 and $19.20 by depositing, respectively, $2.45 and $7.50; and that profits of $10 to $20 a day awaited such prospective agents. However, the complaint charges that the respondent's plan was primarily not to obtain agents but to sell his products to the applicants for the so-called deposit prices.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 01562. Minard Co., Framingham, Mass., agrees to stop asserting that either Minard's Inhalant or Minard's Nose and Throat Drops, or a combination of both, is a competent remedy for treating colds or hay fever, unless this assertion is limited to temporary relief from the pains and discomforts of these ailments. Other similar representations to be discontinued are that these two preparations keep thousands of persons happy or healthy, or free from colds, or are known the world over for their effectiveness, and that Minard's Liniment is competent in treating rheumatic muscular pains.

No. 01563. Hiram Colwell, Manawa, Wis., selling a course of instruction designated "Easy Talk Method", agrees to stop advertising, inferentially or otherwise, that this method constitutes a specific for the treatment of stammering or stuttering; that it is the one and only sure way to gain perfect control of speech, and that by use of this method, a person may improve his speech almost immediately or be enabled to speak normally in a short time.

No. 01564. The Knox Co., Chamber of Commerce Building, Los Angeles, agrees to stop advertising Kolade Powders as a competent treatment for colitis, unless this allegation is limited to palliative relief of functional irritation of the colon which is due to gastric hyperacidity. Other similar representations will be discontinued, including the assertion that Kolade Powders constitute a perfected prescription or have triple action.

No. 01565. O. J. Parham, Shreveport, La., trading as O. J.'s Beauty Lotion Co., agrees to ban the representation that the daily use of O. J.'s Beauty Lotion will reward one with immediate results. Parham also will stop advertising that the product will banish pimples, unless the claim is limited in reference to pimples due to external causes. Parham also will desist from the assertion that this lotion acts as a deep pore cleanser, will produce a perfect complexion, is the "all-in-one beautifier". or is the miracle of the cosmetic field.

No. 01566. Eastern Oil Co., Inc., 124 Green St., Worcester, Mass., in selling its Eastern Benzol Blend Gasoline, agrees to stop advertising it as the perfect motor fuel, or the gas of proven performance, and to stop asserting that this gas guarantees more mileage and insures instant pick-up. The respondent also stipulates that it will ban the representation that its gas "powers" the engines of Gar Wood or Sir Malcolm Campbell, and "fires" the motors of the Graf Zeppelin, or is used by operators of the Dornier Dox or other craft requiring high efficiency operation, and that its performance exceeds the specifications set by the United States Bureau of Standards, when, in fact, according to the stipulation, there is no evidence to substantiate these claims.

No. 01567. Dr. J. M. Bette and John Alger, trading as Alger Dental Laboratories, 1562 North Wells St., Chicago, agree to cease representing that the false teeth they make are double tested; that the dental plates they produce are better than those made by dental practitioners; that from impressions made by purchasers, the respondents can or do make dental plates that can always be relied upon, and other similar representations. In their stipulation the respondents admit, among other things, that dental plates or false teeth made from impressions self-taken by persons with whom the dentist has had no personal contact, are not better than plates made by dentists from the impressions they take directly from the patients.

No. 01568. Wyeth Chemical Co., 691 Larned St., Detroit, agrees to stop advertising that use of Hill's Cold Tablets affords a fast or effective method of combating a cold and that "any doctor will tell you that nothing breaks up a cold like Hill's Cold Tablets", and that "your vitality returns" through use of the preparation.

No. 01569. C. O. Selig, 401 N. W. Fifth Ave., Fort Lauderdale, Fla., stipulates that he will cease advertising Selig's Stopitch as a competent treatment for all types of athlete's foot and for tropical sores, skin eruptions and other similar afflictions, and that the preparation will stop all forms of itch.

No. 01570. John T. Kennedy Sales Co., 2539 Southwest Blvd., Kansas City, Mo., trading as Givens Chemical Co., will bar use of the assertion that its Cleartone preparation is a competent remedy in the treatment of pimples or other skin afflictions, unless the reference is limited to superficial disorders and to such relief as may result from use of an antiseptic. The respondent will stop representing that the idea that a lovely complexion is a gift of nature is a fallacy, or that by the Cleartone treatment one may have a youthful or healthy complexion.

No. 1612. An order to cease and desist entered June 30, 1930, against **J. A.** and **L. G. Stransky,** trading as **J. A. Stransky Manufacturing Co., Pukwana, S. Dak.,** has been set aside and the case has been reopened for the taking of testimony. The respondents are engaged in the interstate sale of a device designated as a "Vaporizer and Carbonizer" for use on automobiles.

The respondents had stipulated as to the facts involved in the case and agreed that the Commission might state its findings as to the facts and enter an order directing them to cease and desist from making certain false and exaggerated representations as to the increased motor power, saving of gasoline and other beneficial results accomplished by use of their product.

No. 1940. Trav-Ler Radio & Television Corporation, 1028 West Van Buren St., Chicago, stipulates that it will cease using as a trade name or brand for its radio sets the word "Majestic," alone or in connection with the words "Radio Corp.," or with other words so as to imply that its sets are made by Grigsby-Grunow Company, Chicago, originally the manufacturer of Majestic sets, or by its successor, Majestic Radio & Television Corporation, Chicago, when such is not a fact.

No. 1942. Wohlfeiler & Schlain, Inc., 133 Wooster St., New York, luggage manufacturer and dealer, agrees to ban use of the word "cowhide," alone or in conjunction with the phrase "warranted genuine," or with other words, as a stamp or label for or to describe articles not composed of leather made from the top or grain cut or layer of cowhide. The stipulation provides that if the respondent's products are composed of leather made from the inner or flesh cut, and the word "cowhide" is used to describe them, such word shall be accompanied in conspicuous type by other words specifically disclosing that the articles described are not composed of leather made from the top or grain layer of the cowhide.

No. 1945. Phil Bobys Co., Inc., 725 Seventh St., N. W., Washington, retailer of wearing apparel on a credit basis, agrees to cease describing furs in any other way than by use of the correct name of the fur as the last word of the description. The respondent also agrees that when any dye or blend is used to simulate another fur, the true name of the fur, appearing as the last word of the description, shall be immediately preceded by the word "dyed" or "blended," compounded with the name of the simulated fur, as thus: Northern Sealine—Dyed Rabbit; Beaverette—Dyed Rabbit; or French Beaver—Dyed Rabbit.

The respondent stipulates that he will discontinue use of the word "free" in describing alleged gift articles, when in fact they are not given free but as a consideration for services performed, such as the bringing in of new customers. The company also will ban use of the word "free" to describe articles represented to be given without cost with the purchase of other merchandise, when, in fact, the cost of such alleged free articles is included in the selling price of the merchandise.

No. 1946. A. B. Thomas, 1226 California St., **Denver, Colo.,** has entered into a stipulation to discontinue unfair methods of competition, in violation of Section 5 of the Federal Trade Commission Act, in selling a correspondence course in forestry.

Under the stipulation, Thomas agreed to cease making representations implying that students having no more than a high school education, upon completion of the course, would be eligible to take and able to pass a United States Civil Service examination for positions in the Government Forest Service, and would have the necessary education and experience to warrant the acceptance of their applications for such positions by the Civil Service Commission.

No. 2726. Food Display Machine Corporation, 325 West Huron St., **Chicago,** has been ordered to discontinue unfair methods of competition in connection with the sale of potato chip machines in interstate commerce.

According to findings in the case, the respondent company advertised that operators of its machines make "as much as $23 a day," "up to $117 a week," and other exaggerated amounts.

No. 3042. Gynex Corporation, having places of business at 211 East 19th St. and 301 Madison Ave., **New York,** has been ordered to cease and desist from misrepresenting the therapeutic value and effectiveness of certain feminine hygiene preparations and appliances, some of which it sells under the names "Gynettes," "Gyn-o-sol," "Gynex Tablets" and "Viornetts."

The respondent corporation is directed to discontinue advertising its products as competent and effective treatments or cures for the ills and diseases peculiar to women, and that such products may be used with safety and without deleterious effects.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, May 17:

Monday, May 17

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—General Electric Co., Belmont, Calif.—C. P., **9530, 15330 kc.,** 20 KW, unlimited time, in accordance with Rule 983.

NEW—Church of Jesus Christ of Latter-Day Saints, State of Utah, County of Salt Lake, exact site to be determined.—C. P., **6080, 11830, 17780 kc.,** 50 KW, unlimited.

Tuesday, May 18

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—John D. Fields, Inc., Las Vegas, Nev.—C. P., **1370 kc.,** 100 watts, unlimited time.

KGKO—Wichita Falls Broadcasting Co., Wichita Falls, Tex.—Modification of C. P., **570 kc.,** 1 KW, 5 KW LS, unlimited time (directional antenna). Present assignment: **570 kc.,** 250 watts, 1 KW LS, unlimited time.

Wednesday, May 19

HEARING BEFORE AN EXAMINER

(Broadcast)

KWTN—Greater Kampeska Radio Corp., Watertown, S. Dak.—C. P., **1340 kc.,** 250 watts, 500 watts LS, unlimited. Present assignment: **1210 kc.,** 100 watts, unlimited time (requests facilities of KDGY).

KGDY—Voice of South Dakota, Huron, S. Dak.—C. P., **1210 kc.,** 100 watts, 250 watts LS, unlimited. Present assignment: **1340 kc.,** 250 watts, daytime (requests facilities of KWTN).

KGDY—Voice of South Dakota, Huron, S. Dak.—Renewal of license, **1340 kc.,** 250 watts, daytime.

KWTN—The Greater Kampeska Radio Corp., Watertown, S. Dak.—Renewal of license, **1210 kc.,** 100 watts, unlimited time.

KGDY—F. Koren, Robert J. Dean and M. W. Plowman, Transferors, and Greater Kampeska Radio Corp., Transferee, Huron, S. Dak.—Authority to transfer control of corporation; **1340 kc.,** 250 watts, daytime.

Thursday, May 20

HEARING BEFORE AN EXAMINER

(Broadcast)

KQV—KQV Broadcasting Co., Pittsburgh, Pa.—C. P., **1380 kc.,** 1 KW, unlimited time. Present assignment: **1380 kc.,** 500 watts, simultaneous day with WSMK, specified hours night.

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. 1-336:

NEW—Bay County Publishers, Inc., Panama City, Fla.—C. P., **1420 kc.,** 100 watts, unlimited time.

Examiner's Report No. 1-370:

NEW—Falls City Broadcasting Corp., Falls City, Nebr.—C. P., **1310 kc.,** 100 watts, unlimited time.

Examiner's Report No. 1-373:

J. L. Statler, M.D., d/b as Baker Hospital, Muscatine, Iowa.—Authority to transmit programs to stations in Canada and Mexico.

Examiner's Report No. 1-377:

NEW—Radio Enterprises, partnership of R. Lacy and J. R. Curtis, Lufkin, Tex.—C. P., **1310 kc.,** 100 watts, daytime.

NEW—Red Lands Broadcasting Assn., Ben T. Wilson, Pres., Lufkin, Tex.—C. P., **1310 kc.,** 100 watts, daytime.

Friday, May 21

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—C. S. Gooch, d/b as Amarillo Broadcasting Co., Amarillo, Tex.—C. P., **1500 kc.,** 100 watts, unlimited time.

KRE—Central California Broadcasters, Inc., Berkeley, Calif.—C. P., **1440 kc.,** 500 watts, 1 KW LS, unlimited. Present assignment: **1370 kc.,** 100 watts, 250 watts LS, unlimited time.

APPLICATIONS GRANTED

WJER—The Journal Co. (The Milwaukee Journal), Mobile.—Granted C. P. to make changes in equipment and increase power from 7.5 watts to 30 watts. Also granted license covering same.

KEHE—Hearst Radio, Inc., Los Angeles, Calif.—Granted C. P. for auxiliary transmitter with authority to operate with 1 KW for emergency purposes only.

WORL—Broadcasting Service Organization, Inc., Boston, Mass.—Granted C. P. to make changes in equipment.

WCBD—WCBD, Inc., Chicago, Ill.—Granted C. P. to move transmitter site approximately 36 miles from Temple Site, Zion, Ill., to Church Road, Addison Twp., Ill., and install new equipment and vertical radiator.

WGL—Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—Granted license to cover C. P., **1370 kc.,** 100 watts, unlimited time.

WHDF—Upper Michigan Broadcasting Co., Calumet, Mich.—Granted license to cover C. P., **1370 kc.,** 100 watts night, 250 watts day, specified hours.

WKOK—Sunbury Broadcasting Corp., Sunbury, Pa.—Granted license to cover C. P., **1210 kc.,** 100 watts night and day, specified hours.

WATL—J. W. Woodruff, tr. as Atlanta Broadcasting Co., Atlanta, Ga.—Granted license to cover C. P. and modifications; **1370 kc.,** 100 watts night, 250 watts day, unlimited.

KMED—Mrs. W. J. Virgin, Medford, Ore.—Granted license to cover C. P., **1410 kc.,** 250 watts, unlimited time.

WJTN—James Broadcasting Co., Inc., Jamestown, N. Y.—Granted license to cover C. P., **1210 kc.,** 100 watts night. 250 watts day, unlimited time.

WNBF—Howitt-Wood Radio Co., Inc., Binghamton, N. Y.—Granted license to cover C. P., **1500 kc.,** 100 watts night, 250 watts day, unlimited time.

WILL—University of Illinois, Urbana, Ill.—Granted license to cover C. P. and modifications thereof; **580 kc.,** 1 KW, daytime only, using directional antenna system.

WFIL—WFIL Broadcasting Co., Philadelphia Pa.—Granted modification of C. P. approving transmitter site and vertical radiator; also extension of commencement date to 60 days after grant and completion date to 180 days thereafter.

WPHR—WLBG, Inc., Richmond, Va.—Granted modification of C. P. approving transmitter and studio sites at Richmond, Va., installation of new equipment and vertical radiator.

KYA—Hearst Radio, Inc., San Francisco, Calif.—Granted modification of C. P. extending completion date to July 15, 1937.

WFBG—The Gable Broadcasting Co. (Lessee), Altoona, Pa.—Granted modification of C. P. for authority to make changes in equipment and antenna system, and reduce day power from 250 to 100 watts.

KTFI—Radio Broadcasting Corp., Twin Falls, Idaho.—Granted modification of license to operate with 1 KW day and night, unlimited time, on a permanent basis subject to Rule 131; **1240 kc.**

KRMC—Roberts-McNab Co., Jamestown, N. Dak.—Granted modification of license for authority to change frequency from **1310 kc.** to **1370 kc.**, and increase time of operation from simultaneous day with Station KVOX and sharing with KVOX at night, to unlimited.

KOOS—Pacific Radio Corp., Marshfield, Ore.—Granted modification of license to install vertical radiator, increase power from 250 watts, daytime only, to 100 watts night, 250 watts day, unlimited time.

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—Granted authority to determine operating power by direct measurement.

WHBC—Edward P. Graham, Canton, Ohio.—Granted authority to install automatic frequency control, subject to the condition it shall not be construed as a finding upon the application of Nolan S. Walker nor upon application for renewal of license of station WHBC and voluntary assignment of license and C. P. from this applicant to The Ohio Broadcasting Co., nor upon any issues involved therein, nor that the operation of the station is or will be in the public interest beyond the express terms hereof.

W9XAL—First Natl. Television, Inc., Kansas City, Mo.—Granted C. P. to move transmitter from the Power and Light Building to a new site on 34th floor, Fidelity Building, Kansas City.

WBPA—The Natl. Life & Accident Ins. Co., Inc., Mobile (Nashville, Tenn.)—Granted license to cover C. P. for new relay broadcast station; frequencies **1606, 2022, 2102** and **2758 kc.;** 20 watts.

W9XAI—The Journal Co. (The Milwaukee Journal), Mobile—Granted license to cover C. P. authorizing changes in equipment and increase in power from 7.5 watts to 50 watts.

W8XJV—WJR, The Goodwill Station, Mobile—Granted modification of C. P. extending commencement date to 5-22-37 and completion date to 8-22-37.

SET FOR HEARING

NEW—Dr. William States Jacobs Broadcasting Co., Houston. Tex.—Application already in hearing docket, amended to request C. P. for new station to operate on **1220 kc.**, unlimited time, 1 KW, using directional antenna system for nighttime operation.

NEW—Great Lakes Broadcasting Corp., Cleveland, Ohio—C. P. for new station amended to request **1270 kc.**, 1 KW night, 5 KW day, unlimited time, using directional antenna for both day and night operation.

NEW—Galesburg Broadcasting Co., Galesburg, Ill.—C. P. for new station to operate on **1500 kc.**, 250 watts, daytime only; exact transmitter site to be determined with Commission's approval.

NEW—Jules J. Rubens, Aurora, Ill.—C. P. for new station, **1040 kc.**, 250 watts daytime only; exact transmitter and studio sites, and type of antenna to be determined with Commission's approval.

KFEL—Eugene P. O'Fallon, Inc., Denver, Colo.—C. P. for changes in equipment; install vertical radiator; increase power and time of operation from 500 watts night, 500 watts day, S-KVOD to 1 KW, unlimited time.

WBNO—The Coliseum Place Baptist Church, New Orleans, La.—C. P. to move transmitter and studio locally; install vertical radiator and new equipment; change frequency from **1200** to **1420 kc.;** increase power and time of operation from 100 watts night, 100 watts day, S-WJBW to 100 watts night, 250 watts day, unlimited time.

NEW—Platt and Platt, Inc., Poughkeepsie, N. Y.—Application for C. P. for new station to operate on **1310 kc.**, 100 watts night, 250 watts day, unlimited time; exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

NEW—Honolulu Broadcasting Co., Ltd., Honolulu, T. H.—C. P. for new station to operate on **1010 kc.**, 250 watts, unlimited time; exact transmitter site and type of antenna to be determined with Commission's approval.

NEW—Radio Station WFNC (Partnership of C. Frank Walker & Waldow W. Primm), Fayetteville, N. C.—C. P. for new station to operate on **1210 kc.**, 250 watts, daytime only.

NEW—Richard Field Lewis, Oakland, Cal.—C. P. for new station to operate on **1160 kc.**, 1 KW, daytime only; exact transmitter site to be determined with Commission's approval.

WSAZ—WSAZ, Inc., Huntington, W. Va.—C. P. for new equipment, vertical radiator and increase in day power from 1 KW to 5 KW.

WBNS—WBNS, Inc., Columbus, Ohio—C. P. already in hearing docket, amended to request authority to install new equipment and directional antenna system; increase night power to 1 KW, day power to 5 KW, using directional antenna system for nighttime operation.

NEW—Harry Schwartz, Tulsa, Okla.—C. P. for new station; **1310 kc.**, 250 watts daytime only. Transmitter site to be determined with Commission's approval; studio 4th & Cheyenne, Tulsa, Okla.

NEW—Genesee Radio Corp., Flint, Mich.—C. P. for new station to operate on **1200 kc.**, 100 watts night, 250 watts day. Specified hours. Exact site to be determined with Commission's approval.

NEW—Wm. E. Walker & Merrill F. Chapin, d/b as Walker & Chapin, Oshkosh, Wis.—C. P. for new station to operate on **1010 kc.**, 250 watts night, 250 watts day, unlimited time. Site to be determined.

NEW—John P. Harris, Hutchinson, Kans.—C. P. for new station to operate on **1200 kc.**, 100 watts night, 250 watts day. unlimited time. Site to be determined.

WBRE—Louis G. Baltimore, Wilkes-Barre, Pa.—Modification of C. P. to install new equipment, increase day power from 100 to 250 watts, and extend commencement date to 60 days after grant, and completion date to 180 days thereafter.

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—Modification of C. P. to install directional antenna system for day and night-time operation when WOSU is operating; increase time of operation from specified hours to unlimited time, and extend commencement date to 30 days after grant and completion date to 6 months thereafter.

WKOK—Sunbury Broadcasting Corp., Sunbury, Pa.—Modification of license to change time of operation from specified hours to unlimited.

WROK—Lloyd G. Thomas, Rockford, Ill.—Authority to transfer control of corporation to Rockford Consolidated Newspapers, Inc.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KADA, Ada, Okla.; KANS, Wichita, Kans.; KASA, Elk City, Okla.; KBTM, Jonesboro, Ark.; KCKN, Kansas City, Kans.; KDLR, Devils Lake, N. Dak.; KDON, Monterey, Calif.; KFJB, Marshaltown, Iowa; KFJI, Klamath Falls, Ore.; KFPW, Fort Smith, Ark.; KFVS, Cape Girardeau. Mo.; KFXJ, Grand Junction, Colo.; KGFJ, Los Angeles; KGFW, Kearney, Nebr.; KGHI, Little Rock, Ark.; KINY, Juneau, Alaska; KIT, Yakima, Wash.; KIUL, Garden City, Kans.; KLAH, Carlsbad, N. Mex.; KMLB, Monroe, La.; KPPC, Pasadena, Calif.; KRMD, Shreveport, La.; KROC, Rochester, Minn.; KSUN, Lowell, Ariz.; KTSM, El Paso, Texas; KVGV, Redding, Calif.; KVOL, Lafayette, Ind.; KWG, Stockton, Calif.; KXRO, Aberdeen, Wash.; WAIM, Anderson, S. C.; WALR, Zanesville, Ohio; WBAX, Wilkes-Barre, Pa.; WBBL, Richmond, Va.; WBEO, Marquette, Mich.; WBOW, Terre Haute, Ind.; WBRB, Red Bank, N. J.; WBRE, Wilkes-Barre, Pa.; WCAT, Rapid City, S. Dak.; WCAX, Burlington, Vt.; WCLO, Janesville, Wis.; WCLS, Joliet, Ill.; WCRW, Chicago; WEBQ, Harrisburg, Ill.; WEDC, Chicago; WEMP, Milwaukee; WEST, Easton, Pa.; WEXL, Royal Oak, Mich.; WFAM, South Bend, Ind.; WFAS, White Plains, N. Y.; WFDF, Flint, Mich.; WGBB, Freeport, N. Y.; WGH, Newport News, Va.; WGNY, Newburg, N. Y.; WHAT, Philadelphia; WHBF, Rock Island, Ill.; WHBU, Anderson, Ind.; WHBY, Green Bay, Wis.; WJAC, Johnstown, Pa.; WJBC, Bloomington, Ill.; WJBL, Decatur, Ill.; WJBY, Gadsden, Ala.; WJEJ, Hagerstown, Md.; WIL, St. Louis, Mo.; WJIM, Lansing, Mich.; WJW, Akron, Ohio; WKBO, Harrisburg, Pa.; WLBC, Muncie, Ind.; WLNH, Laconia, N. H.; WMFG, Hibbing, Minn.; WMPC, Lapeer, Mich.; WMBH, New Bedford, Mass.; WOL, Washington, D. C.; WPAX, Thomasville, Ga.; WRAW, Reading, Pa.; WRBL, Columbus, Ga.; WROL, Knoxville, Tenn.; WSIX, Nashville, Tenn.; WSOC, Charlotte, N. C.; WTAX, Springfield, Ill.; WTEL, Philadelphia; WTJS, Jackson, Tenn.; WTRC, Elkhart, Ind.; WWAE, Hammond, Ind.

SPECIAL AUTHORIZATIONS

WCAL—St. Olaf College, Northfield, Minn.—Granted extension of special temporary authority to operate from 2 to 9 p. m. CST, the following Sundays: May 30, June 6, 13, 20, 1937 (provided WTCN remains silent), in order to continue NBC program schedule with commencement of daylight saving time in New York City.

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—Same as above except to operate from 3 to 4 p. m., CST (provided WCAL remains silent).

WNAC—The Yankee Network, Inc., Boston, Mass.—Granted special temporary authority to operate WNAC transmitter at reduced power during daylight hours for period of 2 weeks pending arrival new antenna coupling condenser.

WKAT—A. Frank Katzentine, Miami Beach, Fla.—Granted special temporary authority to operate a 100-watt transmitter between hours of 12 midnight and 6 a. m., EST, for period May 15 to May 24, 1937, in order to select suitable transmitter site in city of Miami Beach and near vicinity, providing operation not permitted during Commission monitoring schedule.

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Granted special temporary authority to broadcast regular program schedule on auxiliary transmitter located at Log Cabin Ave., Macon, Ga., with 500 watts power, for period of 2 weeks from May 10, in order to effect remodeling of transmitter building.

KGDY—Voice of South Dakota, Huron, S. Dak.—Granted extension of special temporary authority to remain silent for period May 1 to 31, 1937, for purpose of rebuilding transmitter to comply with Rule 132, conditionally.

WSAY—Brown Radio Service & Lab., Rochester, N. Y.—Granted extension of special temporary authority to operate from 12 midnight to 6 a. m., EST, May 11 through June 10, 1937, for the purpose of taking measurements to determine interference conditions. However, not permitted to operate during Commission's monitoring schedule.

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted special temporary authority to operate from 5:15 to 10 a. m., EST, Wednesday, May 12 (provided WSVS remains silent), in order to broadcast Coronation ceremonies.

WPAD—Paducah Broadcasting Co., Inc., Paducah, Ky.—Granted extension of special temporary authority to broadcast police calls for the period May 9 to June 7, 1937, pending building of a new police transmitter.

WESG—Cornell Univ., Elmire, N. Y.—Granted special temporary authority to operate from 4:15 a. m. to 6 a. m., EST, May 12, in order to carry full Columbia Program of Coronation from London.

KFDY—So. Dak. State College, Brookings, S. Dak.—Granted special temporary authority to operate from 7:30 to 9 p. m., CST, May 21, in order to broadcast an address by Governor of S. Dak., also from 7:30 to 9 p. m., CST, June 7, in order to broadcast annual commencement program of S. Dak. State College including commencement address of President Friley of Iowa State College.

WINS—Hearst Radio, Inc., New York City.—Granted special temporary authority to operate on morning of May 12 from 4:15 to 6 a. m., EST, in order to broadcast coronation of King George.

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—Granted special temporary authority to operate from 4 to 6 a. m., EST, May 12, 1937, in order to broadcast the Coronation ceremonies.

WSAY—Brown Radio Service & Lab., Rochester, N. Y.—Granted special temporary authority to operate from 4:15 to 6 a. m., EST, May 12th, in order to broadcast Coronation ceremonies.

WHB—WHB Broadcasting Co., Kansas City, Mo.—Granted special temporary authority to operate during test period from 3 to 6 a. m., CST, Wednesday, May 12, in order to broadcast coronation day activities through Canadian Broadcasting Corp. and Mutual network.

ORAL ARGUMENTS

Oral arguments were granted, to be held June 3, in the following cases: Ex. Rep. 1-379, The WATR Company, Inc., Waterbury, Conn.; Ex. Rep., 1-387, W. Hanes Lancaster & J. W. Birdwell, d/b as Johnson City Broadcasting Co., Johnson City, Tenn.; Ex. Rep. 1-388, Cumberland Broadcasting Co., Portland, Maine, Twin City Broadcasting Co., Inc., Lewiston, Maine, Philip J. Wiseman, Lewiston, Maine, Cape Cod Broadcasting Co., Barnstable, Mass., Geo. M. Haskins, Hyannis, Mass., and Arthur E. Seagrave, Lewiston, Maine. On June 10, the following cases: Ex. Rep. 1-389, Knoxville Journal Broadcasting Co., Knoxville, Tenn., and Ex. Rep. 1-402, KFXR, Oklahoma City, Okla., The Exchange Ave. Baptist Church of Oklahoma City.

EFFECTIVE DATES EXTENDED

Ex. Rep. 1-317: Independence Broadcasting Co., Inc., Philadelphia, Pa.—Effective date of order further extended to May 25, 1937.

WSBT—Ex. Rep. 1-315: The South Bend Tribune, South Bend, Ind.—Effective date of order extended to May 25, 1937.

WEMP—Milwaukee Broadcasting Co., Milwaukee, Wis.—Effective date of order extended to May 25, 1937.

NEW—Ex. Rep. 1-291: Niagara Falls Gazette Pub. Co., Niagara Falls, N. Y.—Effective date of order extended to May 25, 1937.

NEW—Power City Broadcasting Corp., Niagara Falls, N. Y.—Effective date of order extended to May 25, 1937.

MISCELLANEOUS

KGO—National Broadcasting Co., Inc., San Francisco, Calif.—Granted petition to reinstate application for C. P. to increase power to 50 KW (Docket 4089), for hearing May 24, 1937.

WNRI—S. George Webb, Providence, R. I.—Granted petition to intervene in hearing on application of The Colonial Network, Inc., for C. P. for new radio station at Providence to operate on **720 kc.,** 1 KW, limited time. (Docket 4128.)

WKEU—Radio Station WKEU, Griffin, Ga.—Granted petition to intervene in the hearing on the application of the J. K. Patrick & Co., for new station at Athens, Ga., to use **1310 kc.,** 100 watts night, 250 watts LS, unlimited time. Docket 4459.

Great Lakes Broadcasting Co.—Granted petition to intervene in the hearing on application of WRBC, Inc., for new station at Cleveland, Ohio, to use **880 kc.,** 1 KW, unlimited time. Docket 3890.

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Cal.—Granted petition to intervene in the hearing on application of Geo. N. Payne for C. P. for new station to be located at San Jose, Cal., to operate on **1440 kc.,** 500 watts, unlimited time. Docket 4276.

KGDM—E. F. Peffer, Stockton, Cal.—Granted petition to intervene in the hearing on the application of Royal Miller (KROY) for modification of C. P., **1340 kc.,** 250 watts night, 1 KW LS, unlimited time. Docket 4234.

WMBG—Havens & Martin, Inc., Richmond, Va.—Granted petition to intervene in the hearing on the application of John Stewart Bryan for new station at Petersburg, Va., to use **1210 kc.,** 100 watts night, 250 watts day, specified hours; and the application of Petersburg Newspaper Corp. to use **1210 kc.,** 100 watts night, 250 watts LS, unlimited time.

KGO—Natl. Broadcasting Co., Inc., San Francisco, Cal.—Granted petition to reinstate application for C. P. to increase power to 50 KW, Docket 4089, for hearing on May 24, 1937.

NEW—Smith, Keller & Cole, San Diego, Cal.—Granted petition to intervene in the hearing on the application of Warren B. Worcester for a new station at San Diego, to operate on frequency **1400 kc.,** 250 watts night, 1 KW LS, unlimited. (Docket 4631.)

WPAY—Vee Bee Corp., Portsmouth, Ohio.—Granted extension of Rule 132 to June 30, 1937.

WWJ—Evening News Assn., Detroit, Mich.—Granted consent to transfer control of Evening News Assn., licensee of station WWJ, from the trustees named to the beneficiaries under the trust.

KTAT—Tarrant Broadcasting Co., Fort Worth, Tex.—Granted extension of effective date of Rule 132 until June 1, 1937.

KMTR—KMTR Radio Corp., Los Angeles, Cal.—Granted regular renewal of license for the period ending September 1, 1937.

APPLICATIONS DENIED

WELI—City Broadcasting Corp., New Haven, Conn.—Denied special temporary authority to operate from local sunset (May Sunset 7 p. m.) to 10:30 p. m., EST, Thursday, May 27; also to operate from local sunset (June sunset 7:30 p. m.) to 10:30 p. m., EST, Friday, June 4.

The following applications, heretofore set for hearing, were denied as in cases of default for failure of applicants to file appearances in accordance with Rule 104.6 (c):

NEW—Metropolitan Radio Service Inc., Chicago, Ill.—**1570 kc.,** 1 KW, 1 KW-LS, unlimited.

NEW—J. Laurence Martin, Amarillo, Tex.—**1120 kc.,** 250 watts, 250 watts LS, specified hours (7 a. m. to 8 p. m., CST).

NEW—Western Union College, Le Mars, Iowa.—**1210 kc.,** 100 watts, 250 watts LS, unlimited.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

KGAR—Tucson Motor Service Co., Tucson, Ariz.—**1340 kc.,** 250 watts, 250 watts LS, unlimited.

WNNY—Black River Valley Broadcasts, Inc., Watertown, N. Y.—**1420 kc.,** 100 watts, 250 watts LS, unlimited.

NEW—Ohio Broadcasting Co., East Liverpool, Ohio.—**1270 kc.,** 250 watts, daytime.

NEW—Chauncey W. Hammond, Oakland, Cal.—**1280 kc.,** 1 KW, 1 KW LS, unlimited time.

NEW—Ohio Broadcasting Co., Salem, Ohio.—**780 kc.,** 250 watts, daytime.

NEW—Ohio Broadcasting Co., Marion, Ohio.—**1200 kc.,** 100 watts, daytime.

MINUTE ENTRY CHANGED

In the meeting of March 16, 1937, the Broadcast Division acted on an application of WMC, and the minute entry in this case should read as follows:

WMC—Memphis Commercial Appeal, Inc., Memphis, Tenn.—Voluntary assignment of licenses of station WMC (main and auxiliary), W4XCA, W4XBS and WABG and C. P. (B3-P-1562) of station WMC (auxiliary transmitter) to Memphis Commercial Appeal Co., a newly organized corporation.

RATIFICATIONS

The Broadcast Division ratified the following acts authorized on the dates shown:

WTAR—Radio Station WTAR, Norfolk, Va.—Granted extension equipment tests main transmitter and effective date Rule 132 respect auxiliary transmitter to May 26.

WNOX—Radio Station WNOX, New York City.—Granted extension equipment tests on new equipment and authority to operate present equipment without modulation or frequency monitor period 10 days.

WATL—Atlanta Broadcasting Co., Atlanta, Ga.—Granted extension program test period 30 days from May 5.

KFYO—Plains Radio Broadcasting Co., Lubbock, Tex.—Granted extension program test period from February 22 to June 5.

W9XPL-W9XPM—KFNF, Inc., Shenandoah, Iowa.—Granted authority to operate as licensed for period 30 days from May 5, relaybroadcast from plant of The Henry Field Co.

WBZ—Westinghouse Electric and Manufacturing Co., Boston, Mass.—Granted special temporary authority to operate 1 KW crystal controlled transmitter at or near site specified in application for C. P., on frequency **1020 kc.,** during daytime hours, for period not to exceed 30 days.

Granted petition of S. O. Ward and P. C. Ward, d/b as Louisville Broadcasting Co., to intervene in the proceedings upon the application of Louisville Times Co. for C. P. for new station at Louisville, Ky.

Granted petition of Star-Time Publishing Co. (KXCK) to intervene in the hearing on application of Pulitzer Publishing Co. (KSD), St. Louis, Mo., for renewal of license.

Granted petition of Dodge City Broadcasting Co., Inc., KGNO, Dodge City, Kans., for waiver of Rule 104.6(b), and accepted its answer to the appearance of the application in the hearing on application of Greater Kampeska Radio Corp. (KWTN), for C. P.

Granted request of Mid-Atlantic Corp. and the Interstate Broadcasting Co. for extension of time from May 6 to May 10, within which to file exceptions to Ex. Rept. 1-395.

Granted motion of George H. Payne for continuance of hearing on his application for C. P. for new station at San Jose, Calif., from May 21 to June 28.

Granted motion of Voice of Detroit, Inc., for continuance of hearing upon its application for C. P. for new station at Detroit and directed that hearing now scheduled for May 24 be continued until September 9, 1937.

The Broadcast Division, upon its own motion, directed that the hearing upon the application of KCMO Broadcasting Co. for C. P. for new station at Kansas City, Mo., now scheduled for May 28 be continued until June 28, 1937.

Granted petition of A. L. Chilton for continuance of oral argument on the application of Dallas Broadcasting Co. for new station at Dallas, Tex. (Ex. Rept. 1-341), now scheduled for May 23, until such time as oral argument on his application for new station at Dallas, Tex. (Ex. Rept. 1-390), is had.

Granted petition of E. E. Krebsbach (KGCX), Wolf Point, Mont., for waiver of Rule 104.6(b), and accepted his answer to the appearance of the applicant in the hearing upon the application of L. L. Coryell, Sr. and Jr., d/b as Coryell and Son, for C. P. for new station at Lincoln, Nebr.

EXAMINERS' REPORTS RELEASED SINCE MAY 4, 1937

WJAR—Ex. Rep. 1-404: The Outlet Company, Providence, R. I.—Examiner R. L. Walker recommended grant of C. P. to increase power from 1 KW to 1 KW night, 5 KW day.

KDON—Ex. Rep. 1-405: Monterey Peninsula Broadcasting Co., Del Monte, Calif.—Examiner P. W. Seward recommended grant of C. P. to change frequency from **1210 kc.** to **1400 kc.,** power from 100 watts to 250 watts night, 1 KW LS.

NEW—Salinas Newspapers, Inc., Salinas, Calif.—Examiner Seward recommended denial of C. P. for new station to operate on **1390 kc.,** 250 watts, daytime.

NEW—Ex. Rep. 1-406: Leonard A. Versluis, Grand Rapids, Mich. —Examiner R. L. Walker recommended denial of application for C. P. for new station, **830 kc.,** 500 watts, daytime.

NEW—Ex. Rep. 1-407: Juan Piza, San Juan, P. R.—Examiner P. W. Seward recommended grant of application for C. P. for new station to operate on **1500 kc.,** 100 watts night, 250 watts LS, unlimited time.

REHEARING DENIED

KTFI—Radio Broadcasting Corp., Twin Falls, Idaho.—Denied application for rehearing in re its application for modification of license to change operating frequency from **1240 kc.** to **630 kc.** (Docket 2825, Examiner's Report No. 1-249).

APPLICATIONS RECEIVED

First Zone

WTIC—The Travelers Broadcasting Service Corp., Hartford, Conn.
1060 —Voluntary assignment of license and special experimental authorization from The Travelers Broadcasting Service Corp. to The Travelers Broadcasting Co.

WBNX—WBNX Broadcasting Co., Inc., New York, N. Y.—Con-
1350 struction permit to install a new transmitter, install new directional antenna for day and night use, increase power from 1 KW to 5 KW, and move transmitter from 138 Pine Street, Cliffside Park, N. J., to near Secaucus, N. J. Amended to change name from Standard Cahill Company, Inc., to WBNX Broadcasting Company, Inc., and make changes in directional antenna.

WQDM—E. J. Regan and F. Arthur Bostwick, d/b as Regan and
1370 Bostwick, St. Albans, Vt.—Modification of license to change hours of operation from specified hours to daytime to local sunset at Cleveland, Ohio.

NEW—The Yankee Network, Inc., Boston, Mass.—Construction permit for a new high frequency broadcast station to be operated on **41200 kc.,** 50 KW, unlimited time.

NEW—The Yankee Network, Inc., Boston, Mass.—Construction permit for a new relay broadcast station to be operated on **130000, 135000, 140000, 145000 kc.,** 250 watts, unlimited time.

W1XLU—The Travelers Broadcasting Service Corp., Hartford, Conn.—Voluntary assignment of license from The Travelers Broadcasting Service Corp. to The Travelers Broadcasting Co.

W1XO—The Travelers Broadcasting Service Corp., Hartford, Conn.—Voluntary assignment of license from The Travelers Broadcasting Service Corp. to The Travelers Broadcasting Co.

W1XT—The Travelers Broadcasting Service Corp., Hartford, Conn.—Voluntary assignment of license from The Travelers Broadcasting Service Corp. to The Travelers Broadcasting Co.

W1XEH—The Travelers Broadcasting Service Corp., Avon, Conn. —Voluntary assignment of license from The Travelers Broadcasting Service Corp. to The Travelers Broadcasting Co.

Second Zone

WKAR—Michigan State College, E. Lansing, Michigan.—Con-
850 struction permit to install a new transmitter, make changes in antenna system, increase power from 1 KW to 5 KW, and move transmitter from College Campus, E. Lansing, Mich., to College Farms, E. Lansing, Mich.

NEW—The Ohio Broadcasting Co., Steubenville, Ohio.—Con-
1310 struction permit for a new station to be operated on **1420 kc.**, 100 watts, daytime. Amended to change requested frequency from **1420 kc.** to **1310 kc.**

WBTM—Piedmont Broadcasting Corp., Danville, Va.—License to
1370 cover construction permit (B2-P-1342) for changes in equipment.

W3XAU—WCAU Broadcasting Co., Newtown Square, Pa.—Modification of license to include the frequency **15150 kc.**

W3XAU—WCAU Broadcasting Co., Newtown Square, Pa.—Modification of license to include the frequency **21520 kc.**

W3XAU—WCAU Broadcasting Co., Newtown Square, Pa.—Modification of license to include the frequency **25750 kc.**

Third Zone

KRIS—Gulf Coast Broadcasting Co., Corpus Christi, Tex.—Modi-
1330 fication of construction permit (B3-P-539) as modified for a new station, requesting increase in power from 250 watts night, 500 watts day, to 500 watts night and day.

NEW—The Enterprise Co., Beaumont, Tex.—Construction permit
1350 for a new station to be operated on **1400 kc.**, 500 watts, unlimited time. Amended to change frequency from **1400 kc.** to **1350 kc.**, and power from 500 watts to 250 watts, 500 watts day.

NEW—Broadcasters, Inc., Gastonia, N. C.—Construction permit
1420 for a new station to be operated on **1420 kc.**, 100 watts night, 250 watts day, unlimited time.

Fourth Zone

WTAD—Illinois Broadcasting Corp., Quincy, Ill.—Modification of
900 license to change hours of operation from daytime to unlimited time, using 1 KW power.

NEW—Thomas F. Airth, Wythe Walker and Rex Schepp, d/b as
1020 Evanston Broadcasting Co., Evanston, Ill.—Construction permit for a new station to be operated on **1500 kc.**, 100 watts night, 250 watts day, unlimited time. Amended to change requested frequency from **1500 kc.** to **1020 kc.**, power from 100 watts night, 250 watts day, to 250 watts, hours of operation from unlimited time to daytime, and give transmitter and studio sites as site to be determined, Evanston, Ill.

KWOS—Tribune Printing Co., Jefferson City, Mo.—Construction
1310 permit to make changes in equipment, increase power from 100 watts to 100 watts night, 250 watts day, and change hours of operation from daytime to unlimited time.

WGL—Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—
1370 License to cover construction permit (B4-P-1534) for a new antenna and move of transmitter and studio.

NEW—W. H. Hartman Co., Publisher of Waterloo Daily Courier,
1400 Waterloo, Iowa.—Construction permit for a new station to be operated on **1420 kc.**, 100 watts, unlimited time. Amended to change transmitting equipment, change requested frequency from **1420 kc.** to **1400 kc.**, power from 100 watts to 500 watts, and hours of operation from unlimited time to daytime.

NEW—Sam Klaver and Nathan Belzer, d/b as The Great Western
1420 Broadcasting Co., Omaha, Nebr.—Construction permit for a new station to be operated on **1420 kc.**, 100 watts, unlimited time. Amended to change name of applicant from Sam Klaver and Nathan Belzer to Sam Klaver and Nathan Belzer, d/b as The Great Western Broadcasting Co.

NEW—C. Bruce McConnell, Indianapolis, Ind.—Construction per-
1500 mit for a new station to be operated on **1500 kc.**, 100 watts night, 250 watts day, specified hours. Requests hours now used by Station WKBV.

NEW—N. B. Egeland, Roland, Iowa.—Construction permit for a
1500 new station to be operated on **1500 kc.**, 100 watts night, 250 watts day, specified hours.

Fifth Zone

NEW—Pacific Radio Corp., Grants Pass, Ore.—Construction per-
630 mit for a new station to be operated on **630 kc.**, 500 watts, unlimited time.

KGO—National Broadcasting Co., Inc., San Francisco, Calif.—
790 Construction permit to install new equipment, increase power from 7½ KW to 50 KW, and move transmitter from 5555 E. 14th St., Oakland, Calif., to near Belmont, Calif. Amended to install directional antenna for night use.

NEW—C. P. Sudweeks, Spokane, Wash.—Construction permit for
950 a new station to be operated on **950 kc.**, 500 watts night, 1 KW day, unlimited time. Amended to give exact transmitter site as Pleasant Prairie, Wash., and install directional antenna for day and night use.

NEW—Airfan Radio Corp., Ltd., San Diego, Calif.—Construction
1420 permit for a new station to be operated on **1420 kc.**, 100 watts. unlimited time.

Alaskan Zone

KGBU—The Alaska Radio & Service Co., Inc., Ketchikan, Alaska.
900 —Modification of construction permit (B-P-537) for new equipment and increase in power, requesting changes in authorized transmitting equipment, change power from 1 KW, 5 KW day, to 1 KW, for approval of vertical antenna and move of transmitter from 107 Front Street, Ketchikan, Alaska, to Block 27, Sections 5, 6 and 7, corner East and Stedman Streets, Ketchikan, Alaska.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS

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Copyright, 1937. The National Association of Broadcasters

NOTICE OF AMENDMENT

To All Members:

In pursuance of the provisions contained in By-Law 17 of the Constitution and By-Laws of the National Association of Broadcasters, Inc., notice is hereby given that a certain amendment to the Constitution and By-Laws of the National Association of Broadcasters, Inc., as hereinafter described, will be presented for consideration at the annual membership meeting in Chicago, Illinois, June 20-23, 1937.

The Board of Directors, by a majority vote, propose the following amendment to the By-Laws of the National Association of Broadcasters, Inc.:

By-Law No. 1.

Strike out all of the first paragraph and insert in lieu the following:

"Effective September 1, 1937, bi-monthly dues of active members shall be payable January 1, March 1, May 1, July 1, September 1, and November 1, on the following basis."

COMMISSION GRANTS NEW STATION

The Federal Communications Commission this week granted a construction permit for a new broadcasting station at Greenville, Texas, to the Hunt Broadcasting Company to operate on 1200 kilocycles, 100 watts daytime. The order is effective July 13.

RADIO OPERATORS MINIMUM AGE BILL

U. S. Senator Sheppard of Texas has introduced a bill (S. 2407) to make 21 years the minimum age for radio operators. It has been referred to the Senate Committee on Interstate Commerce. The bill is as follows:

That section 303 (e) of the Communications Act of 1934 (U. S. C., 1934 edition, title 47, sec. 303), is amended by inserting the words "who are twenty-one years of age or over" after the words "United States", and adding the words ": *Provided,* That the Commission may waive the age-limit provisions of this paragraph insofar as the issuance of licenses to amateur operators is concerned;" after the words "finds qualified", so that the amended paragraph will read:

"(e) Have authority to prescribe the qualifications of station operators, to classify them according to the duties to be performed, to fix the forms of such licenses, and to issue them to such citizens of the United States who are twenty-one years of age or over as the Commission finds qualified: *Provided,* That the Commission may waive the age-limit provisions of this paragraph insofar as the issuance of licenses to amateur operators is concerned".

DEVELOPMENTS ON COPYRIGHT LEGISLATION

Developments on state copyright legislation, since the last report in the April 1st issue of NAB Reports, include: Nebraska's legislature passed an anti-monopoly music copyright bill which was approved by the Governor on May 17th. In Wisconsin the Senate on May 12th passed a joint resolution which memorializes Congress to

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Make Your Plans Now to Attend the NAB Convention at Hotel Sherman, Chicago, June 20-23, 1937

enact legislation prohibiting racketeering on copyrighted music. A copyright bill similar to the Montana and Washington state laws was introduced in Tennessee and was passed by both the House and Senate. Copyright legislation has also been introduced in the Florida legislature. The legislatures of Iowa, Ohio and Minnesota adjourned without acting on pending copyright bills.

In Washington, D. C., the Senate Patents Committee has decided to schedule hearings within the next 30 days on the copyright bills introduced by Senators Duffy, Sheppard and Guffey. The House Patents Committee which also has three copyright bills pending has not reached any decision with respect to setting dates for hearings.

The text of the Nebraska law as approved by the Governor is as follows:

NEBRASKA

(Bill No. 478.)

(Regular Session.)

An Act relating to monopolies; declaring to be an unlawful monopoly and its purposes to be in restraint of trade, any combination of persons, firms or corporations which fixes and determines the amount of money to be paid to it or to its members for the privilege of rendering privately or publicly for profit within this state copyrighted vocal or instrumental musical compositions, when such combination is composed of a substantial number of all musical composition copyright owners or their heirs, successors or assigns; to require each composer and each author of vocal or instrumental copyrighted musical compositions to act independently of each other and of any combination as herein declared unlawful in determining license fees and other rights within this state; to require the author, composer, printer and publisher to specify upon the musical composition the selling price thereof for all uses that may be made thereof including public performance for profit within this state; to declare that any purchaser thereof, who pays such price therefor, shall have the right to render such music privately or publicly for profit within this state; to declare all existing agreements requiring license fees or other exactions for the privilege of rendering copyrighted musical compositions publicly for profit within this state with any combination of persons, firms or corporations herein declared unlawful to be void and nonenforceable; to permit the present owners, possessors and users of such copyrighted music to render the same privately or publicly for profit within this state without interference by such unlawful combination; to provide for the appointment of a receiver and injunctive relief and the dissolution of such combination as here declared unlawful; to determine in such action the legal owner of such copyrighted musical compositions; to adjust and fix in such action the license fee to be paid, if any, and the terms for the use of such musical compositions in this state; to provide for the protection of theatres, moving picture houses, hotels, places for education and public performance or amusement, radio broadcasting, radio receiving and radio re-broadcasting stations affiliated with other persons, firms or corporations outside the State of Nebraska against the collection of license fees or other exactions by such out-of-the-state affiliates for or on account of any combination declared unlawful under Section 1 hereof; to provide that the responsibility and all liability for any infringement of copyrighted musical compositions conveyed by radio broadcast, air, wire, electrical transcription, or sound production apparatus, or by personal performance coming from outside this state, and used herein, to rest entirely with the out-of-the-state person, firm or corporation originally emanating or sending the same into this state for use herein; to provide penalties for the violation hereof; to empower the County Attorneys and the Attorney General, upon complaint of any party aggrieved by any violation hereof, to proceed to enforce the penalties hereof against such combination and any of its representatives, members or agents, and against the property of such unlawful combination within this state; to define the method of service of process upon such combination as herein declared illegal; to empower any party aggrieved by any violation hereof to proceed in his own right hereunder; to define the legal procedure required to carry out the provisions hereof; to provide for the recovery of costs, expenses and attorney's fees; to provide for the filing of each said composition in the office of the Secretary of State before selling or disposing of the same, together with the amount of filing fee therefor; to provide that the terms of this Act shall be cumulative; to provide that any part of this Act declared illegal shall not affect the validity of the remaining parts hereof; and to declare an emergency.

Be it enacted by the People of the State of Nebraska:

Section 1. It shall be unlawful for authors, composers, proprietors, publishers, owners, or their heirs, successors or assigns, of copyrighted vocal or instrumental musical compositions to form any society, association, club, firm, partnership, corporation, or other group or entity, called herein a combination, either within this state or outside thereof, when the members, stockholders, or interested parties therein constitute a substantial number of the persons, firms or corporations within the United States who own or control copyrighted vocal or instrumental musical compositions, and when at least one of the objects of any such combination is the determination and the fixation of license fees or other exactions required by such combination for itself or its members, stockholders or other interested parties for any use or rendition of copyrighted vocal or instrumental musical compositions for private or public performance for profit within this state for the purpose of preventing free competition among or with different and competing copyright owners or among or with persons, firms, corporations or associations in this state using or rendering such copyrighted matter by public performance for profit; or for the purpose of dividing among them the proceeds of the earnings of such copyright owners; or for the purpose of fixing the exactions and fees for the rendition or use of copyrighted matter which any copyright owner must charge; and the collection or attempted collection within this state of such license fee or other exaction so fixed and determined, by any member, agent or representative of any such combination herein declared unlawful, from any person, firm, corporation or association within this state, including theatres, radio receiving, radio broadcasting and radio re-broadcasting stations, moving picture houses, athletic associations, hotels, cafes, restaurants, clubs, dance halls, recreation rooms, amusement parks, pavilions, churches, colleges, schools, universities, or the officers, directors, proprietors, managers, owners or representatives thereof, who render or cause to be rendered, or permit to be rendered, such copyrighted vocal or instrumental musical compositions privately or publicly for profit within this state through personal performance, or through radio, or any instrumentality or sound producing apparatus, shall be and the same is hereby declared unlawful and illegal; and such license fees or other exactions shall not be collected in any court within the boundaries of this state; and each collection or attempted collection of such license fee or other exaction by such combination or its agents, representatives, members, stockholders or interested parties shall be a separate offense hereunder; and any such combination of authors, composers, publishers, or their heirs, successors or assigns, as herein defined, is hereby declared to be an unlawful monopoly in this state; and such fixing of prices for use or rendition of copyrighted musical compositions within this state by such unlawful combination and the collecting or attempting to collect such license fees or other exactions by it or for its stockholders, members or other interested parties within this state is hereby declared illegal and in restraint of trade, and such collection or attempted collection thereof is declared to be an illegal intrastate transaction within this state and shall be subject to the terms and penalties of this Act. In any action, civil or criminal, instituted under the provisions of this Act, it shall be prima facie evidence against any party to such action of the existence of such unlawful combination for the purposes in this Act enumerated, if a substantial number of all authors, composers, proprietors, publishers, owners or their heirs, successors or assigns of copyrighted vocal or instrumental musical compositions in the United States, are shown to be members of any society, association, club, firm, partnership, corporation, group or entity.

Section 2. (A). All authors and composers, and their heirs and assigns, shall have within this state all the benefits conferred by the Copyright Laws of the United States, being the Act of March 4, 1909, c. 320 Section 1 (e), 35 Stat. 1073, Title 17, U. S. C. A. Each author, composer and publisher shall act independently of any and all substantial number or numbers of other authors, composers and publishers, and also independently of any such combination as in Section 1 hereof declared unlawful, in determining and fixing the price to be charged for the use or rendition of his copyrighted musical compositions within this state, and the author, composer or publisher, or his, her, or its heirs, successors or assigns, shall specify or cause to be specified legibly upon the musical composition, in whatever form the same may be published, printed, manufactured or otherwise prepared for use or rendition within this state, the selling price thereof for private rendition or public rendition for profit if made available for such public rendition so arrived at and determined for all uses and purposes; and when any purchaser or user acquires the same within this state and pays the selling price so specified thereon to the seller or publisher of said copyrighted musical composition, then said purchaser or user may use or render, or cause or permit to be used or rendered within this state, the said copyrighted musical composition by persons individually or with other performers, actors and singers, or by an individual instrument player, or by orchestras and bands, or over or through or by means of radios, loud speakers, radio receiving, radio broadcasting and radio re-broadcasting stations, electrical transcriptions, musical records, sound apparatus or otherwise within this state, and the same may be so rendered either privately or publicly for profit when so purchased and paid for without further license fees or other exactions; and such copyright owner or proprietor, in the event of such payment, shall be deemed to have received full compensation for the rendition and all uses of such musical compositions for private purposes or for public performance for profit by such purchaser within this state.

(B). In the event any author, composer or publisher, or any of his heirs, successors or assigns, fails or refuses to affix on the musical composition the selling price, and collect the same, for private and public performances for profit, at the time and in the manner specified in this Act, then any person, firm or corporation in this state who may have purchased and paid for such copyrighted musical composition may use the same for private or public performance for profit within this state without further license fee or other exaction; and such person, firm or corporation so using or rendering the same shall be free from any and all liability in any infringement or injunction suit, or in any action to collect damages, instituted by such copyright proprietor or owner in any court within the boundaries of this state.

(C). Nothing in this section, or this Act, shall be construed to give to any purchaser of copyrighted music compositions, as herein provided, the right to resell, copy, print, publish, or vend the same.

(D). Any composer, author or publisher of vocal or instrumental copyrighted musical compositions, or any person, firm or corporation controlling the sale or distribution of said compositions, whether or not within the purview of the combination described in Section 1 of this Act, shall, before selling or disposing of any such composition in this state, file in the office of the Secretary of State a copy of each said composition upon which shall be written, printed or typed over his or its signature a statement to the effect that he or it controls the sale or disposition of such composition; and provided further, said person, firm or corporation who shall make such filing shall accompany the same with a fee of Twenty-five Cents (*25¢*) with each copy of said composition so filed to reinburse the Secretary of State for keeping in current and convenient form, easily accessible to the public, the titles of said compositions and the names of the persons, firms or corporations who shall file said copies from time to time; and provided further, said Secretary of State shall deposit all the fees received hereunder weekly with the state Treasurer who shall credit said fees to the general fund of the state.

Section 3. All existing contracts, agreements, licenses or arrangements now existing within this state made by any person, firm or corporation with any combination, declared unlawful under Section 1 hereof, are hereby declared void and non-enforceable in any court within the boundaries of this state, and are hereby declared to have been entered into as intrastate transactions with such unlawful combination and in restraint of trade; and further, all such contracts, agreements, licenses, arrangements and the attempted enforcement thereof within this state, may be enjoined by any person, firm or corporation sought to be bound thereby; and any member, representative or agent of such unlawful combination enforcing or attempting to enforce the terms of such existing contract, license or arrangement within this state shall be guilty of a violation of the terms of this Act, and for each such collection or attempted collection shall be subject to the penalties hereinafter provided.

Section 4. (A). Any person, firm or corporation who owns, leases, operates or manages a radio broadcasting, radio receiving or radio re-broadcasting station within this state, shall be and is hereby authorized to receive, broadcast and re-broadcast copyrighted vocal or instrumental musical compositions within this state, the copyrights of which are owned or controlled by any such combination declared unlawful by Section 1 hereof, without the payment, to such combination or to its agents, representatives or assigns, of any license fee or other exaction declared illegal and non-collectible by the terms hereof.

(B). When such radio receiving, radio broadcasting or radio re-broadcasting station is affiliated with any other person, firm or corporation owning, leasing or operating a radio broadcasting station outside this state from whence copyrighted vocal or instrumental musical compositions originate or emanate, and which are received, used, broadcast or re-broadcast within this state, in accordance with the terms of any affiliation agreement or other contract, then such person, firm or corporation owning, leasing, operating or managing a radio broadcasting station outside this state, shall be and is hereby prohibited from in any manner charging or attempting to charge, or collecting or attempting to collect, from any person, firm or corporation who owns, leases, operates or manages a radio broadcasting, radio receiving or radio re-broadcasting station within this state, any herein declared non-collectible license fee or other exaction, for the purpose of paying or repaying the same outside this state to any combination, or its members, stockholders or other interested parties, declared unlawful by Section 1 hereof; and any such person, firm or corporation, collecting or attempting to collect, such license fee or other exaction against such persons, firms or corporations within this state for the purpose of paying or reimbursing itself for having paid any such license fee or other exaction herein declared unlawful and non-collectible within this state, shall be deemed guilty of a violation of the provisions of this Act; and such person, firm or corporation from without this state is hereby declared to be an agent and representative of such combination as declared illegal and unlawful by Section 1 hereof, and shall be subject to all the penalties hereof.

Section 5. (A). Any person, firm or corporation who owns, leases, operates or manages any theatre or theatres, moving picture house or houses, or a similar place or places for amusement and public performance within this state, shall be and is hereby authorized to receive, use and render, or cause to be received, used and rendered within this state, by the personal performance of artists, singers, musicians, orchestras, bands, or actors, or by loud speakers, radio, sound production or re-production apparatus or instrumentalities, or electrical transcriptions, or by any other means of rendition whatsoever within this state, by the personal performance of artists, singers, musicians, copyrights of which are owned or controlled by any such combination declared unlawful by Section 1 hereof, without the payment, to such combination, or to its agents, representatives or assigns, of any license fee or other exaction declared illegal and non-collectible by the terms of this Act.

(B). When such theatre or theatres, moving picture house or houses, or other places for amusement or performance within this state is or are affiliated or under contract in any manner whatsoever with any other person, firm or corporation furnishing in any form or manner copyrighted musical compositions from outside this state, or supplying such persons, firms, or corporations in this state with radio broadcasts or electrical transcriptions, sound production instrumentalities or apparatus, or artists, performers, musicians, singers, players, orchestras, bands or other artists or talent, wherein or whereby copyrighted vocal or instrumental musical compositions are privately or publicly rendered for profit, then such person, firm or corporation outside this state shall be and is hereby prohibited from in any manner charging or attempting to charge, or collecting or attempting to collect within this state, from any such person, firm or corporation who owns, leases, operates or manages such theatre or theatres, moving picture house or houses, or other places for amusement or public performance within this state, any license fee or other exaction for the purpose of paying or repaying the same to any such combination declared unlawful by Section 1 hereof for the use, rendition or performance of such copyrighted musical compositions within this state; and any such person, firm or corporation, collecting or attempting to collect, such license fee or other exaction from outside this state against such persons, firms or corporations within this state for the purpose of paying or reimbursing itself for having paid any such license fee or other exaction herein declared unlawful and non-collectible, shall be deemed guilty of a violation of the provisions of this Act; and such person, firm or corporation from without this state is hereby declared to be an agent and representative of such combination as declared illegal and unlawful by Section 1 hereof, and shall be subject to all the penalties hereof.

Section 6. Whenever any person, firm or corporation who owns, leases, operates or manages a radio receiving, radio broadcasting or radio re-broadcasting station, or theatre or moving picture house or similar place for amusement and public performance or for the rendition in any manner of copyrighted vocal or instrumental musical compositions within this state, and which radio stations and theatres, and other persons, firms or corporations, aforementioned, are affiliated with persons, firms or corporations outside this state from whence said copyrighted vocal or instrumental musical compositions originally emanate either by radio, sound production instrumentalities or apparatus, or by furnishing a person or persons to play or sing such music within this state, then any responsibility and liability for the use of all copyrighted vocal or instrumental musical compositions thus emanating from outside this state and thus rendered in this state shall rest with and be upon such affiliated person, firm or corporation from outside this state who originates the broadcasting or the performance or the sound production instrumentality or apparatus, or sends the personal singers or performers into this state; and, if the owner of any copyrighted musical composition commences any action within this state on account of any use or rendition thereof in this state through such affiliate or affiliates, then any defendant in such action may interplead such affiliate or affiliates in such action; and any judgment which may be rendered in favor of the copyright owned shall be paid and satisfied by the defendant user in this state, such defendant shall be subrogated in said action or otherwise to all rights of the plaintiff in said judgment as against said affiliate or affiliates, whether the latter is or are a party or parties in said action or not; and in any event such affiliate or affiliates shall be liable to such user to the full extent of his liability to such copyright owner, in the absence of any agreement to the contrary; and any combination declared unlawful by Section 1 of this Act which is the owner or proprietor of or controls the copyrighted vocal or instrumental musical compositions, its agents or representatives shall be and are hereby prohibited from suing for infringement, loss or damage within the boundaries of this state, for the use or rendition of such copyrighted vocal or instrumental musical compositions so originating or emanating because such persons, firms, or corporations used, rendered or performed the same within this state; the use or renditions by radio broadcast, radio re-broadcast or sound producing instrumentalities or apparatus, or electrical transcription, or by the personal performance of singers, players and musicians sent into this state, or otherwise, of such copyrighted musical compositions within this state in the manner set forth in this section, shall be considered, for the purpose of this Act, as intrastate business of this state and subject to the control, regulation and prohibitions set forth in this Act notwithstanding that such copyrighted musical compositions originated or emanated from without this state.

Section 7. (A). Any person, firm or corporation within this state who shall act as the representative of any combination herein declared unlawful as defined in Section 1 hereof, shall, for the purpose of this Act, be deemed an official representative and agent of such unlawful combination and shall be construed to be doing business within this state, and service of any process against such combination may be had upon such representative or the agent of any such representative as herein defined within this state; and when so served, such process shall have the same legal effect as if served upon a duly elected officer or managing agent or other official representative upon whom service might otherwise be made upon such combination within this state.

(B). Furthermore, any person or persons who negotiates for, or collects within this state, or attempts to collect license fees or other exactions, or who acts as the representative or agent for any combination declared unlawful in Section 1 hereof, shall, for the purpose of this Act, be considered as a part of said unlawful combination; and such person, firm or corporation shall be subject to all the penalties in this Act provided for violations thereof.

Section 8. Any combination as in Section 1 hereof declared unlawful and any other person, firm or corporation, acting or attempting to act, within this state in violation of the terms of this Act, or any representative or agent of any person, firm or corporation who aids or attempts to aid any such unlawful combination, as defined in Section 1 hereof, in the violation of any of the terms of this Act in any manner whatsoever within this state shall be deemed guilty of a misdemeanor and shall be fined in any sum not more than $5,000.00 or imprisoned for not more than one (1) year, or both, such fine and imprisonment for each and every violation of the terms hereof.

Section 9. (A). The County Attorney in each county in this state wherein a violation of any of the terms of this Act takes place, in whole or in part, is hereby authorized upon the complaint of any party aggrieved to institute a civil or criminal action, or both, under the terms hereof against any combination declared unlawful as defined in Section 1 hereof, and against any of its members, stockholders or other interested parties, and its agents or representatives as herein defined, and to enforce any of the rights herein conferred, and to impose any of the penalties herein provided.

(B). The Attorney General of the State of Nebraska is hereby empowered to proceed upon the request of any County Attorney to aid and assist, or to take charge of, any prosecution or suit for any violations of any of the terms hereof.

(C). Or, the Attorney General, on the complaint of any party aggrieved, because of the violation of any of the terms of this Act anywhere within this state, shall proceed in the District Court in any county in which all or any part of the offense or violation was committed, to institute action against any combination defined as unlawful by Section 1 hereof, and against the representatives or agents of any such combination, either in a criminal action to enforce the penalties hereof, or in a civil action to enforce all rights hereunder, or to dissolve any such combination as declared unlawful by Section 1 hereof, or he may proceed by both civil and criminal actions; in such action or actions, the plaintiff shall be the State of Nebraska; and any interested party may, upon application, be granted leave to intervene in such a civil action.

(D). The District Court shall, in such dissolution or other civil suit, upon the application and intervention in said action of any member, stockholder or other interested party of said unlawful combination, adjudicate the ownership of any copyrighted vocal or instrumental musical composition theretofore owned or controlled by said unlawful combination; and furthermore, such District Court shall have and is hereby granted the power and authority to appoint a receiver and to issue injunctive and mandatory temporary and permanent orders in reference to any of the issues involved in such action; and any person, firm or corporation within this state who is a user in any manner of any copyrighted vocal or instrumental musical compositions theretofore owned or controlled by such unlawful combination may, upon application, intervene in such action and therein have adjusted, determined and adjudicated all rights for or against the person, firm or corporation whom the Court shall finally determine to be the owner or proprietor of such copyrighted vocal or instrumental musical compositions; and said parties shall be permitted no other remedy in any other court within the boundaries of this State, whether the same be for damages, infringement or otherwise, until final decree has been had in said action determining the ownership and terms for use of such copyrighted musical compositions.

Section 10. (A). Any person, firm or corporation within this state aggrieved by any violation of the terms hereof by any unlawful combination, as defined in Section 1 hereof, or any of its representatives or agents, may proceed in his or its own name and right in the District Court in the county in which the violation, or a part thereof, took place, to recover any right, loss or damage that may have resulted from any violation of the terms hereof; the plaintiff in such action shall be entitled to recover his or its costs and expenses and a reasonable attorney's fee to be fixed by the court in such action.

(B). In the event of the failure or refusal of a County Attorney, or the Attorney General, to promptly act, as herein provided, when requested so to do by any aggrieved party, then such party may institute in his own behalf, or upon behalf of the plaintiff and all others similarly situated, the same civil action as such County Attorney or Attorney General might have instituted under the terms of this Act, and with like procedure, powers, authority, rights, privileges, effect and final decree as the said County Attorney or Attorney General might have done under the terms of this Act.

Section 11. (A). In any action, either civil or criminal, that may be had or instituted under the provisions hereof for any violation of the terms hereof, the plaintiff in any form of action brought hereunder, and in which action any combination declared unlawful, as defined in Section 1 hereof, or the members, stockholders, or other interested parties, or their agents or representatives of such unlawful combination, are defendants, any attorney of record for the plaintiff may file a request in writing with the Clerk of the District Court in which said action is pending, demanding that the defendant or defendants furnish plaintiff, or file with the Clerk of the Court, in which the action is pending, exact copies of all documentary evidence, facts and figures, records or data in the possession or under the control of the defendant or defendants pertaining to the issues as alleged by the plaintiff to establish or refute any issues in the case; and the District Court, upon the presentation to it of such written demand by the plaintiff, shall thereupon determine that part or all of such evidence which shall be produced, and shall enter an order fixing a time for the defendant or defendants to furnish and file such information as ordered. A copy of said order shall be mailed to each defendant at his or its last known address, which shall be deemed sufficient notice and service upon said defendant or defendants; or the same may be served by mail in the same manner upon each attorney of record for the defendant or defendants, and when so served, the same shall be deemed notice and service upon the defendant or defendants for whom said attorneys appear of record.

(B). If said defendant or defendants shall fail to furnish plaintiff or his or its attorney, or file with the Clerk of the Court in which the action is pending, said copy or copies of said documentary evidence, facts, figures, records, books and data as set forth in said order within the time specified in said order, the Court shall adjudge said defendant or defendants guilty of contempt of court, and the Court shall assess a fine of $100.00 against such of the defendants for each and every day that such defendant or defendants fails to comply with said order; and judgment shall from time to time be rendered therefor, and the plaintiff may collect the same against the defendant or defendants with 6% interest thereon and the costs, including expenses and attorney's fees to be fixed by the Court, in the same manner as other judgments are collected in this state. The Court shall find and determine when the judgment is rendered what disposition shall be made of the proceeds collected after the payment of costs, expenses and any attorney's fees that may be allowed.

Section 12. If any section, sub-division, sentence or clause in this Act shall, for any reason, be held void or non-enforceable, such decision shall in no way affect the validity or enforceability of any other part or parts of this Act.

Section 13. Nothing in this Act shall be construed as repealing any other law or parts of laws in reference to any of the matters contained in this Act; and the rights and remedies and provisions herein provided shall be and are hereby declared to be cumulative to all other rights, remedies and provisions now provided under the laws of the State of Nebraska.

Section 14. Whereas an emergency exists, this Act shall be in full force and take effect, from and after its passage and approval.

Approved, May 17, 1937.

RECOMMENDS DENIAL OF TRANSFER

The WREN Broadcasting Company of Lawrence, Kans., applied to the Federal Communications Commission for authority to transfer control to the Kansas City Star Company, Kansas City, Mo. The station (WREN) operates on 1220 kilocycles, 1,000 watts and 5,000 watts LS and shares time with KFKU.

Examiner George H. Hill in Report No. I-421 recommended that the application be denied. Inasmuch as the Kansas City Star owns and operates WDAF the Examiner states that "the result of granting the requested authority would be a step in the direction of monopoly, would place in the hands of the largest newspaper in Kansas City two of the largest stations now serving this area, and would remove from the Kansas City area a formidable competitor." It is further stated in the report that "the Examiner is of the opinion, after consideration of the entire record, that no satisfactory showing has been made that the transfer of all of the stock of the WREN Broadcasting Company, Inc., to the Kansas City Star Company would serve public interest, convenience and necessity."

INCREASED TIME RECOMMENDED FOR WSAU

Broadcasting station WSAU, Wausau, Wis., operating on 1370 kilocycles, 100 watts power daytime, applied to the Federal Communications Commission to grant it unlimited time on the air.

Examiner P. W. Seward in Report No. I-420 recommended that the application be granted. He states that the evidence taken in the case indicates a need for additional nighttime radio service in the area proposed to be served and that no objectionable interference would be caused by granting the application.

EXAMINER RECOMMENDS NEW STATION

The Northwestern Publishing Company applied to the Federal Communications Commission for a construction permit for the erection of a new station at Danville, Ill., to use 1500 kilocycles, 250 watts and daytime operation.

Examiner Robert L. Irwin in Report No. I-418 recommended that the application be granted subject to the approval of the transmitter site by the Commission. He found that there is a need for the daytime service proposed to be rendered by the applicant in the area, and the Examiner states that the granting of the application would not cause any objectionable interference.

CHANGES RECOMMENDED FOR WAPO

Broadcasting station WAPO, Chattanooga, Tenn., operating on 1420 kilocycles daytime with 100 watts LS applied to the Federal Communications Commission to grant it unlimited time, and 250 watts daytime and 100 watts night.

Examiner John P. Bramhall in Report No. I-419 recommended that the application be granted. The Examiner states that a need for additional service in the area proposed to be served has been established and that the granting of the application would not adversely affect any other station. He found that the increase would be in the public interest.

DENIAL OF WSOC CHANGES RECOMMENDED

Broadcasting station WSOC, Charlotte, N. C., operating on 1210 kilocycles, 100 watts and 250 watts LS, unlimited time, applied to the Federal Communications Commission to change its frequency to 600 watts and to change its power to 250 watts and 1,000 watts LS.

Examiner Melvin H. Dalberg in Report No. I-417 recommended that the application be denied. He states that "in view of the service now available in the area involved, there does not appear to be sufficient reason for the granting of this application upon the ground of need for additional service."

NEW STATION RECOMMENDED

The Sharon Herald Broadcasting Company applied to the Federal Communications Commission for a construction permit for the erection of a new station at Sharon, Pa., to use 780 kilocycles, 250 watts and daytime operation. Also Allen T. Simmons applied to the Commission for a construction permit for a station at Mansfield, Ohio, to use 780 kilocycles, 1000 watts and daytime operation.

Examiner Melvin H. Dalberg in Report No. I-411 recommended that the Simmons application be granted and that the Herald Company be denied. He states that "it is obvious that there is a greater need for broadcast facilities at Mansfield, Ohio, than at Sharon, Pa." The Examiner states also that program material is more available to Simmons and "the persons now in his employ are more experienced in the operation of a broadcast station than is the applicant Sharon Herald Broadcasting Company."

CALIFORNIA STATION RECOMMENDED

The Pacific Acceptance Corporation applied to the Federal Communications Commission for a construction permit for the erection of a new broadcast station at San Diego, Cal., to use 1200 kilocycles, 100 watts and daytime operation. This application was granted at one time by the Commission but later the decision was reversed and set for a further hearing before an Examiner.

Examiner P. W. Seward in Report No. I-412 as the result of the further hearing recommended that the previous grant allowed by the Broadcast Division of the Commission be affirmed, and the application granted. The Examiner found that "the evidence indicates there is a need for additional daytime radio service in the area proposed to be served". Smith, Keller & Cole intervened at the hearing but the Examiner states that "there seems to have been no material change between the dates of the former hearing, the two occasions when the application was granted by the Commission, and the instant hearing." He found that granting of the application to the Acceptance Corporation would be in the public interest.

SUGGESTS NEW STATION GRANT

The Ceneral Broadcasting Corporation filed an application with the Federal Communications Commission asking for a construction permit for the erection of a new broadcasting station at Centralia, Wash., to use 1440 kilocycles, 500 watts and unlimited time on the air.

Examiner John P. Bramhall in Report No. I-414 recommended that the application be granted. He states that a definite need for a local radio station in the area proposed to be served has been established. The Examiner also found that granting the proposed application would not cause any interference and its grant would be in the public interest.

INCREASED OPERATING TIME RECOMMENDED

Broadcasting station KADA, Ada, Okla., operating on 1200 kilocycles, with 100 watts power, applied to the Federal Communications Commission to increase its operating time from daytime only to unlimited time.

Examiner P. W. Seward in Report No. I-416 recommended that the application be granted. He stated that the evidence in the case brought out the fact that there is a need in the area proposed to be served for additional nighttime service, and the interests of no other station would be adversely affected by such a grant. Also, the Examiner found that no applications for radio facilities now pending at the Commission would involve a question of interference if the application is granted.

NEW STATION GRANT RECOMMENDED

The Okmulgee Broadcasting Corporation applied to the Federal Communications Commission for a construction permit for the erection of a new station at Okmulgee, Okla., to use 1210 kilocycles, 100 watts and daytime operation.

Examiner P. W. Seward in Report No. I-415 recommended that the application be granted. He states that the evidence shows there is need for additional daytime service in the area proposed to be served by the station. Pending applications for authority to construct a station at the same place have been dismissed by the Commission and the Examiner found that granting the application would be in the public interest.

NEW CAROLINA STATION RECOMMENDED

The Asheville Daily News applied to the Federal Communications Commission for a construction permit for the erection of a new station at Asheville, N. C., to use 1370 kilocycles, 100 watts and unlimited time.

Examiner George H. Hill in Report No. I-413 recommended that the application be granted. He states that from a consideration of the testimony taken at a further hearing in this case, he is of the opinion that nothing new has been developed that would justify a change in the recommendation made after the first hearing in the matter which suggested that the application be granted.

SECURITIES ACT REGISTRATIONS

The following companies have filed registration statements with the Securities & Exchange Commission under the Securities Act:

Third Investment Counsel Corp., Boston, Mass. (2-3100, Form A-2)
Metropolitan New York Corp., New York City. (2-3101, Form A-1)
Houston Oil Field Material Company, Inc., Houston, Tex. (2-3102, Form A-2)
Tropic-Aire, Inc., Minneapolis, Minn. (2-3103, Form A-2)
Shareholders Corporation, Seattle, Wash. (2-3104, Form A-1)
Albert Pick Co., Inc., Chicago, Ill. (2-3105, Form A-2)
Roytheon Manufacturing Co., Newton, Mass. (2-3106, Form A-1)
Allied Mills, Inc., Chicago, Ill. (2-3107, Form A-2)
Brink's, Inc., Chicago, Ill. (2-3108, Form A-2)
Schmdit Brewing Co., Inc., Olympia, Wash. (2-3109, Form A-1)
Royal China, Inc., Sebring, Ohio. (2-3111, Form A-1)
Gregory-Bates Mining Co., Blackhawk, Colo. (2-3112, Form A-1)
Heofield, Inc., Detroit, Mich. (2-3113, Form A-1)
H. L. Green Company, Inc., New York City. (2-3114, Form A-1)
Aurora Apartment Hotel, Inc., San Antonio, Tex. (2-3115, Form E-1)
Henry S. Caulfield et al., St. Louis, Mo. (2-3116, Form F-1)
Worthington Pump & Machinery Corp., Harrison, N. J. (2-3117, Form A-2)
Hayes Body Corp., Grand Rapids, Mich. (2-3118, Form A-2)
Sands-O-Penn, Inc., Grand Valley, Pa. (2-3119, Form A-1)
Incomes Estates of America, Inc., Philadelphia, Pa. (2-3120, Form C-1)
American Investment Co. of Illinois, Springfield, Ill. (2-3123, Form A-2)
Messenger Corporation, Auburn, Ind. (2-3124, Form A-2)
Amtex Petroleum Corp., Fort Worth, Tex. (2-3125, Form A-1)
Emerson Electric Manufacturing Co., St. Louis, Mo. (2-3126, Form A-2)
Cobb, Sanderholm & Baird, Ltd., Omaha, Nebr. (2-3127, Form A-1)
Black Lady Mining Company, Inc., Spokane, Wash. (2-3128, Form A-1)
B. C. Alaska Mines American, Inc., Vancouver, B. C. (2-3130, Form A-1)
Barkley-Grow Aircraft Corp., Detroit, Mich. (2-3132, Form A-1)
Birdsboro Steel Foundry & Machine Co., Birdsboro, Pa. (2-3133, Form A-2)
Lumbermen's Finance Corp., Winona, Minn. (2-3134, Form A-2)
El Paso Natural Gas Co., El Paso, Tex. (2-3136, Form A-1)
United Investors Realty Corp., New York City. (2-3137, Form A-1)
Industries Capital Corp., of New York, New York City. (2-3138, Form A-1)
Magnetic Control Corporation, Manassas, Va. (2-3139, Form A-1)
Diamond Portland Cement Company, Middle Branch, Ohio. (2-3141, Form A-1)
Doctors' Hospital, Inc., Washington, D. C. (2-3142, Form A-1)

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3127. Five companies manufacturing concrete pipe and other concrete products in the Eastern Seaboard area, including Virginia, Maryland and the District of Columbia, in a complaint are charged with practices tending to create monopoly and restrain trade.

These companies, said to be sufficiently powerful to influence and control trade in their type of products in their territory, and certain individuals also named respondents in the case, are: **Lock Joint Pipe Co.**, 150 Rutledge Ave., **East Orange, N. J.; F. B.** and **J. H. Gray**, trading as **Gray Concrete Pipe Co., Thomasville, N. C., Baltimore and Hagerstown, Md.; Concrete Pipe & Products Co., Richmond, Va.; MidAtlantic Concrete Pipe & Products Co., Norfolk, Va.,** and **Dover, Del.; Arlington Concrete Pipe Corporation, South Washington, Va.**; and **Jack M. Parrish, Harry W. Easterly** and **J. Scott Parrish, Richmond, Va.,** owners of the capital stock of **Concrete Pipe & Products Co.** and of 67 shares of **Arlington Concrete Pipe Corporation** stock originally owned by **Concrete Pipe and Products Co.**

No. 3128. Merrill Candy Company, 1215-17 East Main St., **Merrill, Wis.,** is charged in a complaint with unfair competition in the sale to dealers of candies so packed and assembled as to involve use of a lottery scheme when such products are resold to ultimate consumers.

The lottery element is alleged to be supplied by pushcards disclosing numbers to be drawn by purchasers.

The practices charged are alleged to be in violation of Section 5 of the Federal Trade Commission Act. Twenty days from service of the complaint are allowed the respondent company to file answer to the charges.

No. 3129. A complaint has been issued alleging violation of the brokerage section of the Robinson-Patman Anti-Price Discrimination Act by **Reeves, Parvin & Co.,** wholesale grocers, **Tri-State Brokerage Co.,** and their president, **Francis B. Reeves, Jr.,** all of 400 Chestnut St., **Philadelphia,** and a group of corporations engaged in the interstate sale of foodstuffs.

Reeves is said to be a director and president of both Reeves, Parvin & Co. and of Tri-State Brokerage Co., owning 55 per cent of the capital stock of the former company, all of the capital stock of the latter, and controlling the activities of each.

According to the complaint, Tri-State Brokerage Co. is the purchasing agent and corporate affiliate of Reeves, Parvin & Co., the two companies having the same officers and employees, and between June 19, 1936, and January 1, 1937, 96 per cent of the business of the brokerage firm consisted of orders for the purchase of merchandise placed with it by Reeves, Parvin & Co.

In making purchases for Reeves, Parvin & Co., the complaint alleges, Tri-State company collected brokerage fees of from 1 to 5 per cent from certain selling concerns, which fees, minus expense of operation, it transmitted to Reeves, Parvin & Co. by means of dividend payments to the respondent Reeves. These dividend payments allegedly were paid over by Reeves to Reeves, Parvin & Co.

No. 3133. A complaint has been issued charging **Elizabeth Arden, Inc., New York** cosmetics manufacturer, with violation of the Robinson-Patman Anti-Price Discrimination Act. **Elizabeth Arden Sales Corp.**, a subsidiary company, is also named a respondent in the case.

Principal charges are: (1) Price discrimination among dealers purchasing Elizabeth Arden products of like grade and quality by giving certain such customers prices different from those allowed others competitively engaged in the resale of such preparations; (2) discrimination by paying certain customers for advertising services furnished by them in connection with their sale of Elizabeth Arden products, without making such advertising allowances available to all other competing customers on proportionately equal terms, and (3) discrimination by furnishing certain purchasers with services or facilities in connection with their sale of Arden preparations and on terms not accorded proportionately to all such customers.

Price discrimination is alleged to have been practiced by the respondents through selling their products to customers at prices rated according to the total annual purchases of Arden products, as follows: A discount of 40 per cent off the list price for customers buying $7,500 worth and upwards each year; 33⅓ per cent plus five per cent off list price for customers purchasing between $3,000 and $7,500 worth each year; 33⅓ per cent off list price for customers whose annual purchases total between $200 and $3,000, and 25 per cent off list price for those who buy less than $200 worth a year.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 1978. Vapoo Products Co., Inc., 1775 Broadway, New York, agrees to stop labeling its "Vapoo" rug and carpet cleaning preparation with the expressions "highest award 1934" or "Gold Seal Award Chicago 1934," in connection with the phrase "Century of Progress International Exposition," so as to imply that the product received an award at that exposition, when such is not a fact.

No. 1979. United Asbestos Pad Corporation, 159 North State St., Chicago, selling table pads, iron stands, stove and hot dish pads, stipulates that it will quit using in advertising matter or otherwise the words "Special Sale," or "Half Price Sale" either independently or in connection with the phrase "For three days only," or with other words so as to imply that the price at which the articles are offered is other than the regular price at which they are sold without limitation of time in the usual course of business. The respondent corporation will stop using the word "Asbestos" as part of its corporate or trade name or in any way to describe those of its products not composed of or made with asbestos. The stipulation provides that if any of its products are made in substantial part with asbestos, and that word is used to describe such part, it shall be accompanied by other words in conspicuous type to clearly show that the articles described are composed of materials other than asbestos.

No. 1980. Metropolitan Radio Co., Inc., 940 F St., N. W., **Washington,** agreed to cease representing in advertising or in any other manner that its radio sets have a designated "regular price" or "former price," when, in fact, such designated price is fictitious and much in excess of the price at which the sets are regularly sold in the usual course of trade. The company also will stop using the words "half-price sale" to imply that the radio sets to which the words refer are offered for sale at a price but one-half that at which the sets are usually sold, when such is not a fact.

No. 1981. Karl W. Lambooy, Kalamazoo, Mich., trading as Robert Frank Needlework Supply Co., in the sale of quilting pieces or patches and designs for making bed quilts, will cease using in advertising matter statements in the form of testimonials or endorsements purportedly referring to his products, when in fact, according to the stipulation, they are not prepared by users of the products sold by Lambooy and do not refer to Lambooy's products. The respondent also agrees to discontinue employing the phrase "old, established firm" or other words of similar import to describe the business he conducts, when in fact, according to the stipulation, such business is not an old established one.

No. 1982. Tailored Woman, Inc., 729 Fifth Ave., New York, agreed to discontinue advertising as "silk jersey" certain dresses not composed of silk, and to cease using the word "silk," either alone or with other words, so as to imply that the products to which the words refer are composed of silk, when such is not a fact.

No. 1983. Bradley Boston, Inc., Newton, Mass., jewelry dealer, has entered into a stipulation to discontinue certain unfair representations in the interstate sale of its products in violation of Section 5 of the Federal Trade Commission Act.

In its stipulation, this company agrees to quit using in its advertising matter the words "Facsimile Diamond" to describe products made of glass, and to stop employing the word "Diamond," alone or in connection with "Facsimile" or "Blue-White" so as to imply that the products to which such words refer are other than imitations of diamonds.

No. 1984. Boyd W. Doyle, trading as **Doyle Packing Co., Momence, Ill.,** also operating packing plants at **Los Angeles** and at **Newark, N. J.,** has entered into a stipulation to cease using unfair representations in the sale of his products in violation of Section 5 of the Federal Trade Commission Act.

Doyle, a manufacturer of canned foods for dogs and cats, agrees to cease use in his advertising matter or on labels affixed to his products of representations to the effect that the dog food he sells constitutes a balanced diet or is all of one quality of the highest grade possible or that the respondent's product could not be improved even if double the price were charged. He agrees also to cease making assertions to the effect that the product is a result of five years' experience and hundreds of feeding tests or has been recommended or endorsed by leading veterinarians all over the country.

No. 2881. Under an order to cease and desist, the **Hogan Advertising Company,** trading as **The Sendol Company,** 129 Coates Building, **Kansas City, Mo.,** is prohibited from making certain misrepresentations in the sale of medicines, in violation of Section 5 of the Federal Trade Commission Act.

Held to constitute unfair methods of competition, the practices prohiibted are as follows: Representation that "Sendol" is a safe medicine in all cases, including children's ailments; that it is effective and reliable for treating muscular, rheumatic or neuralgic aches and pains, and that it affords quick relief for headaches, colds, aches or pains and is an effective remedy for nervous exhaustion.

No. 2952. Maurice Willens, trading as **Mushroom Growers of America,** 431 North Clark St., **Chicago,** has been ordered to cease and desist from certain unfair methods of competition, violative of Section 5 of the Federal Trade Commission Act, in the sale of mushroom spawn in interstate commerce.

Representations to be discontinued by Willens are that mushrooms may be easily grown in any idle space in or about the home and that their cultivation is a simple and highly remunerative industry; that any person can successsfully grow mushrooms for profit without previous experience or technical skill, and that there is a shortage of mushrooms on the market.

No. 3065. A cease and desist order has been issued against **Standard Distributors, Inc.,** and its president, **Louis H. Gellar,** both of 114 East Thirty-second St., **New York,** prohibiting certain unfair methods of competition in violation of Section 5 of the Federal Trade Commission Act.

In the sale of radios, food beaters, food mixers, or other articles, the respondents are directed to stop furnishing or selling any device or paraphernalia which is to be used, or which may be used, in the distribution of such articles by means of a lottery scheme, lottery sales plan, game of chance, or gift enterprise.

In connection with the sale of such merchandise, the respondents are also ordered to cease supplying or selling to retail merchants paraphernalia and devices, a part of which are a large number of keys and a padlock, for use in the following manner: One key to be distributed by merchants to each of their customers with the purchase of a given amount of merchandise, and, when a fixed number of such keys has been distributed, to be collected by the merchant. The holders of the small number of keys which will fit the padlock are entitled to receive, without additional charge, a radio, food mixer, food beater or other article.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, May 24.

Monday, May 24

FURTHER HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Carolina Advertising Corp., Columbia, S. C.—C. P., **1370 kc.**, 100 watts, 250 watts-LS, unlimited time.

HEARING BEFORE AN EXAMINER

KGO—National Broadcasting Co., Inc., San Francisco, Calif.—C. P., **790 kc.,** 50 KW, unlimited time. Present assignment: **790 kc.,** 7½ KW, unlimited time.

Tuesday, May 25

FURTHER HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Nathan N. Bauer, Miami, Fla.—C. P., **1420 kc.,** 100 watts, unlimited time.

HEARING BEFORE AN EXAMINER

(Broadcast)

KOOS—Pacific Radio Corp., Marshfield, Ore.—Voluntary assignment of license to KOOS, Inc., **1200 kc.,** 500 watts, daytime.

Wednesday, May 26

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—J. K. Patrick, Earl B. Braswell, Tate Wright, C. A. Rowland & A. Lynne Brannen, d/b as J. K. Patrick & Co., Athens, Ga.—C. P., **1310 kc.,** 100 watts, 250 watts-LS, unlimited.

NEW—John W. Haigis, Greenfield, Mass.—C. P., **1210 kc.,** 250 watts, daytime.

WSMB—WSMB, Inc., New Orleans, La.—C. P., **1320 kc.,** 1 KW, 5 KW-LS, unlimited time. Present assignment: **1320 kc.,** 1 KW, unlimited time.

Thursday, May 27

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. 1-378:

WJBR—J. B. Roberts, Gastonia, N. C.—Modification of C. P., **1420 kc.,** 100 watts, unlimited time.

NEW—Virgil V. Egans, Gastonia, N. C.—C. P., **1420 kc.,** 100 watts, unlimited time.

Examiner's Report No. 1-372:

WELI—City Broadcasting Corp., New Haven, Conn.—Modification of license, **930 kc.,** 250 watts, 500 watts-LS, unlimited time. Present assignment: **900 kc.,** 500 watts, daytime.

NEW—Lawrence K. Miller, Pittsfield, Mass.—C. P., **930 kc.,** 250 watts, daytime.

FURTHER HEARING BEFORE AN EXAMINER

General Electric Co., Belmont, Calif.—C. P., **9530, 15330 kc.,** 20 KW, unlimited time in accordance with Rule 983.

Friday, May 28

HEARING BEFORE AN EXAMINER

(Broadcast)

WBOW—Banks of Wabash, Inc., Terre Haute, Ind.—C. P., **1290 kc.,** 500 watts, 1 KW LS, unlimited time. Present assignment: **1310 kc.,** 100 watts, 250 watts LS, unlimited time.

NEW—Glenn E. Webster, Decatur, Ill.—C. P., **1290 kc.,** 250 watts, daytime.

APPLICATIONS GRANTED

WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—Granted license to cover C. P.; **630 kc.,** 500 watts night, 1 KW day, unlimited time.

WQAN—The Scranton Times, Scranton, Pa.—Granted modification of license to use transmitter of station WGBI as their main transmitter and increase power from 250 watts to 500 watts. Also granted license to use present main transmitter as an auxiliary transmitter for emergency purposes only.

WGBI—Scranton Broadcasters, Inc., Scranton, Pa.—Granted license to use present transmitter of station WQAN as WGBI's auxiliary transmitter.

NEW—K. E. Schonert, d/b as Schonert Radio Service, Harrisburg, Ill.—Granted C. P. for new high frequency broadcast station; frequencies **31600, 35600, 38600** and **41000 kcs.,** 100 watts.

W2XE—Columbia Broadcasting System, Inc., New York City.—Granted license to cover C. P. as modified covering authority to make changes in transmitting equipment and increase power from 5 to 10 KW night and day.

W6XAO—Don Lee Broadcasting System, Los Angeles, Calif.—Granted C. P. and license to add aural transmitter to television station; 150 watts power on same frequencies with A3 emission.

SET FOR HEARING

NEW—George H. Evans & Davis O. Vandivier, d/b as The Chickasha Daily Express, Chickasha, Okla.—C. P. for new station; **1500 kc.,** 250 watts, daytime only. Exact transmitter site to be determined.

NEW—Broadcasters, Inc., Gastonia, N. C.—C. P. for new station; **1420 kc.,** 100 watts night, 250 watts day. Unlimited time. Exact site to be determined, also type of antenna.

NEW—Curtis Radiocasting Corp., Richmond, Ind.—C. P. for new station; **1420 kc.,** 100 watts night, 250 watts day, unlimited time. Site to be determined.

NEW—United Broadcasting Co., Tulsa, Okla.—C. P. for new special broadcast station; **1550 kc.,** 1 KW night and day, unlimited time. Exact transmitter site to be determined.

NEW—Decatur Newspapers, Inc., Decatur, Ill.—C. P. for new special broadcast station; **1550 kc.,** 1 KW night and day, unlimited time. Exact site to be determined.

WQXR—Interstate Broadcasting Co., Inc., New York City.—C. P. to make changes in equipment (install new transmitter), increase power from 1 KW to 5 KW, and move transmitter to a new site to be determined subject to Commission approval. To be heard before the Broadcast Division.

KOBH—Black Hills Broadcast Co. (Robert Lee Dean, Executive Pres.), Rapid City, S. Dak.—Voluntary assignment of license to the Black Hills Broadcast Company of Rapid City.

WTAD—Illinois Broadcasting Corp., Quincy, Ill.—Modification of license to increase power and time of operation from 1 KW daytime only to 1 KW, unlimited time. Present assignment, **900 kc.,** 1 KW, daytime only.

NEW—A. L. Beaird, Jasper, Ala.—C. P. for new station; **1500 kc.,** 100 watts, unlimited time. Site to be approved.

NEW—Airfan Radio Corp., Ltd., San Diego, Calif.—C. P. for new station; **1420 kc.,** 100 watts, unlimited time. Site to be determined.

NEW—Ellwood Warwick Lippincott, Inc., Bend, Oregon.—C. P. for new station (amended 12-7-36); **1310 kc.,** 100 watts, unlimited time; exact transmitter and studio sites to be determined with Commission's approval.

NEW—Carolinas Radio, Inc., Charlotte, N. C.—C. P. for new station (amended 4-22-37); **880 kc.,** 1 KW, unlimited time; exact transmitter and studio sites to be determined with Commission's approval.

WSMK—WSMK, Incorporated, Dayton, Ohio.—C. P. (amended 4-2-37). Move transmitter site locally to Town 2, Range 7, MRs. of Madriver Twp., Montgomery County, Ohio; install new equipment and directional antenna system for nighttime use; increase power from 200 watts night and day, simultaneous day and specified hours night, to 250 watts night, 500 watts day, unlimited time. Present assignment: **1380 kc.,** 200 watts night and day, simultaneous day and specified hours night.

SPECIAL AUTHORIZATIONS

WFIL—WFIL Broadcasting Co., Philadelphia, Penna.—Granted extension special temporary authority to operate on **560 kc.,** with power of 1 KW at night, for the period beginning June 1, 1937 and ending in no event later than June 30, 1937, inclusive, pending filing of construction permit for this authority.

WMBG—Havens and Martin, Inc., Richmond, Va.—Granted extension special temporary authority to operate from 5:30 p. m. to 7 p. m., EST, on Sundays, from June 1, 1937 to June 30, 1937, inclusive (provided WBBL remains silent), in order to broadcast special programs.

KIT—Carl E. Haymond, Yakima, Wash.—Granted special temporary authority to operate a 75 watt portable transmitter on **1250 kc.,** between the hours of 1 a. m. and 6 a. m., PST, for a period not to exceed thirty days, in order to select a suitable transmitter site. However, such operation not permitted during those hours prescribed for Commission monitoring schedule.

WDZ—WDZ Broadcasting Co., Tuscola, Ill.—Granted extension special temporary authority to operate from 5 a. m. to 6 a. m., EST, for the period beginning May 16, 1937, and ending in no event later than June 14, 1937, in order to reach the farmers in the territory surrounding station WDZ who are in their fields during the summer months by 5 a. m.

WOEH—National Broadcasting Co., Inc., New York, N. Y.—Granted special temporary authority to operate relay broadcast station WOEH for the period beginning May 29, 1937, and ending in no event later than June 7, 1937, utilizing the frequencies **4797.5, 6425, 8655** and **12862.5 kc.**, in addition to the licensed frequencies of WOEH for relay broadcast from aboard IMPERIAL Airways Ltd., seaplane CAVALIER program material during initial flight inaugurating the Bermuda-New York air passenger service. Program to be rebroadcast by National Broadcast Company over a national network of affiliated broadcast stations.

WCAD—St. Lawrence University, Canton, New York—Granted special temporary authority to operate from 9 a. m. to 11:30 a. m., EST, Saturday, May 22, 1937, in order to broadcast the exercises of Moving-Up Day, a college holiday.

KWSC—State College of Washington, Pullman, Wash.—Granted special temporary authority to waive the requirements of Rule 151 and reduce hours of operation to the following specified hours: daily, except Sundays and holidays, from 6 p. m. to 10 p. m., Thursday, from 6 p. m. to 7:30 p. m., PST, instead of the hours now assigned for the period beginning June 1, 1937 and ending in no event later than 12 midnight, September 30, 1937.

KWSC—State College of Washington, Pullman, Wash.—Granted special temporary authority to operate from 9 a. m. to 2 p. m., PST, Monday, June 14, 1937, in order to broadcast a special program.

WPHR—WLBG, Incorporated, Petersburg, Va.—Granted special temporary authority to operate a 50 watt transmitter on **880 kc.**, between hours of 1 a. m. and 6 a. m., EST, for a period not to exceed thirty days, for the purpose of making a site survey in the vicinity of Richmond, Va. However, such operation not permitted during those hours prescribed for Commission monitoring schedule.

KDB—Santa Barbara Broadcasters, Inc., Santa Barbara, Calif.—Granted special temporary authority to operate a 100-watt portable test transmitter between the hours of 12 midnight and 6 a. m. PST., for a period not to exceed thirty days, in order to make field intensity survey tests in the City of Santa Barbara and the immediately surrounding territory to locate a suitable new transmitter site for KDB. However, such tests not permitted during those hours prescribed for Commission monitoring schedule.

KFRO—Voice of Longview, Longview, Tex.—Granted special temporary authority to operate from local sunset (June sunset, 7:30 p. m.) to 9 p. m., CST, using power of 100 watts, on Sundays, June 6, 13, 20 and 27, 1937, in order to broadcast church services of the Kelly Memorial Methodist Church, Longview, Tex.

WFLA—Clearwater Chamber of Commerce, Clearwater, Fla.—Granted special temporary authority to close Clearwater studios from June 1 to July 15, 1937, inclusive, and use Tampa studios as main studios, on account of summer vacations for employees and in order to continue WFLA during summer period with a reduction in experienced personnel.

KTBS—Tri-State Broadcasting System, Inc., Shreveport, La.—Granted special temporary authority to operate a 50-watt transmitter and a 40-foot antenna on **1450 kc.** between the hours of 1 a. m. and 6 a. m., CST, for the period beginning May 18, 1937, and ending in no event later than May 24, 1937, in order to make measurements for the selection of a transmitter site. However, such operation not permitted during those hours prescribed for Commission monitoring schedule.

APPLICATION DENIED

WOW—Woodmen of the World Life Insurance Association, Omaha, Nebr.—Denied extension special temporary authority to operate with power of 5 KW at night for the period beginning May 27, 1937, and ending in no event later than June 25, 1937. (Commissioner Sykes dissented.)

EXAMINER REPORTS RELEASED SINCE MAY 11, 1937

KGFF—Ex. Rep. 1-409: KGFF Broadcasting Co., Inc., Shawnee, Okla.—Examiner P. W. Seward recommended that the petition to withdraw application of KGFF for modification of license to change frequency from **1420 kc.** to **1430 kc.**, power from 100 watts, 250 watts LS, to 250 watts, be granted, and that application be dismissed without prejudice.

WHOM—Ex. Rep. 1-410: New Jersey Broadcasting Corp., Jersey City, N. J.—Examiner R. H. Hyde recommended that application for C. P. to increase power from 250 watts to 250 watts night, 1 KW daytime, be denied.

NEW—Ex. Rep. 1-411: Sharon Herald Broadcasting Co., Sharon, Pa.—Examiner M. H. Dalberg recommended that application for C. P. for new station to operate on **780 kc.**, 250 watts, daytime, be denied; and

NEW—Allen T. Simmons, Mansfield, Ohio.—That application for C. P. of Allen T. Simmons to operate new station on **780 kc.**, 1 KW, daytime, be granted.

NEW—Ex. Rep. 1-412: Pacific Acceptance Corp., San Diego, Calif.—Examiner P. W. Seward recommended that application for C. P. to establish a new station in San Diego to operate on **1200 kc.**, 100 watts, daytime, as heretofore granted by the Commission, Broadcast Division, be affirmed and granted.

NEW—Ex. Rep. 1-413: Asheville Daily News (Harold H. Thoms, Owner), Asheville, N. C.—Examiner G. H. Hill recommended that application for C. P. for new station to operate on **1370 kc.**, 100 watts, unlimited time, be granted.

NEW—Ex. Rep. 1-414: Central Broadcasting Corp., Centralia, Wash.—Examiner John P. Bramhall recommended that application for C. P. for new station to operate on **1440 kc.**, 500 watts, unlimited time, be granted.

NEW—Ex. Rep. 1-415: Okmulgee Broadcasting Corp., Okmulgee, Okla.—Examiner P. W. Seward recommended that application for C. P. for new station to operate on **1210 kc.**, 100 watts, daytime, be granted.

KADA—Ex. Rep. 1-416: C. C. Morris, Ada, Okla.—Examiner Seward recommended that application for modification of license to change hours of operation from daytime to unlimited be granted.

WSOC—Ex. Rep. 1-417: WSOC, Inc., Charlotte, N. C.—Examiner M. H. Dalberg recommended that application for C. P. to change frequency from **1210 kc.** to **600 kc.** and power from 100 watts, 250 watts LS, to 250 watts, 1 KW LS, be denied.

NEW—Ex. Rep. 1-418: Northwestern Publishing Co., Danville, Ill.—Examiner Robert L. Irwin recommended that application for C. P. for new station to operate on **1500 kc.**, 250 watts, daytime, be granted, subject to Commission's approval of transmitter site.

WAPO—Ex. Rep. 1-419: W. A. Patterson, Chattanooga, Tenn.—Examiner John P. Bramhall recommended that application for C. P. to change power from 100 watts LS to 250 watts daytime, 100 watts night, and hours of operation from daytime to unlimited, be granted.

APPLICATIONS RETIRED TO FILES

KOBH—Black Hills Broadcast Co. of Rapid City, Rapid City, S. Dak.—Application for construction permit (B4-P-1631) to install new equipment and increase day power from 100 watts to 250 watts. Present assignment: **1370 kc.**, 100 watts, unlimited time. Retired to files pending action on assignment of license.

WBLK—The Exponent Company, Clarksburg, W. Va.—Informal application for special temporary authority to operate from 5 a. m. to 6 a. m., EST, Wednesday, May 12, 1937, in order to broadcast the Coronation Ceremonies from London, England.

APPLICATION DISMISSED

The following application was dismissed at the request of the applicant:

WSJS—Winston-Salem Journal Co., Winston-Salem, N. C.—Application for construction permit (B3-P-1397) for **1250 kc.**, 1 KW night, 1 KW LS, unlimited time.

MISCELLANEOUS

WDNC—Durham Radio Corp., Durham, N. C.—Granted petition for continuance of hearing on its application for C. P. specifying **600 kc.**, 1 KW, unlimited time.

NEW—Bay County Publishers, Inc., Panama City, Fla.—Cancelled oral argument on application of Bay County Publishers, Inc., for new station at Panama City, Fla., **1420 kc.**, 100 watts, unlimited time, Docket No. 3931, and dismissed same with prejudice.

J. K. Patrick & Co., Athens, Ga.—Granted petition to intervene in the proceedings on the application of Athens Times, Inc., for new station at Athens, Ga., to use **1210 kc.**, 100 watts night, 250 watts day, unlimited time (Docket No. 4534).

Martin R. O'Brien, Kankakee, Ill.—Granted petition to intervene in the matter of the application of Key City Broadcasting Co. for a new station at Kankakee, Ill., to use **1500 kc.**, 100 watts, unlimited time (Docket No. 4522).

NEW—Ben B. Shields, Provo, Utah.—Granted petition to accept applicant's answer in the matter of the application for a new station at Provo, Utah, to use **1210 kc.**, 100 watts, unlimited time (Docket No. 4454).

NEW—Thomas J. Watson, Endicott, N. Y.—Granted motion for continuance of the hearing date upon his application for a new station at Endicott, N. Y., to use **1240 kc.**, 1 KW, unlimited time (Docket No. 4550).

Hearst Radio, Inc., New York, N. Y.—Granted motion for continuance of the hearing upon the application for new station at Albany, N. Y., to use **1240 kc.**, 1 KW, unlimited time (Docket 2900).

Citizens Broadcasting Corp., Schenectady, N. Y.—Granted motion for continuance of hearing date on application for new station at Schenectady, N. Y., to use **1240 kc.**, 1 KW night, 5 KW LS, unlimited time (Docket No. 4508).

The Commission decided a hearing date subsequent to September 6, 1937, be fixed for the three above applicants.

KGA—Louis Wasmer, Spokane, Wash.—Granted petition for a continuance of the hearing on his application for modification of license to use **950 kc.**, 1 KW night, 5 KW LS, unlimited time. A new hearing date subsequent to September 6, 1937, will be fixed. Present assignment: 5 KW, **1470 kc.**, unlimited time.

KGU—Advertiser Publishing Co., Ltd., Honolulu, T. H.—Granted petition to intervene at hearing of application of Honolulu Broadcasting Co., Ltd. (KGMB), for transfer of control of corporation (Docket No. 3873). Denied motion of the Honolulu Broadcasting Co., Ltd., to strike petition of Advertiser Publishing Co., Ltd.

WCAO—Monumental Radio Co., Baltimore, Md.—Granted motion for acceptance of answer filed three days late as respondent in the application of Durham Radio Corp. (WDNC), Durham, N. C., for a C. P. specifying **600 kc.**, 1 KW, unlimited time (Docket No. 4525).

KMJ—McClatchy Broadcasting Co., Fresno, Calif.—Granted application for modification of license to increase night power from 500 watts to 1 KW. Reconsidered action of March 9, 1937, in designating said application for hearing.

NEW—C. P. Sudweeks, Spokane, Wash.—Hearing date on application for a new station at Spokane, Wash., to use **550 kc.**, 500 watts night, 1 KW day, unlimited time, continued from June 11, 1937, until a date after August 1, 1937, to be fixed by the Docket Section.

NEW—Vancouver Radio Corp., Vancouver, Wash.—Granted petition for indefinite continuance of hearing on application for new station at Vancouver, Wash., to use **880 kc.**. 250 watts, daytime only (Docket No. 4388).

Port Arthur College, Port Arthur, Tex.—Granted petition to intervene in the proceeding upon the application of the Enterprise Company for a new station at Beaumont, Tex., to use **1400 kc.**, 500 watts, unlimited time (Docket 4513).

Sabine Broadcasting Co., Beaumont, Tex.—Granted petition to intervene in the proceeding upon the application of the Enterprise Company for a new station at Beaumont, Tex., to use **1400 kc.**, 500 watts, unlimited time (Docket 4513).

Magnolia Petroleum Company, Dallas, Tex.—Granted petition to intervene in the proceeding upon the application of the Enterprise Company for a new station at Beaumont, Tex., to use **1400 kc.**, 500 watts, unlimited time (Docket 4513).

WMEX—Northern Corporation, Boston, Mass.—Dismissed opposition to a continuance of the hearing of the application of WLAC, Nashville, Tenn., for increase in power from 5 KW to 50 KW (Docket 4137).

WLAC—WLAC, Inc., Nashville, Tenn.—Granted petition for postponement of hearing on application for C. P. to increase power from 5 KW to 50 KW (Docket 4137). Case to be continued for period of 6 months from June 16, 1937, the new hearing date to be fixed at the convenience of the Docket Section.

WOAI—Southland Industries, Inc., San Antonio, Tex.—Denied petition to withdraw without prejudice application for consent to transfer control of station WOAI to Columbia Broadcasting System, Inc. (Docket 4238). Permitted application to be withdrawn "with prejudice."

WIRE—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Granted petition to accept answer to the appearance of the applicant in the matter of Westinghouse Radio Stations, Inc. (WGL), Fort Wayne, Ind., to increase daytime power from 100 watts to 250 watts, **1370 kc.**, unlimited time (Docket 4519).

Leon M. Eisfeld, Burlington, Iowa.—Granted petition for continuance of hearing date on application for new station at Burlington, Iowa, to use **1310 kc.**, 100 watts, unlimited time (Docket 4502). Hearing continued to a date subsequent to June 13, 1937.

WJDX—LaMar Life Insurance Co., Jackson, Miss.—Granted petition to intervene in the matter of the application of Standard Life Insurance Co. of the South for a new station at Jackson, Miss., to use **1420 kc.**, 100 watts night, 250 watts day, unlimited time (Docket 4510).

Wichita Broadcasting Co., Wichita Falls, Tex.—Denied motion for a continuance of the hearing upon the application of Tri-State Broadcasting System, Inc. (KTBS), Shreveport, La., for modification of license to use **620 kc.**, 500 watts night, 1 KW day, unlimited time. Hearing scheduled for June 21, 1937.

Radio Enterprises, Inc., Lufkin, Tex.—Denied petition in opposition to continuance of hearing in the matter of the application of Hot Springs Chamber of Commerce (KTHS), Hot Springs, Ark., for voluntary assignment of license (Docket 4100).

KTHS—Hot Springs Chamber of Commerce, Hot Springs, Ark.—Granted petition for indefinite postponement of hearing on application for voluntary assignment of license.

ORAL ARGUMENTS GRANTED

NEW—Ex. Rep. 1-382: Peninsula Newspapers, Inc., Palo Alto, Calif.—Granted oral argument to be held June 24, 1937.

WMEX—Ex. Rep. 1-392: The Northern Corp., Boston, Mass.—Granted oral argument to be held June 24, 1937.

KARK—Ex. Rep. 1-393: Arkansas Radio & Equipment Co., Little Rock, Ark.—Granted oral argument to be held June 24, 1937.

NEW—Ex. Rep. 1-394: Arthur H. Croghan, Minneapolis, Minn.—Granted oral argument to be held June 24, 1937.

NEW—Ex. Rep. 1-396: F. M. Gleason, d/b as North Georgia Broadcasting Co., Rossville, Ga.—Granted oral argument to be held July 1, 1937.

NEW—Ex. Rep. 1-398: Stanley Reid and Charles Whitnell Boegel, Jr., d/b as The Rapids Broadcasting Co., Cedar Rapids, Iowa.—Granted oral argument to be held July 1, 1937.

KSFO—Ex. Rep. 1-399: The Associated Broadcasters, Inc., and Western Broadcast Co., San Francisco., Calif.—Granted oral argument to be held July 1, 1937.

ACTION ON EXAMINERS' REPORTS

WMBD—Ex. Rep. I-383: Peoria Broadcasting Co., Peoria, Ill.—Granted C. P. to install new transmitter and increase power from 500 watts night, 1 KW day, to 1 KW night, 5 KW day; **1440 kc.**, unlimited time. Examiner George H. Hill sustained. Order effective July 6, 1937.

NEW—Ex. Rep. I-385: W. H. Marolf, Escanaba, Mich.—Denied as in default C. P. for new broadcast station to operate on **1500 kc.**, 100 watts, unlimited time (site to be determined, subject to Commission's approval). Examiner R. H. Hyde sustained.

NEW—Ex. Rep. I-385: The Escanaba Daily Press Co., Escanaba, Mich.—Dismissed with prejudice C. P. for new broadcast station to operate on **1500 kc.**, 100 watts, daytime (Examiner R. H. Hyde sustained).

KGGC—Ex. Rep. I-104: The Golden Gate Broadcasting Co., San Francisco, Calif.—Granted modification of license to change hours of operation from specified hours to unlimited time; **1420 kc.**, 100 watts (Examiner George H. Hill sustained). Order effective July 6, 1937.

WNRI—Ex. Rep. I-303: S. George Webb, Newport, R. I.—Denied modification of C. P. (1-PB-2815) for a new station for extension of completion date; **1200 kc.**, 100 watts, 250 watts day, unlimited time (Examiner R. H. Hyde sustained). Order effective July 6, 1937.

WTHT—Ex. Rep. I-303: The Hartford Times, Inc., Hartford, Conn.—Granted modification of C. P. (B1-P-360) for change in hours of operation from daytime to unlimited.

Requests facilities of WNRI, **1200 kc.**, 100 watts (Examiner R. H. Hyde sustained). Order effective July 6, 1937.

NEW—I-303: E. Anthony & Sons, Inc., Pawtucket, R. I.—Denied C. P. for new broadcast station to operate on **1200 kc.**, 100 watts night, 250 watts day, unlimited time (facilities WNRI) (Examiner R. H. Hyde sustained).

KFPM—Ex. Rep. I-323: Voice of Greenville, Greenville, Tex.—Denied C. P. to make changes in equipment; change frequency from **1310 kc.** to **1420 kc.**; increase power from 50 watts to 100 watts; change hours of operation from specified to daytime; move transmitter from 2109 Park St. (rear), Greenville, Tex., to site to be determined, subject to Commission's approval (Examiner P. W. Seward sustained). Order effective July 13, 1937.

NEW—Ex. Rep. I-344: Hunt Broadcasting Association (Fred Horton, Pres.), Greenville, Tex.—Granted C. P. for new broadcast station to operate on **1200 kc.**, 100 watts, daytime (Examiner George H. Hill sustained). Order effective July 13, 1937.

WAAB—Ex. Rep. I-355: The Yankee Network, Inc., Boston, Mass.—Granted modification of license to increase day power from 500 watts to 1 KW; **1410 kc.**, 500 watts night, 1 KW day, unlimited time (Examiner Robert L. Irwin, sustained). Order effective July 13, 1937.

KWBG—Ex. Rep. I-357: The Nation's Center Broadcasting Co., Inc., Hutchinson, Kans.—Denied C. P. to make changes in equipment and antenna (using directional antenna night); move transmitter from 101 E. Avenue A, Hutchinson, Kans., to approximately 3 miles southeast of present transmitter location; change frequency from **1420 kc.** to **550 kc.**; and increase power from 100 watts to 250 watts, unlimited time (Examiner Melvin H. Dalberg sustained). Order effective July 13, 1937.

NEW—Ex. Rep. I-381: Cadillac Broadcasting Co. (Mich.), Detroit, Mich.—Dismissed without prejudice C. P. for new broadcast station to operate on **1140 kc.**, 500 watts, daytime (Examiner Melvin H. Dalberg sustained).

RATIFICATIONS

The Division ratified the following acts authorized on the dates shown:

KTMS—The News Press Publishing Co., Santa Barbara, Calif.—Granted special temporary authority to operate a 50 watt portable crystal controlled transmitter between the hours of 12 midnight and 6 a. m. PST, for the period beginning May 12, and ending in no event later than May 18, 1937, in order to make field intensity survey tests in the metropolitan area of Santa Barbara. However, such tests not permitted during hours prescribed for Commission monitoring schedule.

W9XES—Midland Broadcasting Co., Kansas City, Mo.—Granted authority to operate as licensed period 30 days beginning May 15 and ending in no event later than June 13, relaybroadcast on Saturday mornings series of education question and answer broadcasts.

W8XIR-WAAQ—WGAR Broadcasting Co., Cleveland, Ohio.—Granted extension 30 day period stations W8XIR, WAAQ to operate as licensed beginning May 17 to June 16 inclusive for relaybroadcast interviews with school children.

W4XBT-WAAK-W4XBZ—Radio Station WSOC, Inc., Charlotte, N. C.—Granted authority to operate as licensed period May 15 through June 1, inclusive, relaybroadcast program opening Charlotte Municipal Airport.

WMBG—Havens and Martin, Inc., Richmond, Va.—Granted modification of construction permit (B2-P-338) to install new equipment and to make changes in antenna. Provided towers marked in accordance Rule 131d.

Granted petition of Northside Broadcasting Corp. (WGRC), New Albany, Ind., to intervene in proceedings upon the applications of The Louisville Times Co., Docket No. 4222 and S. O. and P. C. Ward, d/b as Louisville Broadcasting Co., Docket No. 4466, for construction permits for new stations at Louisville, Ky.

Granted petition of Central California Broadcasters, Inc. (KRE), Berkeley, Calif., for continuance of the hearing upon its application for construction permit, Docket No. 4411, from May 21 to June 28, 1937.

Granted motion on behalf of L. L. Coryell, Sr., & L. L. Coryell, Jr., d/b as L. L. Coryell & Son, requesting that the date for taking depositions on behalf of their application for C. P. for new station, Lincoln, Nebr., Docket No. 4509, be postponed from May 15 until 10 a. m. on June 1, 1937 at the Cornhusker Hotel, Lincoln, Nebr.

Broadcast Division open own motion, ordered that the record in the following cases by held open and cases heard further on June 21, 1937—University of Minn., Minneapolis, Minn., WLB, for construction permit, Docket No. 4147, Minn. Broadcasting Corp., Minneapolis, Minn (WTCN), for modification of license, Docket No. 4148 and St. Olaf College, Northfield, Minn. (WCAL) for construction permit, Docket No. 4149.

APPLICATIONS RECEIVED

First Zone

NEW—Hearst Radio, Inc., Washington, D. C.—Construction
1310 permit for a booster station on **1310 kc.**, 250 watts to operate synchronously with main transmitter of proposed broadcast station daytime only, in or near Washington, D. C. Requests facilities of WOL, contingent on the granting of WOL's application for change in frequency. (Request of attorney.)

NEW—Hearst Radio, Inc., Washington, D. C.—Construction
1310 permit for a booster station on **1310 kc.**, 250 watts to operate synchronously with main transmitter of proposed broadcast station daytime only, in or near Washington, D. C. Requests facilities of WOL, contingent on the granting of WOL's application for change in frequency. (Request of attorney.)

WMBO—WMBO Incorporated, Auburn, New York.—License to
1310 cover construction permit (B1-P-1467) as modified, for a new transmitter and antenna, increase in power and move of transmitter.

WVFW—Paramount Broadcasting Corp., Brooklyn, N. Y.—Author-
1400 ity to transfer control of corporation from Anthony D'Angelo, as trustee for Salvatore D'Angelo (his brother) and including also any right, title or interest he may be deemed to have heretofore otherwise acquired in any stock of the Paramount Broadcasting Corp., to Eva L. D'Angelo, wife of Salvatore D'Angelo, in trust for said Salvatore D'Angelo, including all right, title or interest that may be deemed to have heretofore been acquired by said Anthony D'Angelo.

W2XJI—Bamberger Broadcasting Service, Inc., New York, N. Y.—Modification of construction permit (B1-PE-103) to extend commencement date from 12-27-36 to 5-1-37 and completion date from 6-27-37 to 11-1-37.

Second Zone

WLAD—American Broadcasting Corp. of Kentucky, Lexington, Ky.
610 Construction permit to change frequency from **1420 kc.** to **610 kc.**, install a new transmitter, make changes in antenna and increase power from 100 watts night, 250 watts day to 500 watts night, 1 KW day.

WSAJ—Grove City College, Grove City, Pa.—License to cover
1310 construction permit (B2-P-1372) for changes in equipment.

NEW—S. I. Slover Corp., Norfolk, Va.—Construction permit for
1370 a new station to be operated on **1370 kc.**, 100 watts night, 250 watts day, unlimited time.

WMBS—Fayette Broadcasting Corp., Uniontown, Pa.—Modifica-
1420 tion of construction permit (B2-P-1398) for a new station, requesting changes in authorized equipment, for approval of vertical antenna and transmitter site at 3 miles south of Uniontown, Pa.

Third Zone

WNOX—Continental Radio Co., Knoxville, Tenn.—License to
1010 cover construction permit (B3-P-1295) as modified, for a new transmitter and antenna, increase in power and move of transmitter.

NEW—Times Printing Co., Chattanooga, Tenn.—Construction
1120 permit for a new station to be operated on **1120 kc.**, 500 watts night, 1 KW day, unlimited time. To use directional antenna day and night.

WAPI—WAPI Broadcasting Corp., Birmingham, Ala.—Voluntary
1140 assignment of license from WAPI Broadcasting Corp. to Alabama Polytechnic Institute, University of Alabama and Alabama College (Board of Control of Radio Broadcasting Station WAPI).

WAPI—Alabama Polytechnic Institute, University of Alabama and
1140 Alabama College (Board of Control of Radio Broadcasting Station WAPI), Birmingham, Ala.—Voluntary assignment of license from Alabama Polytechnic Institute University of

Alabama and Alabama College (Board of Control of Radio Broadcasting Station WAPI) to Voice of Alabama, Inc.

NEW—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Construction
1200 permit for a new station to be operated on **1210 kc.,** 250 watts, daytime. Amended: To change power from 250 watts to 100 watts night, 250 watts day and change hours of operation from daytime to unlimited time.

NEW—Y. W. Scarborough & J. W. Orvin, Charleston, S. C.—
1210 Construction permit for a new station to be operated on **1210 kc.,** 100 watts night, 250 watts day, unlimited time. Amended: To omit the name of Frederick Jordan from partnership.

NEW—Seaboard Broadcasting Corp., Savannah, Ga.—Construction
1310 permit for a new station to be operated on **1310 kc.,** 100 watts night, 250 watts daytime, unlimited time.

NEW—Southern Broadcasting Corp., Bogalusa, La.—Construction
1500 permit for a new station to be operated on **1500 kc.,** 100 watts night, 250 watts day, unlimited time.

KPLT—North Texas Broadcasting Co., Paris, Texas.—License to
1500 cover construction permit (B3-P-1645) for changes in equipment and increase in power.

WAEB—Southeastern Broadcasting Co., Inc., Near Macon, Ga.—License to cover construction permit for a new relay broadcast station.

Fourth Zone

KFYR—Meyer Broadcasting Co., Bismarck, N. Dak.—Authority
550 to install new automatic frequency control equipment.

KSOO—Sioux Falls Broadcast Association, Inc., Sioux Falls, S.
1110 Dak.—Construction permit to erect a new vertical antenna at N. E. ¼ of N. W. ¼ Section 24, Township 101, Range 50 West, 3 miles west of Sioux Falls, South Dakota.

KFJB—Marshall Electric Co., Inc., Marshalltown, Iowa—Modification
1200 of construction permit (B4-P-1054) as modified, for changes in equipment, new antenna and move of transmitter, requesting extension of completion date from 5-18-37 to 6-18-37.

WJBC—Arthur Malcolm McGregor & Dorothy Charlotte McGregor,
1200 Bloomington, Ill.—Modification of license to change hours of operation from share WJBL to unlimited time. (Contingent upon the granting of WJBL's application for **1370 kc.,** unlimited time.)

NEW—Gerald A. Travis, La Porte, Ind.—Construction permit for
1420 a new station to be operated on **1500 kc.,** 100 watts night, 250 watts day, unlimited time. Amended: To change requested frequency from **1500 kc.** to **1420 kc.,** hours of operation from unlimited time to daytime using 250 watts, make changes in antenna and give transmitter site as site to be determined, La Porte, Indiana.

WHIP—Hammond-Calumet Broadcasting Corp., Hammond, Ind.
1480 —Modification of construction permit (B4-P-415) for a new station, requesting changes in authorized equipment, changes in directional antenna for day use and change transmitter site from Wicker Park at Southeastern Avenue overpass, near conjunction U. S. Routes, Highland, Indiana, to 137th and Pochman Avenue, Hammond, Indiana.

Fifth Zone

NEW—Radiotel Corporation, San Diego, Calif.—Construction
920 permit for a new station to be operated on **920 kc.,** 500 watts, unlimited time. Amended: To change power from 500 watts to 1 KW and make changes in requested equipment.

KEX—Oregonian Publishing Co., Portland, Oregon.—Construction
1160 permit to change frequency from **1180 kc.** to **1160 kc.,** make changes in equipment, install directional antenna for day and night use and change hours of operation from simultaneously day, KOB, share KOB night to unlimited, simultaneously with WOWO.

NEW—Evening News Press, Inc., Port Angeles, Wash.—Construction
1250 permit for a new station to be operated on **1250 kc.,** 250 watts, unlimited time.

KOL—Seattle Broadcasting Co., Inc., Seattle, Wash.—Modification
1270 of construction permit (B5-P-1352) for changes in equipment, requesting extension of completion date from 5-29-37 to 6-30-37.

KSRO—The Press Democrat Publishing Co., Santa Rosa, Calif.—
1310 Modification of construction permit (B5-P-759) to change transmitter site from Stony Point Road, Santa Rosa, California to Fresno Avenue and Vallejo Street, Santa Rosa, California, extend commencement and completion dates from 6-9-37 and 12-9-37 respectively to 60 days after grant and 180 days thereafter.

KSLM—Oregon Radio, Inc., Salem. Oregon.—Construction permit
1360 to change frequency from **1370 kc.** to **1360 kc.,** install a new transmitter, make changes in antenna and increase power from 100 watts to 500 watts. Amended: To change transmitter site from Portland Road, ½ mile north of city limits of Salem, Oregon, to site to be determined, Salem, Oregon.

NEW—Floyd A. Parton, San Jose, Calif.—Construction permit
1330 for a new station to be operated on **1150 kc.,** 250 watts, daytime. Amended: To change frequency from **1150 kc.** to **1330 kc.,** and make changes in antenna.

W6XAO—Don Lee Broadcasting System, Los Angeles, Calif.—Construction permit to add aural transmitter to television equipment.

W6XAO—Don Lee Broadcasting System, Los Angeles, Calif.—License to cover above.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS

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STEWART TO LEAVE FCC

Dr. Irvin Stewart, a member of the Federal Communications Commission, whose term expires on June 30, has notified the President that he will not be a candidate for reappointment to the Commission.

He will retire from the Commission to become director of a new Committee on Scientific Aids to Learning of the National Research Council. In connection with this step the Chairman of the National Research Council and Dr. Stewart on Wednesday, issued the following statement.

A Committee on Scientific Aids to Learning has been appointed by National Research Council. The members are:

James B. Conant, President, Harvard University, Chairman.

Vannevar Bush, Vice President and Dean of the School of Engineering, Massachusetts Institute of Technology.

L. D. Coffman, President, University of Minnesota.

Frank B. Jewett, Vice President, American Telephone and Telegraph Company; President, Bell Telephone Laboratories, Incorporated, 195 Broadway, New York, N. Y.

Ben D. Wood, Associate Professor of Collegiate Educational Research, Columbia University.

Bethuel M. Webster, Attorney and Counselor at Law, Webster & Garside, 15 Broad Street, New York, N. Y., Secretary.

Ludvig Hektoen, Chairman, National Research Council, *ex officio.*

The director in immediate charge of the activities of the Committee will be Irvin Stewart, at present vice chairman of the Federal Communications Commission and Chairman of the Telegraph Division of the Commission. Dr. Stewart has informed President Roosevelt that he will not be a candidate for reappointment to the Communications Commission when his term expires on June 30; that he will give all of his time to his new duties after that date.

The purpose of the Committee is to canvass, and to report to National Research Council, the extent to which and means by which certain methods, data, materials and products of science are and may be applied to learning.

Experts will be retained from time to time to make special studies under the direction of the Committee in the fields of radio, sound recording and reproduction, motion pictures, photography, etc. They will be known as Reporters.

The Committee will invite a number of distinguished persons to serve as Consultants. The Consultants will be so selected from time to time as to insure the effective cooperation of Government, the schools, scientific societies, research establishments, the professions, industry and the press.

The Committee will maintain its office in New York City.

It is understood that the Committee will undertake at once to survey the work and experience of National Advisory Council on Radio in Education.

FCC MOVES TO DISBAR ATTORNEYS

The Federal Communications Commission has issued the following press release (21416):

"May 20, 1937.

"On March 10, 1937, the Federal Communications Commission appointed a special committee, consisting of Commissioner George Henry Payne, Chairman, Commissioner Thad H. Brown, and Commissioner Paul A.

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Make Your Plans Now to Attend the NAB Convention at Hotel Sherman, Chicago, June 20-23, 1937

Walker, to reopen and further investigate the case of George S. Smith, and any other incidents of similar character. This Committee has met and held hearings frequently and has yesterday submitted a report to the Commission. Based upon this report the Commission has issued the following order which has been served today, calling upon George S. Smith and Paul M. Segal to show cause why they should not be suspended, disbarred, their right to practice before the Commission revoked, or their further appearance as before this Commission prohibited:

Order

"In a regular meeting of the Federal Communications Commission, May 19, 1937:

Whereas, The Commission having conducted an investigation into the facts and circumstances concerning the alleged unauthorized and unlawful interpolation of documents into the records of the Commission in the case of Richard M. Casto, Docket 4212, and having inquired into the demeanor, good faith and conduct of Paul M. Segal and George S. Smith, attorneys for the said Richard M. Casto, in the making and prosecution of the application in the said case: and

Whereas, The Commission having further inquired into the demeanor, good faith and conduct of said Paul M. Segal and George S. Smith in connection with the organization of and filing of applications with the Commission by or for the Palmer Broadcasting Syndicate, Inc., and

It appearing That the demeanor, good faith, and conduct of the said Paul M. Segal and George S. Smith may constitute unbecoming, unethical and unprofessional conduct and demeanor as practitioners before this Commission; may constitute concealment in obtaining admission to practice before the Commission of material facts with reference to their legal qualifications, professional standing, character or integrity; or may constitute a violation of their oaths taken upon admission to practice before the Federal Communications Commission, that they would demean themselves as practitioners before the Commission uprightly and according to law, and that they would support the Constitution of the United States and would conform to the Rules and Regulations of the Commission, and

It appearing That charges should be preferred against the said Paul M. Segal and George S. Smith, affording them an opportunity to be heard as to why they and each of them should not be suspended, disbarred, or their right to practice before the Commission revoked, or their further appearance as attorneys before this Commission should not be prohibited;

It is Ordered, That charges be and they hereby are preferred by the Commission against the said Paul M. Segal and George S. Smith for alleged unbecoming, unethical and unprofessional conduct and demeanor; for the alleged concealment in obtaining admission to practice before this Commission of material facts with reference to their legal qualifications, professional standing, character or integrity; or for the alleged violation of their oaths taken upon admission to practice before the Federal Communications Commission, that they would demean themselves as practitioners before the Commission uprightly and according to law, that they would support the Constitution of the United States and would conform to the Rules and Regulations of the Commission, in the following particulars, to wit:

1. That the said Paul M. Segal and George S. Smith did, on or about the 9th day of December 1936, knowingly and with intention to deceive, interpolate, or aid and abet in the interpolation of, certain signed and notarized depositions into the files of the Commission in the case of Richard M. Casto, Dockett 4212, contrary to the Rules and Regulations of the Commission.

2. That the said Paul M. Segal and George S. Smith did represent said Richard M. Casto in the preparation and filing of his application for a radio station construction permit and in hearings before this Commission on such application, all of which was done with the knowledge that the said Richard M. Casto was not the true applicant, that he did not own the funds as represented, and that he was a subterfuge or dummy applicant for another person, or persons, all of which was done to deceive and mislead the Commission in its consideration of the said application and other applications; and to hinder and delay other applicants from obtaining or operating under authorizations of this Commission.

3. That the said Paul M. Segal and George S. Smith did conceive, organize and cause to be chartered the Palmer Broadcasting Syndicate, Inc., for the purpose of using said Palmer Broadcasting Syndicate, Inc., as a dummy applicant for authorizations from the Commission, and for the purpose of deceiving and misleading this Commission in its consideration of applications to be filed by the Palmer Broadcasting Syndicate and applications of other applicants, and to hinder and delay other applicants in obtaining or operating under authorizations of this Commission.

4. That the said Paul M. Segal and George S. Smith did knowingly and with the intention to deceive have the said Palmer Broadcasting Syndicate, Inc., file applications before the Commission for stations or construction permits at Portland, Maine, Lewiston, Maine, and Cheyenne, Wyoming, for the purpose of deceiving and misleading the Commission in its consideration of said applications and applications of other applicants, and to hinder and delay

other applicants in obtaining or operating under authorizations of this Commission.

It is further Ordered, That the said Paul M. Segal and George S. Smith shall file with the Commission within thirty-one days from the date hereof their several answers under oath to the foregoing charges, which shall include a statement as to whether they wish to appear and be heard thereon.

It is further Ordered, That the Commission enter upon a hearing, at a time and place hereafter to be fixed, to determine the truth or falsity of the said charges, and to determine whether the said Paul M. Segal and George S. Smith and each of them should be suspended, disbarred, their right to practice before the Commission revoked, or their further appearance as attorneys before this Commission prohibited.

A copy of this order shall be forthwith served upon the said respondents, Paul M. Segal and George S. Smith.

By the Commission,

T. J. Slowie,
Secretary."

Segal Issues Statement

In connection with the Commission's statement Mr. Segal has made the following statement:

"May 20, 1937.

"Telegraph Commissioner George H. Payne after a preliminary investigation of which he had charge has requested that the Federal Communications commission hear evidence on charges of improprieties on the part of my associate George S. Smith and myself.

"Of course, the commission in the face of such charges owes it to itself to hear the testimony and find out the facts. The proceeding by way of citation for disbarment is the only formal proceeding available for this purpose under the commission's regulations.

"Both Mr. Smith and I are confident that our conduct as practitioners and lawyers will bear any scrutiny by the commission or by any of the courts before which we have practiced for many years. We also feel certain that Commissioner Payne's colleagues on the Federal Communications commission will give us a prompt and fair hearing and the vindication to which we are entitled. We intend to give every cooperation.

"In the instance of Mr. Smith, matters of which he is accused have been thoroughly investigated in a previous informal proceeding by the full commission, after which a letter was written him which, although it reprimanded him, said in part:

> " '. . . we do not find that you should be cited to show cause why you should not be disbarred or suspended from practice before this Commission.'

"As for the accusation against me, my conduct in connection with the matter has been entirely proper and consistent with a sound administration of law. The most simple explanation on my part will show this. I can only express regret—and I feel that Commissioner Payne's colleagues have not been told—that I have had no opportunity to relate the facts to the investigating committee headed by Commissioner Payne prior to the recent and present publicity. Had I been extended an opportunity to clear up the facts for the committee I am sure the disbarment proceedings would not have been brought.

"On May 3, 1937, a commission attorney told me over the telephone that I would be given an opportunity to appear before Commissioner Payne's committee; he agreed to telephone back to make definite arrangements for my appearance; I have not heard from him."

NEW TROY STATION RECOMMENDED

The Troy Broadcasting Company, Inc., applied to the Federal Communications Commission for a construction permit for the erection of a new broadcasting station at Troy, N. Y., to use 950 kilocycles, 1,000 watts and daytime operation.

Examiner George H. Hill in Report No. I-422 recommended that the application be granted. He states that the evidence indicates that there is need for the service proposed to be rendered by the applicant and that the granting of the application would not cause any objectionable interference.

RECOMMENDS NEW MARYLAND STATION

Frank M. Stearns of Washington, D. C., filed an application with the Federal Communications Commission for a construction permit for the erection of a new station at Salisbury, Md., to use 1200 kilocycles, 250 watts and daytime operation.

Chief Examiner Davis G. Arnold in Report No. I-423 recommended that the application be granted "subject to the condition that the transmitter site be approved by the Commission before construction is undertaken." He found that there is need for daytime service in the area proposed to be served and the Examiner found that "the interests of Station WCAU will not be affected by reason of interference." The Examiner states that the granting of the application would be in the public interest.

VOLUNTARY ASSIGNMENT OF LICENSE RECOMMENDED

The Selma Broadcasting Company, licensee of broadcasting station WHBB, Selma, Ala., applied to the Federal Communications Commission to voluntarily assign the license to the Selma Broadcasting Company, Inc., the station operates on 1500 kilocycles, 100 watts daytime.

Examiner P. W. Seward in Report No. I-425 recommends that the assignment be granted. He states that the assignee is in all ways qualified and able to operate the station and the granting of the application would be in the public interest.

In another case involving the same station the same Examiner in Report No. I-424 recommended that the application of the station to use unlimited time instead of daytime be granted. In this case the Examiner found that the evidence showed the need for additional nighttime service for the area proposed to be served, and that the nighttime service of the station would not be expected to result in interference to any present operating stations.

RECOMMENDS DISPOSING OF THREE CASES

The Delaware Broadcasting Company, Station WILM, Wilmington, Del., applied to the Federal Communications Commission to move to Chester, Pa. It operates on 1420 kilocycles, 100 watts and shares time with WAZL.

Examiner R. H. Hyde in Report No. I-426 states that following a hearing the applicant asked to withdraw the application. He recommends that all material be deposited in the closed files of the Commission.

J. Leslie Doss applied to the Commission for a construction permit for the erection of a new station at Sarasota, Florida, to use 1390 kilocycles, 250 watts and daytime operation.

Examiner Tyler Berry made Report No. I-427. At a hearing the applicant did not appear but asked that the decision be based on a letter filed. It was not admissable as evidence and the Examiner recommended that the application be denied.

The Northern Broadcasting Company applied to the Commission for a construction permit for the erection of a new station at Traverse City, Mich., to use 830 kilocycles, 500 watts, daytime operation.

Examiner Tyler Berry made Report No. I-428. No appearance was made for the applicant when the hearing came on and recommendation was made that the case be denied because of default which the Examiner recommends be done.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Nos. 3130-3132. Complaints have been issued against two companies charged with unfair methods of competition in selling to dealers assortments of candy so packed that use of a lottery scheme is involved when the candy is resold to ultimate consumers.

The respondent companies are **Idaho Candy Co.,** 412 South Eighth Street, **Boise, Idaho,** and **Miss Morris Candies, Inc.,** 517-19 Third St., North, **Minneapolis.**

According to the complaints, the assortments include punchboards or pushcards by means of which lottery schemes may be conducted in the sale of candy. Idaho Candy Co., the complaint charges, sells articles of novelty merchandise as well as candy by use of the punchboard or pushcard methods.

No. 3131. Charging unfair competition in the sale of fountain pens through the marking thereon of excessive retail prices, a complaint has been issued against **Robert Morris,** trading as **D. P. Pen Co., Bordentown, N. J.**

Morris' price marking practices are alleged to have had the effect of misleading buyers into believing that the pens he sold were superior products, manufactured for sale at retail prices closely approximating the prices stamped thereon, when in fact, according to the complaint, the merchandise sold by the respondent was not of a superior grade normally sold at the prices marked thereon or for any figure even closely approaching such price.

No. 3134. Hershey Chocolate Corporation, Hershey, Pa., Peter Cailler Kohler Swiss Chocolates Co., Inc., Fulton, N. Y., and five other companies, are named respondents in a complaint, charging combination and conspiracy to control trade in a special chocolate bar manufactured by the Hershey and Kohler companies, for sale in vending machines in theaters and other public places.

Other respondents are: **Chocolate Sales Corporation, Hershey, Pa.,** distributor of Hershey products; **Lamont, Corliss & Co.,** 60 Hudson St., **New York,** distributor of **Kohler products; Sanitary Automatic Candy Corporation,** 235 West Twenty-third St., **New York; Berlo Vending Co.,** 1518 North Broad St., **Philadelphia,** and **Confection Cabinet Co.,** 315 Clinton Ave., **Newark, N. J.** The last three named companies are distributors of confectionery through vending machines.

The complaint charges that about October, 1935, the respondents conspired and united in a concerted undertaking among themselves to close the source of supply of a special chocolate bar manufactured by Hershey and Kohler for the vending machine trade to all members of the trade other than the respondents, Sanitary, Berlo and Cabinet companies.

This program is alleged to have been made effective by the respondents establishing the Sanitary company as purchasing agent or representative for the three respondent vending machine organizations, and causing contracts or agreements to be entered into, providing that no sales of the special chocolate bar manufactured by Hershey and Kohler for the vending machine trade would be made to any member of such trade other than the Sanitary, Berlo and Cabinet companies.

No. 3136. Unfair methods of competition in violation of Section 5 of the Federal Trade Commission Act are alleged in a complaint issued against **Bernard Goldberg,** trading as **Bernie's Quality Clothes,** 713 Seventh St., N. W., **Washington, D. C.**

Engaged in the retail sale of men's and women's wearing apparel, the respondent is said to have advertised in newspapers and handbills that "Bernie offers a wide choice of Xmas gifts free" with merchandise purchases of certain amounts, and that to purchasers of a dress he would give another dress free.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

The following firms have signed stipulations with the Commission:

No. 01572. Harry Lloyd, trading as **Shaw Products,** 4064 Bronx Boulevard, **New York;** "Shaw's Tablets" for indigestion, nervousness and stomach distress.

No. 01573. Mrs. Mercy A. Summers and **Mrs. Alice Ayling,** trading as **Summers Medical Co.,** 127 East Washington St., **South Bend, Ind.;** "Mrs. Summers' Home Treatment" and "Mrs. Summers' W. O. K. Tablets", for ailments peculiar to women.

No. 01574. R. E. Overell, trading as **Copinol Co.,** 700 South Main St., **Los Angeles;** "Copinol" for catarrah, sinus trouble, colds and enlarged tonsils.

No. 01575. Arrow Press, Inc., Product Exchange Building, Minneapolis, will stop representing that it furnishes Hammermill Bond paper in orders for printed stationery at the same price as it supplies its cheaper grade known as Arrow Bond paper, and will cease making unmodified claims of earnings for prospective salespersons in excess of the average earnings achieved by its salespersons who follow the respondent company's sales plan under normal business conditions.

No. 01576. George W. and **Sherman H. Thompson,** trading as **The Redwood Perfume & Chemical Co., Eureka, Calif.;** treatment for bronchial diseases, tuberculosis, cancer, ulcers, skin diseases, and other ailments.

No. 01577. Dr. J. Hod Williams, 1003 Krause Building, **Tampa, Fla.,** has entered into a stipulation to discontinue false and misleading advertising in connection with his mail order business in the sale of artificial teeth.

Dr. Williams agreed to cease representing that artificial teeth purchased from him by mail order are better or are the only means to obtain "your real individuality" or to procure teeth "exactly the way you want them;" that his plates are constructed in a better manner, and that youthful expression can be restored by the use of artificial teeth purchased through the mails.

No. 01578. S. Almklov, trading as **Almklov's Pharmacy, Cooperstown, N. Dak.;** "X. E. M. Salve", and "Itch Specific" for skin irritations.

No. 01580. James C. and Samuel R. Marasco, 4 West Wylie Ave., Washington, Pa., trading as the Fertile Co., in the sale of Fertile Scalp Tonic, agree to stop representing that this product will give permanent relief for dryness and brittleness of the hair or will preserve permanent waves.

No. 01582. Aschenbach & Miller, Inc., Third and Callowhill Sts., **Philadelphia;** "Mason's Cream of Olives Ointment" for colds in the head, chest and throat, and skin diseases.

No. 01583. J. F. Hightower, trading as **The Shumake Co., Fort Worth, Tex.;** "Liquid Shumake" for backache, dizziness and kidney ailments.

No. 01584. D. W. Chapman, 205 West Wacker Drive, Chicago, trading as The Eptol Co., stipulates that he will cease advertising his Eptol Beauty Cream as being capable of removing or preventing wrinkles, lines or crowsfeet; Eptol Cleansing Cream as enabling Eptol Beauty Cream to go deep into the tissues and make the skin beautiful, and other similar representations. The words "tonic" and "tone" will be dropped from the respondent's trade names, Maxwell Hair Tonic and Maxwell Skin Tone Lotion, respectively, according to his stipulation.

No. 01586. David R. Siegel, trading as Bedevere Products Co., Box 23, Madison Square Station, New York, in selling a so-called crucifix ring, agreed to discontinue advertising that such ring is responsible for the good luck, happiness or health of the purchaser, that it was created by a Spanish goldsmith, and is guaranteed 14-K gold shell, when such is not a fact.

No. 01587. Earl Hall, trading as United Watch Co., St. Anthony Falls Station, Minneapolis, stipulated that he will cease using the words "railroad," "jeweled" and "gold-plated" as descriptive of his watches, which, respectively, are not of the type possessing the accuracy and durability generally required of watches used by railroad workers; do not contain jewels or the number of jewels indicated, and have a plating of gold of a thickness less than 3/1000 of an inch on the outside and 1/1000 of an inch on the inside. Hall also will discontinue selling used watches as new without definitely informing customers that such watches are second-hand, rebuilt or reconditioned.

No. 01588. F & F Laboratories, 3501 West 48th St., **Chicago;** "F & F Cough Lozenges," for coughs, colds and sore throats.

No. 01589. F. A. Stuart Co., Marshall, Mich.; "Calcium Wafers," or "Stuart's Laxative Compound" for constipation, and as an aid in producing fine-textured skin. This respondent also stipulated that it would cease using the names "Calcium Wafers" or "Calcium Wafer Compound" to designate its product, until such time as there may be sufficient calcium content, according to medical standards, to justify the designation.

No. 01591. I. Ralph Weinstock, trading as **The Thyrole Chemical Co.,** 1425 West York St., **Philadelphia;** "O. B. C. Capsules," "Amps for Cramps" and "Thyrole Douche Powder" for obesity, muscular and neuralgic pains, insect bites, cuts, and dandruff. This respondent also agreed to stop representing that he operates a chemical company or is a "manufacturer of proprietaries and fine pharmaceuticals," until such are the facts.

No. 01595. Loye Distributing Co., 504 Hawley Building, **Wheeling, W. Va.;** "Blue Bonnet Texas Crystals" for rheumatism, lumbago, chronic gall bladder disturbances, high or low blood pressure, nervous indigestion, and dyspepsia.

No 01596. John B. Armstrong, M. D., trading as **Pink Ointment Co., Topeka, Kans.;** "Pink Ointment" for athlete's foot and skin diseases.

No. 01597. Jacob C. Gernand and **Stephen J. Barzso,** trading as **Myona Salve Co.,** 279 Grace Ave., **Elmhurst, Ill.;** "Myona Salve" for skin diseases, carbuncles and ivy poisoning.

No. 01598. Oakland Chemical Co., 59 Fourth Ave., New York, in advertising Dioxogen Cream, will quit representing that it will quickly refine the open pores of the skin, prevent sallow or muddy complexion, or give natural color to sallow or muddv complexions, and other similar assertions.

No. 01599. Camphorole, Inc., 3201 Atlantic Ave., **Atlantic City;** "Camphorole" for foot troubles, croup, asthma, tonsilitis, sinus trouble, bronchitis, and colds of the head or chest.

No. 01600. Aurine Co., Inc., Hawthorne Station, **Chicago;** "Ourine" for ear ailments and catarrh.

No. 01601. Kremola Co., 2975 Michigan Ave., **Chicago;** "Freckle Ointment" for freckles and skin blemishes.

No. 01604. J. M. Naylor, trading as **Slendabalm Laboratories** and **S. B. L. Laboratories, Salina, Kans.;** "Slendabalm" for obesity.

No. 01605. Hinze Ambrosia, Inc., 114 Fifth Ave., **New York;** "Hinze Ambrosia Cleaner," "Hinze Ambrosia Cream" and "Hinze Ambrosia Tightener," for skin ailments.

No. 01607. G. W. Jones, trading as The **G. W. Jones Rattler Liniment Co., Sumner, Wash.;** "Jones' Rattler Liniment", for simple headache, insect bites, poison ivy and muscular pains.

No. 01608. Mrs. E. M. Dyck, trading as **Amoid Laboratories,** 140 North Jackson St., Glendale, Calif.; "Amoid Tablets," for sinusitis.

No. 01610. R. J. Kleeves, D. M. Fletcher and **P. S. Heeres,** trading as **Herington Co., Arlington, Calif.;** "Herington Tablets," for aiding digestion and for kidney disorders, rheumatism and neuritis.

No. 01613. C. W. Allen, trading as **J. P. Allen Medicine Co.,** 204 West Kellogg Boulevard, **St. Paul, Minn.;** "Ulcerine (Ullerine) Salve," for sores.

No. 01614. James E. Johnson, trading as **Johnson Bros. Medicine & Chemical Co.,** 3732 South State St., **Chicago;** "Johnson's Herb Medicines," for rheumatism, coughs, colds, dyspepsia and other ailments.

No. 01615. Eva and F. F. Hopkins, trading as The House of Hopkins, Shenandoah, Iowa, will cease advertising that Eva Hopkins Marvel Creme Powder will protect the skin against sun, wind and dust, or give absolute protection to the skin, and that it renders greater protection than any other similar product.

No. 01616. General Drug Co., 170 Varick St., **New York;** "Midol," for illnesses peculiar to women.

No. 01617. Melodine Products Corporation, 666 North Robertson St., **Los Angeles;** "Sino-Dine", a sinus treatment.

No. 01618. C. B. Jordan, trading as **The Jordan Co.,** and **The Q. T. Products Co.,** 1113 South Western Ave., **Los Angeles;** "Q. T. Antiseptic Powder," and other feminine hygiene preparations.

No. 01619. R. C. McBride, trading as **The K-O-Kol Co., Glendale, Calif.,** and **F. T. Stevenson,** trading as the **East K-O-Kol Co., West Chester, Pa.;** "Kolokay Powder", for colitis, colds, nausea, arthritis and other ailments.

Nos. 1957-1985-1988-1990-1991-1992. Six **New York** companies dealing in dresses and other wearing apparel for women have entered into stipulations to discontinue unfair representations in the sale of their products, such representations involving use of the word "silk" to describe articles not made of that material.

Four of the respondent companies are department stores, as follows: **Stern Bros.,** 41 West Forty-second St., **Arnold, Constable & Co., Inc.,** Fifth Avenue and Fortieth St., **Bonwit Teller, Inc.,** Fifth Avenue and Fifty-sixth St., **New York,** and **Franklin Shops, Inc., Hempstead, Long Island, N. Y.** The other two respondents are **A. De Pinna Co., Inc.,** wearing apparel distributor, Fifth Avenue and Fifty-second St., and **Aywon Dress Co., Inc.,** garment manufacturer, 1400 Broadway, **New York.**

The representations to be discontinued by these companies in their advertising were deemed to constitute unfair methods of competition in violation of Section 5 of the Federal Trade Commission Act.

Generally, the stipulations require discontinuance in advertisements of use of one or more of the words "silk," "satin," "taffeta" or "crepe," alone or with other words, to imply that the products to which such words referred were composed of silk, when in fact they were made of materials other than silk.

No. 1986. Under a stipulation **John David Brock,** 1009 McGee St., **Kansas City, Mo.,** agrees to stop misrepresenting the gold content of certain spectacle frames he sells in interstate commerce. Brock trades as Specialty Optical Co., Superior Optical Co. and Kansas City Wholesale Optical Co.

Brock stipulates that he will discontinue using in advertising or as a stamp on his spectacle frames the term "1/10-12K," alone or in connection with the initials "G. F." (meaning gold-filled), or in any manner, when, in fact, the gold content is other than that represented by such stamp and it assays other than 45/1000 fine gold or better.

No. 1987. Joseph Dixon Crucible Co., 167 Wayne St., **Jersey City, N. J.,** has entered into a stipulation to cease certain unfair representations, in its interstate sale of wax crayons, in violation of Section 5 of the Federal Trade Commission Act.

Manufacturing pencils, pressed crayons, penholders and pencil leads the respondent company, according to the stipulation, sold waxed crayons manufactured by another corporation. Under the stipulation, use by the respondent company of the phrase "Made in U. S. A. by Joseph Dixon Crucible Co. of Jersey City, New Jersey," as a mark or brand for its wax crayons, when in fact it does not make such products, will be discontinued.

No. 2466. Hirsch Distilling Co., 414 Delaware St., **Kansas City, Mo.,** has been ordered to cease and desist from representing that it is a distiller of alcoholic beverages, when such is not a fact. Findings are that the company is engaged in the liquor business solely as a wholesaler and rectifier.

The respondent company is ordered to discontinue representing, through use of the word "Distilling" in its corporate name, in advertising, on labels, or otherwise, that it is a distiller of whiskies, gins or other spirituous beverages, that it manufactures such products through the process of distillation, or that it owns or operates a distillery, unless and until it does own or operate such a place.

No. 2580. Prohibiting false and misleading representations in advertising concerning the therapeutic value of a proprietary preparation generally designated as "Germex", an order has been entered to cease and desist against **Tyrrell H. Duncombe,** trading as **Duncombe Research Laboratory,** 14049 Woodward Ave., **Highland Park, Mich.**

Findings in the case are that the respondent advertised his preparation as a safe, non-poisonous antiseptic and as a cure or remedy for numerous dangerous and malignant diseases, including some regarded as incurable.

No. 2636. Prohibiting unfair competition in the sale of leather goods, an order has been issued to cease and desist against **Joseph H. Seld, of Gloversville, N. Y.,** trading as **Seld Leather Co.**

Seld is directed to stop using the word "chamois," alone or with other words, to describe leather products not made from the skin of the Alpine antelope or chamois, or from the fleshers or undersplit of sheepskin, oil-dressed and suede-finished. Provision is made that leather products made from fleshers or under-split of sheepskin, tanned by a formaldehyde and alum process, may be designed "white chamois."

No. 2654. An order has been issued requiring **LaSalle Extension University, Chicago,** to cease and desist from certain unfair representations in violation of Section 5 of the Federal Trade Commission Act.

The respondent, engaged in the correspondence school business, is directed to stop representing, directly or indirectly, through use of the term "extension university" or the word "university" in its corporate name, or in any other manner, that it is or conducts a university or extension university.

No. 2656. A group of manufacturers of an dealers in radio sets and radio parts, located principally in **Washington, Philadelphia** and in **New York** and vicinity, has been ordered to cease and desist from unfair methods of competition in the interstate sale of their products. The order also is directed against two companies manufacturing and selling escutcheons and name plates for use on radio products.

The order prohibits the respondents from using as marks or brands on their products certain well-known and long established names of other manufacturers and dealers in the radio and like industries without consent of the lawful owners of such names.

According to findings in the case, among the names, brands and symbols adopted and used by the respondents, without authority from the owners, are Marconi, Edison, Bell, Victor, Majestic and Brunswick, and the letters R. C. A. and G. E., standing alone or with other words, or colorable imitations or simulations thereof.

Metal Etching Corporation, 1001 Essex St., Brooklyn, and M. Hermann, an officer of the company, and Crowe Name Plate and Manufacturing Co., 1749 Grace St., Chicago, and its officers, E. C. Coolidge and I. Robinson Smith, are ordered to discontinue selling or distributing escutcheons and name plates bearing the trademarks and names in question to manufacturers, assemblers or dealers in radio products, except to the owners of such trade names or marks, or to the licensees of the owners.

The order further directs that the respondent manufacturers of and dealers in radio products cease representing, directly or indirectly, through use of trade names or marks of which they are not the owners, and without the permission of the lawful owners, that such products are those manufactured, sold, endorsed or licensed by the late Thomas A. Edison, Thomas A. Edison, Inc., American Telephone & Telegraph Co., Western Electric Co., Marconi Wireless Telegraph Company of America, Radio Corporation of America, Victor Talking Machine Co., Brunswick-Balke-Collender Co., Warner Brothers Pictures, Inc., and its subsidiary, Brunswick Radio Corporation, Grigsby-Grunow Co., or Majestic Radio and Television Corporation, and General Electric Co.

The respondent manufacturers of radio products and dealers who are ordered to cease and desist from unfair methods of competition, together with their officers or agents, are: Knight Electric Co., Inc., Temple Electric Corporation, Acme Radio Corporation, Pirate Radio Corporation, and Gillet Radio Corporation, all of 16 Hudson St., New York, and their officers, Eric Houser, David I. Morrison, A. M. Frank, Arthur and Charles Dreher, and Ruth Wasserman; Harvard Radio Tube Testing Stations of Pennsylvania, Inc., 208 North Broad St., Philadelphia, and Julius M. Schoenberg; Ross Distributing Co., 2020 Chancellor St., Philadelphia, and Larry B. Ross; Sun Radio and Service & Supply Corporation, 938 F St., Washington and Emanuel Rosensweig; Schiller Bros., Inc., 922 F St., Washington, and Louis S. Schiller; Peter Robbins, trading as Robbins Radio Co. and as Ambassador Radio Co., 940 F St., Washington, and F. C. Scruggs, trading as Call Radio Co., 636 H St., N. E., Washington.

The complaint was dismissed as to the following respondent companies and their officers for the reason that there was no evidence to establish the allegations made against them: Etched Products Corporation, 3901 Queens Boulevard, Long Island City, New York, and Albert Nierenberg and Walter H. Miller; Electro Chemical Engraving Co., 1100 Brook Ave., New York, and F. E. Switzer, N. L. Jacobus, Robert Schlesinger, Julius Erdoes and L. S. Southwick; Premier Metal Etching Co., 2103 44th Ave., Long Island City, New York, and Herbert Pape, Karl D. Johnson, Ernest A. Rottach and Hugo Lehrfeld; and Leon C. Sacks, Charles Johannes, Morris A. Weiner and J. R. Rosenberg.

The case was closed without prejudice as to Radio Products Corporation, Franklin Sales and Distributing Co., Inc., and S. Buchman.

According to findings in the case, all the respondents except those concerning whom the complaint was dismissed or the case closed without prejudice, cooperated among themselves and with one another to deceive the public and to compete unfairly with other manufacturers and dealers in radio products.

No. 2830. Udga, Incorporated, St. Paul, Minn., has been ordered to cease and desist from certain unfair representations in the sale of "Udga Treatment" stomach tablets.

Practices prohibited under the order are the representations, direct or indirect, through advertisements, circulars or testimonials or in any other manner, that the respondent's product will cure stomach ulcers, gastritis, indigestion, dyspepsia and various other stomach ailments and diseases, including those caused or reputed to be caused by hyperacidity.

No. 2958. An order has been entered directing 33 companies and their officers to cease and desist from combining and conspiring to fix and maintain uniform delivered prices, in the interstate sale of water gate valves, hydrants, fittings and similar products used for water supply systems.

The order also is directed against the **The Water Works Valve and Hydrant Group of the Valve and Fittings Institute, New York City,** its governing committee, and two officers of the institute, **George V. Denny,** president commission, and **Sam G. Moyers,** assistant secretary. All but one of the respondent companies are members of the Water Works Valve and Hydrant Group.

Selling their products principally to municipalities and to divisions and institutions of the Federal and State governments, the respondents are said to dominate their industry in the United States.

According to findings in the case, the respondents filed answers in which they consented that all the material facts alleged in the Commission's complaint against them "might be deemed to be admitted, but not within the intent and meaning of any law of the United States other than the Federal Trade Commission Act, such answers not constituting an admission of any conclusions of law and not constituting an admission of fact for any other purpose, nor to be used against them in any other proceeding, suit or action."

No. 3076. An order has been entered against **Procon Grocery Service Co., Inc.,** 205 East 42nd St., **New York City,** and 11 chains of retail stores for which the Procon company allegedly acted as purchasing agent.

No. 3085. British American Toffee Co., 102 Hill St., **New Haven Conn.,** confectionery manufacturer has been ordered to discontinue certain representations in the sale of its products, including toffee, in violation of Section 5 of the Federal Trade Commission Act.

The order prohibits representation, through use of phrases such as "England's Most Popular Sweet," or of other words of similar import or through any other means, that the respondent company's toffee products are made in England or in any other foreign country or are imported into the United States.

FTC CLOSES CASES

No. 1810. The Federal Trade Commission has vacated its order to cease and desist entered April 3, 1934, which directed **D. Goldenberg, Inc.,** I and Ontario Sts., **Philadelphia,** to discontinue selling assortments of candy so packed and assembled that sales to ultimate consumers involved the use of lottery schemes.

At the same time the Commission issued an amended and supplemental complaint against D. Goldenberg, Inc., which now trades also as P. C. Sales Co., alleging that it has reason to believe that the respondent company has been and is using unfair methods of competition, also involving lottery schemes in the sale of candy, in addition to and other than those unfair methods charged in the original complaint.

No. 2626. The Commission has closed its case against **E. S. Bergholt,** of **Cincinnati,** trading as **Marilyn Louise Cosmetics,** charged with false and misleading advertisements in the sale of cosmetics.

According to information received by the Commission, the respondent is no longer marketing his products under the name Marilyn Louise Cosmetics and has entirely ceased his business activities under such trade name.

No. 2633. An order has been entered by the Commission closing without prejudice its case against **Roy Stringer Co., Ltd.,** which was charged in a complaint issued November 18, 1935, with the use of false and misleading advertising and of a fraudulent sales plan in the sale of coin vending machines. The company formerly had its place of business in Indianapolis.

The case was closed because the respondent company has not engaged in business nor maintained any office or business address since the death of its president in October, 1935, and it appears there is no likelihood of the resumption of business on the part of the respondent company. The business had been conducted under the sole management of its president.

No. 3118. The Commission has also closed without prejudice its case against **Continental Briar Pipe Co., Inc.,** 80 York St., **Brooklyn,** the respondent having entered into a stipulation with the Commission to discontinue unfair representations in labeling and advertising certain tobacco pipes and the absorbent cartridges for use therein.

The respondent company agreed to cease using in advertising or as a brand for its products the word "Doctor," either alone or in connection with the phrase "By Test—The Best" or with any other words or pictorial representation, so as to imply that such products are manufactured by or under the supervision of a physician or that they are the result of tests or experimentation conducted by a member of the medical profession, when such are not the facts.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, May 31:

Thursday, June 3

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Clarence A. Berger and Saul S. Freeman, Coeur d'Alene, Idaho.—C. P., **1200 kc.,** 100 watts, daytime.

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. 1-379:

WATR—The WATR Company, Inc., Waterbury, Conn.—C. P., **1290 kc.,** 250 watts, unlimited time.

Examiner's Report No. 1-388:

NEW—Cumberland Broadcasting Co., Inc., Portland, Me.—C. P., **1210 kc.,** 100 watts, unlimited time.

NEW—Twin City Broadcasting Co., Inc., Lewiston, Me.—C. P., **1210 kc.,** 100 watts, unlimited time.

NEW—Philip J. Wiseman, Lewiston, Me.—C. P., **1210 kc.,** 100 watts, unlimited time.

NEW—Harriett M. Alleman and Helen W. MacLellan, d/b as Cape Cod Broadcasting Co., Barnstable, Mass.—C. P., **1210 kc.,** 100 watts, 250 watts LS, unlimited.

NEW—George M. Haskins, Hyannis, Mass.—C. P., **1210 kc.,** 100 watts, 250 watts LS, unlimited.

NEW—Arthur E. Seagrave, Lewiston, Me.—C. P., **1420 kc.,** 100 watts, 250 watts LS, unlimited.

Friday, June 4

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Warren B. Worcester, San Diego, Calif.—C. P., **1400 kc.,** 250 watts, 1 KW LS, unlimited time.

NEW—Press-Union Publishing Co., Atlantic City, N. J.—C. P., **1200 kc.,** 100 watts, 250 watts LS, unlimited time.

NEW—Geo. W. Taylor Co., Inc., Williamson, W. Va.—C. P., **1270 kc.,** 100 watts, daytime.

APPLICATIONS GRANTED

KRIS—Gulf Coast Broadcasting Co., Corpus Christi, Tex.—Granted modification of C. P. to increase night power from 250 to 500 watts; **1330 kc.,** 500 watts day, unlimited.

KFYO—Plains Radio Broadcasting Co., Lubbock, Tex.—Granted license to cover C. P. authorizing installation of new equipment and vertical radiator. The license is granted conditionally and shall not be construed as a finding by the Commission with respect to any applications affecting station, particularly the renewal application, or any of the issues raised thereby, nor that the operation of station is or will be in the public interest beyond the express terms hereof.

KGNC—Plains Radio Broadcasting Co., Amarillo, Tex.—Granted license to cover C. P., **1410 kc.,** 1 KW night, 2½ KW day, unlimited. Same conditions as above.

KPLT—North Texas Broadcasting Co., Paris, Tex.—Granted license to cover C. P., **1500 kc.,** 250 watts, daytime only.

WWJ—The Evening News Assn., Inc., Michigan, City of Detroit.—Granted renewal of license for the period ending September 1, 1937.

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska.—Granted extension of present license for a period of 2 months.

WTNJ—WOAX, Inc., Trenton, N. J.—Granted extension of existing license for period of 2 months.

WMBG—Havens & Martin, Inc. Richmond, Va.—Granted renewal of license for the period June 1 to December 1, 1937. Also same for auxiliary transmitter.

WHIO—Miami Valley Broadcasting Corp., Dayton, Ohio.—Granted renewal of license for the period ending October 1, 1937.

KCRJ—Charles C. Robinson, Jerome, Ariz.—Granted C. P. to move transmitter locally to Lower Hogback, install vertical radiator, make changes in equipment, increase day power to 250 watts and time of operation to unlimited.

WBTM—Piedmont Broadcasting Corp., Danville, Va.—Granted license to cover C. P., **1370 kc.,** 100 watts night, 250 watts day, unlimited time.

WSAJ—Grove City College, Grove City, Pa.—Granted license to cover C. P., **1310 kc.,** 100 watts. specified hours.

WAEB—Southeastern Broadcasting Co., Inc., Mobile (Macon, Ga.).—Granted license to cover C. P. for a relay broadcast station, frequencies **1622, 2058, 2150** and **2790 kc.,** 20 watts.

KPFA—The Peoples Forum of the Air, Helena, Mont.—Granted modification of C. P. approving transmitter site and studio site locally, install new equipment and vertical radiator, and increase power from 100 to 250 watts; **1210 kc.,** unlimited time.

KXYZ—Harris County Broadcast Co., Houston, Tex.—Granted renewal of license for the period ending November 1, 1937.

WNBR—Memphis Broadcasting Co., Memphis, Tenn.—Granted renewal of license for the period ending November 1, 1937.

KONO—Mission Broadcasting Co., San Antonio, Tex.—Granted voluntary assignment of license to Eugene J. Roth, trading as Mission Broadcasting Co.; **1370 kc.,** 100 watts, shares equally with KMAC.

NEW—Minnesota Broadcasting Corp., Rose Township, Minn.—Granted C. P. for new high frequency broadcast station, frequency **26050 kc.,** on an experimental basis, 150 watts.

NEW—Iowa Broadcasting Co., Des Moines, Iowa.—Granted C. P. for new high frequency broadcast station to licensee of KSO; frequency **26550 kc.**, 100 watts, experimentally.

W9XBS—National Broadcasting Co., Inc., Chicago, Ill.—Granted C. P. to make changes in equipment and decrease power to 50 watts.

W2XJI—Bamberger Broadcasting Service, Inc., New York City.—Granted modification of C. P. extending commencement date to 5-1-37 and completion date to 11-1-37.

W4XCA—Memphis Commercial Appeal, Inc., Memphis, Tenn.—Granted renewal of licensee for high frequency broadcast station for the period June 1, 1937, to April 1, 1938.

SET FOR HEARING

NEW—Meno Schoenbach, Woodward, Okla.—C. P. for new station to operate on **1500 kc.**, 100 watts, unlimited time, exact transmitter and studio sites to be determined with Commission's approval.

KFOR—Cornbelt Broadcasting Corp., Lincoln, Nebr.—C. P. to change transmitter site locally, install new equipment and directional antenna system for night-time operation, change frequency from **1210 kc.** to **1450 kc.**, and increase power from 100 watts night, 250 watts day, to 1 KW night, 5 KW day.

WDSU—WDSU, Inc., New Orleans, La.—C. P. to install new equipment and vertical radiator and increase power from 1 to 5 KW. To be heard before the Broadcast Division.

NEW—Thomas F. Airth, Wythe Walker and Rex Schepp, d/b as Evanston Broadcasting Co., Evanston, Ill.—C. P. for new station to operate on **1020 kc.**, 250 watts, daytime only, transmitter and studio sites to be determined with Commission's approval.

NEW—Ohio Broadcasting Co., Steubenville, Ohio.—C. P., already in hearing docket, amended to request **1310 kc.**, 100 watts, daytime only, exact transmitter and studio site to be determined with Commission's approval.

NEW—United Theatres, Inc., San Juan, P. R.—C. P. for new station, **570 kc.**, 1 KW, unlimited time, using directional antenna for both day and night-time operation.

NEW—Pacific Radio Corp., Grants Pass, Ore.—C. P. for new station to operate on **630 kc.**, 500 watts, unlimited time, transmitter and studio sites to be approved.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—C. P. to move transmitter locally, install new equipment and directional antenna system for day and night-time operation, and increase power to 5 KW, unlimited time. To be heard before the Broadcast Division.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KCRJ, Jerome, Ariz.; KFOR, Lincoln, Nebr.; KFPL, Dublin, Tex.; KFXD, Nampa, Idaho; KFXM, San Bernardino, Calif.; KGEK, Sterling, Colo.; KGEZ, Kalispell, Mont.; KGLO, Mason City, Iowa; KGY, Olympia, Wash.; KOCA, Kilgore, Tex.; KRQA, Santa Fe, N. Mex.; KRRV, Sherman, Tex.; KXBY, Kansas City, Mo.; WABI, Bangor, Me.; WAML, Laurel, Miss.; WAYX, Waycross, Ga.; WBLY, Lima, Ohio; WBRY, Waterbury, Conn.; WCMI, Ashland, Ky.; WCOL, Columbus. Ohio; WEBR and auxiliary. Buffalo, N. Y.; WFBG, Altoona, Pa.; WGCM, Mississippi City; WIBX, Utica, N. Y.; WIBU, Poynette, Wis.; WJNO, West Palm Beach, Fla.; WJRC, Tuscaloosa, Ala.; WKOK, Sunbury. Pa.; WLAK, Lakeland, Fla.; WLVA, Lynchburg, Va.; WMBO, Auburn, N. Y.; WMFF, Plattsburg, N. Y.; WMFR, High Point. N. C.; WOMT, Manitowoc, Wis.; WQXR, New York City; WSAY, Rochester, N. Y.; WSBC, Chicago; WSGN, Birmingham, Ala.; WSJS, Winston-Salem, N. C.; WTHT. Hartford, Conn.; WFOY, St. Augustine, Fla.; KOOS, Marshfield, Ore.; KWOS, Jefferson City, Mo.

The following stations were granted renewal of licenses on a temporary basis only, subject to whatever action may be taken by the Commission on the pending applications for renewal:

KFXR, Oklahoma City; KGDE, Fergus Falls, Minn.; KVOS, Bellingham, Wash.; KWTN, Watertown, S. Dak.; WJBW, New Orleans.

KFYO—Plains Radio Broadcasting Co., Lubbock, Tex.—Granted renewal of license on a temporary basis only subject to whatever action may be taken by the Commission upon the application of this station for renewal and for transfer of control.

WBNO—The Coliseum Place Baptist Church, New Orleans, La.—Granted renewal of license on a temporary basis only subject to whatever action may be taken upon renewal application of this station, and upon applications of Southern Broadcasting Corp. and Charles C. Carlson.

WHBC—Edward P. Graham, Canton, Ohio.—Granted renewal of license on a temporary basis only subject to whatever action may be taken by the Commission upon renewal application of this station and upon application of Nolan S. Walker.

WQDM—Regan & Bostwick, Albans, Vt.—Granted renewal of license for the period ending November 1, 1937.

WSMB—WSMB, Inc., New Orleans, La.—Granted renewal of license for the period ending November 1, 1937.

KGBU—Alaska Radio & Service Co., Inc., Ketchikan, Alaska.—Present license further extended upon a temporary basis only for the period ending July 1, 1937, pending receipt and action on renewal application.

WDAH—Tri-State Broadcasting Co., Inc., El Paso, Tex.—Present license further extended upon a temporary basis only for the period ending July 1, 1937, pending receipt and action on renewal application.

The following stations were granted extensions of present licenses on a temporary basis only for period ending July 1, 1937, pending receipt and action on renewal applications:

KPDN, Pampa, Tex.; KPMC, Bakersfield, Calif.; KVSO, Ardmore, Okla.; WBBZ, Ponca City, Okla.; WCPO, Cincinnati; WJTN, Jamestown, N. Y.; WSAJ, Grove City, Pa.; WTAL, Tallahassee, Fla.

SPECIAL AUTHORIZATIONS

WJSV—Columbia Broadcasting System, Inc., Washington, D. C.—Granted special temporary authority to operate a 100-watt portable transmitter on **1510 kc.**, on an experimental basis, between 8 a. m. and 6 p. m., EST, May 24 to June 2, 1937, within area contiguous to metropolitan Washington, for purpose of testing sites for location of new transmitter.

WEST—Asso. Broadcasters, Inc., Easton, Pa.—Granted extension of special temporary authority to operate simultaneously with station WKBO from 10 to 11 a. m. and from 5 to 6 p. m., EST, for period May 25 to June 22, 1937, due to adoption of daylight saving time in Easton.

WMFR—Radio Station WMFR, Inc., High Point, N. C.—Granted special temporary authority to operate from local sunset (May sunset, 7:15 p. m.) to 10 p. m., EST, Friday, May 28, in order to broadcast a program consisting of features originating in an auxiliary studio to be opened at Thomasville, about 6 miles from High Point.

KOTN—Universal Broadcasting Corp., Pine Bluff, Ark.—Granted special temporary authority to operate from 7:30 to 10:30 p. m., CST, May 29, 31, June 1, 2, 3, 19, 21, 24, 25, 26, 1937, in order to broadcast night baseball games played by home team out of town.

WSUI—State University of Iowa, Iowa City, Iowa.—Granted special temporary authority to operate a minimum of 6 hours daily, instead of unlimited time, for period June 1 to June 30, 1937, inclusive, in order to observe summer vacation period at State University.

WMBQ—Joseph Husid, Receiver for Metropolitan Broadcasting Corp., Brooklyn, N. Y.—Granted extension of special temporary authority for Joseph Husid, Receiver for Metropolitan Broadcasting Corp., to operate station for period June 1 to July 1, 1937, pending action on applications affecting station WMBQ.

WCAD—St. Lawrence University, Canton, N. Y.—Granted special temporary authority to operate from 1:30 to 3 p. m. and 4 p. m. to local sunset (June sunset, 7:45 p. m.), EST, June 12, in order to broadcast baseball game; from 2:30 to 4:30 p. m., EST, June 13, in order to broadcast Baccalaureate Service; from 10 a. m. to 12 noon and 1:30 to 3 p. m., EST, June 14, in order to broadcast Commencement services and luncheon.

KQV—KQV Broadcasting Co., Pittsburgh, Pa.—Granted special temporary authority to operate simultaneously with WSMK from 10 p. m. to 12 midnight, Wednesday, June 16, for purpose of broadcasting the Brooklyn at Cincinnati night game.

WHDF—The Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authority to operate from 12:30 p. m. to 1 p. m., CST, June 2, 9, 16, 23 and 30, 1937, in order to continue weekly broadcasts of Calvary Northland Missions Stations under direction of Rev. John Vanderschie, WNYC—City of New York, Department of Plant and Structures, New York City.—Granted extension of special temporary authority to use auxiliary transmitter located at 29 Ft. Greene Place, Brooklyn, as main transmitter, while moving, in accordance with modification of C. P., for period May 28 to August 1, 1937.

WFAA—A. H. Belo Corp., Dallas, Tex.—Granted special temporary authority to use joint call letters WFAA-WBAP and waive requirements of Rule 156, for period beginning June 12 and ending in no event later than 3 a. m., EST, August 1, 1937, in order to broadcast program of the Central Exposition of the Texas Centennial Celebration in Dallas.

WBAP—Carter Publications, Inc., Fort Worth, Tex.—Granted special temporary authority to use joint call letters WFAA-WBAP and waive requirements of Rule 156, for period beginning June 12 and ending in no event later than 3 a. m., EST, August 1, 1937, in order to broadcast program of the Central Exposition of the Texas Centennial Celebration in Dallas.

KYDL—Intermountain Broadcasting Corp., Salt Lake City, Utah. —Granted special temporary authority to operate a 100-watt portable transmitter, **1290 kc.**, for period May 23 to June 10, 1937, between hours of 12 midnight and 6 a. m., MST, for purpose of selecting new transmitter site in vicinity of Salt Lake City; however, operation not permitted during hours of monitoring schedule.

WHDF—The Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authority to operate from 7 to 9 a. m., CST, the following Sundays, June 6, 13, 20 and 27, in order to broadcast programs now heard Sunday p. m. due to belief that audience is larger during mornings than during afternoons.

WCBD—WCBD, Inc., Chicago, Ill.—Granted extension of special temporary authority to use transmitter of WMBI for period June 2 to July 1, pending repair to WCBD's transmitter, which was destroyed by fire.

W9XPW—WDZ Broadcasting Co., Star Store Building, Tuscola, Ill.—Granted special temporary authority to operate relay broadcast transmitter on frequencies **31100, 34600, 37600** and **40600 kc.**, using 30 watts power, for period of 30 days from May 23 to June 21, 1937, for relay broadcast on Sundays various programs of music, news, church services, talks and contests to be rebroadcast over WDZ.

United Air Lines Transport Corp., Washington, D. C.—Granted special temporary authority to operate already licensed aircraft radio transmitter aboard plane owned by United Air Lines Transport Corp. bearing call letters KHAZT, as a relay broadcast station, May 28, 1937, to relay broadcast program opening of Golden Gate Bridge, San Francisco, on frequency **2758 kc.**, for rebroadcast over NBC network; also relay broadcast program describing arrival of U. S. Fleet at San Francisco on frequency **2790 kc.**, for rebroadcast over NBC network.

WQP-WCG-WKP—RCA Communications, Inc., Rocky Point, N. Y.—Granted special temporary authority for point-to-point telegraph stations in addition to the authorization contained in present licenses covering operation of these stations, to communicate with relay broadcast stations WOEH located on Imperial Airways seaplane Cavalier and WIEO on Pan American seaplane USA-Bermuda Clipper, to provide contact control communication service to facilitate reception of program material through the Riverhead, N. Y., receiving station for delivery to the NBC network, for period June 1 to 10, 1937, conditionally.

APPLICATIONS DISMISSED

The following applications heretofore set for hearing, were dismissed at request of applicants:

WHKC—Associated Radiocasting Corp., Columbus, Ohio.—**640 kc.**, 1 KW, 5 KW LS, limited time (local sunset at Los Angeles).

WMAL—National Broadcasting Co.. Inc., Washington, D. C.—**630 kc.**, 500 watts, 500 watts LS, unlimited.

KTBS—Tri-State Broadcasting System, Inc., Shreveport, La.—**620 kc.**, 500 watts, 1 KW LS, unlimited.

EXAMINERS' REPORTS RELEASED SINCE MAY 18, 1937

WSAU—Ex. Rep. 1-420: Northern Broadcasting Co., Wausau, Wis.—Examiner P. W. Seward recommended grant of modification of license to change hours of operation from daytime to unlimited.

WREN—Ex. Rep. 1-421: R. R. Jackman et al., Lawrence, Kans., and The Kansas City Star Co., Kansas City, Mo.—Examiner George H. Hill recommended denial of authority to transfer control of stock of the WREN Broadcasting Co., Inc., to the Kansas City Star Company.

NEW—Ex. Rep. 1-422: Troy Broadcasting Co., Inc., Troy, N. Y.—Examiner Hill recommended grant of C. P. for new station to operate on **950 kc.**, 1 KW, daytime.

NEW—Ex. Rep. 1-423: Frank M. Stearns, Washington, D. C.—Examiner Davis G. Arnold recommended grant of C. P. to erect a new station at Salisbury, Md., to operate on **1200 kc.**, 250 watts, daytime.

WHBB—Ex. Rep. 1-424: W. J. Reynolds, Jr., J. C. Hughes, and J. S. Allen, d/b as Selma Broadcasting Co., Selma, Ala.—Examiner Seward recommended grant of modification of license to authorize station to operate unlimited time instead of daytime; **1500 kc.**, 100 watts.

WHBB—Ex. Rep. 1-425: W. J. Reynolds, Jr., J. C. Hughes, and J. S. Allen, d/b as Selma Broadcasting Co., Selma, Ala.—Examiner Seward recommended grant of application for voluntary assignment of license from the present holders to the Selma Broadcasting Co., Inc.

WILM—Ex. Rep. 1-426: Delaware Broadcasting Co., Wilmington, Del.—Examiner R. H. Hyde recommended that application for C. P. to remove station to Chester, Pa., which was ordered by the Commission on May 4, 1937, to be dismissed with prejudice, be deposited to the closed files.

NEW—Ex. Rep. 1-427: J. Leslie Doss, Sarasota, Fla.—Examiner Tyler Berry recommended application for C. P. for new station to operate on **1390 kc.**, 250 watts, daytime, be denied.

NEW—Ex. Rep. 1-428: David J. Mercier and George F. Warren, d/b as Northern Broadcasting Co., Traverse City, Mich.—Examiner Tyler Berry recommended denial of application for C. P. to erect new station to operate on **830 kc.**, 500 watts, daytime.

APPLICATIONS DENIED

WGRC—North Side Broadcasting Corp., New Albany, Ind.—Denied special temporary authority to operate 12 midnight to 2 a. m., CST, period not exceeding 30 days, broadcast commercial programs consisting high class dance music.

The following applications, heretofore set for hearing, were denied as in cases of default for failure to file appearances and statement of facts in accordance with Rule 104.6 (c):

NEW—G. Kenneth Miller, Tulsa, Okla.—**1310 kc.**, 250 watts, daytime.

NEW—W. W. Hunt, J. B. DeMotte and F. H. Miller, d/b as The Ocala Broadcasting Co., Ocala, Fla.—**1500 kc.**, 100 watts, 250 watts LS, unlimited.

NEW—B. J. Hecker, Salem, Ore.—**1330 kc.**, 500 watts, 500 watts LS, unlimited.

MISCELLANEOUS

WIBG—Seaboard Radio Broadcasting Corp., Glenside, Pa.—Redesignated for hearing before an Examiner application for C. P. for authority to operate with 5 KW on **970 kc.**, limited time, and until sunset at Chicago.

WSBT—South Bend Tribune, South Bend, Ind.—Extended until June 29, 1937, effective date of Commissions order of February 23, 1937, denying application for C. P. to change from **1360 kc.**, 500 watts, sharing time, to **1010 kc.**, 1 KW, unlimited time (Docket 3763).

WEMP—Milwaukee Broadcasting Co., Milwaukee, Wis.—Extended until June 29, 1937, effective date of Commissions order of February 23, 1937 denying application for C. P. to change from **1310 kc.**, 100 watts, daytime, to **1010 kc.**, 250 watts night, 500 watts LS (Docket 3892).

NEW—Niagara Falls Gazette Publishing Co., Niagara Falls, N. Y. —Denied petition to set aside order of February 9, 1937, denying application for C. P. for new radio broadcasting station to operate on **630 kc.**, 250 watts, daytime only; also denied petition to accept an amendment to the application so as to permit the construction of a directional antenna, and further denied petition to remand application, with the proposed amendment, to an Examiner for the purpose of taking further testimony.

Columbia Broadcasting System, Inc., New York City.—Granted with prejudice "request to withdraw application for consent to transfer of control of Southland Industries, Inc., licensee of station WOAI, to Columbia Broadcasting System, Inc. (Docket 4286).

Sweetwater Broadcasting Co., Sweetwater, Tex.—Denied petition to reconsider and grant application for new station to use **1310 kc.,** 100 watts, daytime only, and for an extension of effective date of denial from June 22, 1937, to August 22, 1937.

WSAY—Brown Radio Service & Laboratory, Gordon P. Brown, Owner, Rochester, N. Y.—Granted motion for continuance of the hearing date upon application for modification of license to use **1210 kc.,** 100 watts, unlimited time, instead of daytime only.

WOW—Woodmen of the World Life Ins. Assn., Omaha, Nebr.—Denied, Judge Sykes dissenting, request for extension of temporary authority to operate with 5 KW power at night.

W8XAN—Sparks-Withington Co., Jackson, Mich.—Granted C. P. and license authorizing removal of station from Plant No. 1 to Plant No. 2 at Jackson, Mich.

KGB—Don Lee Broadcasting System, San Diego, Calif.—Denied petition for continuance of the hearing date upon the application of Warren B. Worcester, for action designating the applications of Radiotel Corp., Dickmar Broadcasting Co., and Airfan Radio Corp., Ltd., for hearing, and for the fixing of a consolidated hearing on those four applications.

NEW—El Paso Broadcasting Co., El Paso, Tex.—Granted petition to accept applicant's appearance in the matter of application of the company for a new station at El Paso to use **940 kc.,** 1 KW, unlimited time (Docket No. 4545.

WGAN—Portland Broadcasting System, Portland, Me.—Granted extension of commencement date from November 22, 1936, to May 22, 1937, and completion date from May 22 to November 22, 1937. The authority is granted upon a temporary basis only pending decision by the U. S. Court of Appeals of the D. C. in the following cases: Eastland Co. v. F. C. C., No. 6772, and Congress Square Hotel v. F. C. C., No. 6773, and shall not be construed as a finding by the Commission upon the application from WGAN now before the Commission nor that the operation of this station is or will be in the public interest beyond the express terms hereof.

NEW—Johnson City Broadcasting Co., Johnson City, Tenn.—Granted petition to participate in oral argument upon the exceptions filed in the matter of the application of Richard M. Casto for a new station at Johnson City. Tenn., to use **1200 kc.,** 100 watts night, 250 watts LS, unlimited time (Docket 4212).

ORAL ARGUMENTS

WCOP—Ex. Rep. 1-380: Massachusetts Broadcasting Corp., Boston, Mass.—Granted oral argument to be held September 9, 1937.

NEW—Ex. Rep. 1-391: Frontier Broadcasting Co., Cheyenne, Wyo.—Granted oral argument to be held September 9, 1937.

NEW—Ex. Rep. 1-395: The Journal Co., Milwaukee Wis.—Granted oral argument to be held September 9, 1937.

NEW—Mid-Atlantic Corp., Washington, D. C.—Granted oral argument to be held September 9, 1937.

NEW—Trenton Times, Trenton, N. J.—Granted oral argument to be held September 9, 1937.

NEW—Ex. Rep. 1-397: The Metropolis Co., Jacksonville, Fla.—Granted oral argument to be held September 9, 1937.

KLPM—Ex. Rep. 1-400: John B. Cooley, Minot, N. Dak.—Granted oral argument to be held September 16, 1937.

NEW—Ex. Rep. 1-401: Walter H. McGenty, Rice Lake, Wis.—Granted oral argument to be held September 16, 1937.

NEW—Ex. Rep. 1-403: Lillian E. Kiefer, Brooklyn, N. Y.—Granted oral argument to be held September 16, 1937.

WWRL—Long Island Broadcasting Corp., Woodside, L. I.—Granted oral argument to be held September 16, 1937.

NEW—Paul J. Gollhofer, Brooklyn, N. Y.—Granted oral argument to be held September 16, 1937.

WMBQ—Met. Broadcasting Corp., Brooklyn, N. Y.—Granted oral argument to be held September 16, 1937.

RATIFICATIONS

The Broadcast Division ratified the following acts authorized on the dates shown:

W10XFR-W10XEQ—National Broadcasting Co., Inc., New York City.—Granted authority to operate as licensed May 28 relaybroadcast ceremonies Golden Gate Bridge; also Farm and Home Hour program.

WIEO-WOEH—National Broadcasting Co., Inc., New York City.—Granted authority to operate as licensed period 10 days from May 29 aboard seaplane Bermuda, and WOEH aboard Cavalier, relaybroadcast conversational exchange between the seaplanes.

KABE-KIGA—National Battery Broadcasting Co., St. Paul, Minn.—Granted authority operate as licensed June 10, relaybroadcast program originating from Roquefort Cheese curing case, University of Minnesota Farm School in St. Paul.

WAAU—Columbia Broadcasting System, Inc., New York City.—Granted authority operate as licensed period 30 days beginning May 14, relaybroadcast from SS. Potomac program dance music.

WNEI—Indianapolis Power and Light Co., Indianapolis, Ind.—Granted authority to operate as licensed 5-16, 5-30, inclusive, relaybroadcast from Indianapolis Speedway elimination trials.

W9XPN—WDZ Broadcasting Co., Tuscola, Ill.—Granted authority operate as licensed period 30 days beginning May 23, relaybroadcast on Sundays church services, news, talks, etc.

WJEP—Stromberg-Carlson Tel. Mfg. Co., Rochester, N. Y.—Granted authority to operate as licensed period May 17 to June 16, inclusive, relaybroadcast safety campaign in Rochester.

WBAM-W2XMI-W2XMK—Bamberger Broadcasting Service, Inc., Newark, N. J.—Granted authority operate as licensed on June 22, to relaybroadcast the Poughkeepsie Rowing Regatta.

KABG—Ben S. McGlashan, Los Angeles.—Granted authority operate as licensed 5-29 and 5-31, relaybroadcast program National Military Home Federal Reservation.

WAEB—Southeastern Broadcasting Co., Inc., Macon, Ga.—Granted authority operate on program tests May 19, 26, June 2, 9 and 16, relaybroadcast program from automobile driven about city of Macon.

W9XPS—Peoria Broadcasting Co., Peoria, Ill.—Granted authority operate as licensed 5-24, 5-31, 6-7 and 6-14, relaybroadcast WMBD good neighbor program.

WNEI—Ind. Power & Light Co., Indianapolis, Ind.—Granted authority operate as licensed 5-31, relaybroadcast Annual Indianapolis Auto Race.

KABE-KIGA—National Battery Broadcasting Co., St. Paul, Minn.—Granted authority operate as licensed on Thursdays period 30 days beginning 5-27, relaybroadcast educational series from University of Minnesota.

KHSL—Radio Station KHSL, Chico, Calif.—Granted extension completion date installation new antenna July 23, 1937.

WBBZ—Radio Station WBBZ, Ponca City, Okla.—Granted authority operate 10 days temporary antenna pending construction new antenna; also granted authority remain silent 5-27 while constructing.

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted special temporary authority to operate Saturdays 2 to 3 p. m., EST, May 29, June 5, 12, 1937, in order to broadcast programs of Buffalo Fire Department Safety Talks; operate Sundays 8:30 to 10 a. m.. EST, and from 2 to 3 p. m., EST, May 30, June 6, 13, in order to broadcast various religious programs; also operate Monday 8:30 a. m. to 10 a. m. and 2 to 3 p. m., EST, May 31, in order to broadcast Memorial Day Service for Rev. Duffy, Bishop of Buffalo (provided WSVS remains silent).

WTAR—WTAR Radio Corp., Norfolk, Va.—Granted special temporary authority to conduct equipment tests with directional antenna from 12 midnight to local sunset beginning May 18 to May 26; also granted permission to broadcast regular stations' programs during above time, using main transmitter (1.6 miles east of Norfolk on Glen Rock, Elizabeth Park Road) in new location and when main transmitter not being used to operate auxiliary in old location (Va. Beach Blvd.), effective as of May 18.

W8XHU—KQV Broadcasting Co., Pittsburgh, Pa.—Granted special temporary authority to operate regularly licensed relay broadcast (exp. station) licensed to Pittsburgh Radio Supply House, for the period May 26 to June 5, 1937.

W3XPF—Farnsworth Television, Inc., of Pa., Philadelphia, Pa.—Granted special temporary authority to conduct equipment tests of a 100-watt exciter unit for a period of 30 days.

KPRC—Houston Printing Corp., Houston, Tex.—Granted extension of special temporary authority to operate with power of 5 KW night for the period May 24 to June 22, 1937.

Granted petition of Cleveland Radio Broadcasting Corp. to intervene in the proceedings upon the application of WRBC, Inc., for new station at Cleveland, Ohio. Docket No. 3890.

Granted petition of Commodore Broadcasting, Inc., to intervene in the proceedings upon the application of Glenn E. Webster for new station at Decatur, Ill. Docket 4503.

Granted petition of WDZ Broadcasting Co. to intervene in the proceedings upon the application of Glenn E. Webster for a new station at Decatur, Ill.

Granted petition of Decatur Newspapers, Inc., to intervene in the proceedings upon the application of Glenn E. Webster for a new station at Decatur, Ill.

Granted petition of KLO, Interstate Broadcasting Corp., Ogden, Utah, in so far as it relates to the acceptance of the amendment to its application for C. P., and denied that part of the petition requesting that the application as amended be heard on June 4, 1937, as at present scheduled.

Granted petition of KCMO Broadcasting Co., Kansas City, Mo., for a supplemental order to take depositions of additional witnesses on behalf of its application. Docket No. 4485.

EFFECTIVE DATE EXTENDED

NEW—Ex. Rep. 1-291: Niagara Falls Gazette Pub. Co., Niagara Falls, N. Y.—Effective date of order extended to June 8, 1937.

NEW—Power City Broadcasting Corp., Niagara Falls, N. Y.—Effective date of order extended to June 8, 1937.

APPLICATIONS RECEIVED

First Zone

WGAN—Portland Broadcasting System, Inc., Portland, Maine.—
640 Modification of construction permit (1-P-B-3180) for a new station, requesting extension of commencement and completion dates from 11-22-36 and 5-22-37 respectively to 5-22-37 and 11-22-37.

NEW—Tri-City Broadcasting Co., Inc., Schenectady, New York.—
950 Construction permit for a new station to be operated on **950 kc.**, 1 KW, unlimited time. To use directional antenna day and night.

WMEF—National Broadcasting Co., Inc., Mobile.—Construction permit to install a new transmitter and decrease power from 150 watts to 100 watts.

WMEF—National Broadcasting Co., Inc., Mobile.—License to cover above.

NEW—Paul F. Godley, Montclair, N. J.—Construction permit for a new high frequency broadcast station to be operated on **41800 kc.**, up to 5 KW power.

NEW—General Electric Co., Schenectady, N. Y.—Construction permit for a new international broadcast station to be operated on **9530, 15330 kc.**, 100 KW.

Second Zone

W9XSE—WAVE, Incorporated, Louisville, Ky.—License to cover construction permit for a new relay broadcast station.

WATC—WAVE, Incorporated, Louisville, Ky.—License to cover construction permit for a new relay broadcast station.

W3XEX—WTAR Radio Corporation, Norfolk, Va.—Construction permit to make changes in equipment and move transmitter from Virginia Beach Blvd. 1.7 miles from Norfolk, Virginia, to 13th floor National Bank of Commerce Building, Norfolk, Virginia.

NEW—Havens & Martin, Inc., Richmond, Va.—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.**, 500 watts.

Third Zone

WJAX—City of Jacksonville, Jacksonville, Fla.—Special experi-
900 mental authorization to operate with 5 KW power day and night for period to 9-1-37.

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Con-
1180 struction permit to install a new transmitter and increase power from 1 KW to 1 KW night, 5 KW day.

WBHP—Wilton Harvey Pollard, Huntsville, Ala.—License to
1200 cover construction permit (B3-P-840) as modified, for a new station.

NEW—Ward Optical Co., Dr. T. B. Ward, Owner, Fayetteville,
1310 Ark.—Construction permit for a new station to be operated on **1310 kc.**, 100 watts, unlimited time. Amended: To change transmitter site from Wolf Bldg. on West Mt. St. to N. Leverett Road, Fayetteville, Arkansas.

KFXR—Exchange Ave. Baptist Church of Oklahoma City, Okla-
1310 homa City, Okla.—Authority to install automatic frequency control equipment.

KAND—Navarro Broadcasting Assn., J. C. West, President,
1310 Corsicana, Texas.—License to cover construction permit (B3-P-703) as modified, for a new station.

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—License to
1390 cover construction permit (B3-P-1531) for changes in equipment and increase in power.

KOTN—Universal Broadcasting Corp., Pine Bluff, Ark.—License
1500 to cover construction permit (B3-P-1609) for a new antenna and move of station.

NEW—C. G. Hill, George D. Walker, Susan H. Walker, Mobile (Winston-Salem, N. C.)—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 5 watts.

NEW—WKY Radiophone Co., Mobile (Oklahoma City, Okla.)—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.**, 200 watts.

NEW—The Birmingham News Co., Birmingham, Ala.—Construction permit for a new relay broadcast station to be operated on **1646, 2090, 2190, 2830 kc.**, 20 watts.

W5XAB—Fort Worth Broadcasters, Inc., Fort Worth, Texas.—Modification of construction permit to reduce power from 5 watts to 2 watts. Amended: To make changes in equipment.

W5XAB—Fort Worth Broadcasters, Inc., Fort Worth, Texas.—License to cover construction permit (B3-PRE-13) as modified.

Fourth Zone

WBAA—Purdue University, W. Lafayette, Ind.—Construction
890 permit to install new transmitter; make antenna changes; change power from 500 watts night, 1 KW day, to 5 KW daytime; change hours of operation from specified hours to daytime only; and move transmitter ½ mile on Northwestern Avenue, West Lafayette, Ind. (same address). Amended to change transmitter site on Northwestern Avenue, W. Lafayette, Ind. (different geographical site).

WTAD—Illinois Broadcasting Corp., Quincy, Ill.—Authority to
900 install new automatic frequency control equipment.

KFJB—Marshall Electric Co., Inc., Marsballtown, Iowa.—License
1200 to cover construction permit (B4-P-1054) as modified for changes in equipment, new antenna, and move of transmitter.

WJBL—Commodore Broadcasting, Inc., Decatur, Ill.—Modifica-
1200 tion of license to change hours of operation from share WJBC to unlimited time, and frequency from **1200 kc.** to **1370 kc.** Amended to change requested frequency from **1370 kc.** to **1310 kc.**, contingent upon the granting of WBOW's application for change in frequency to **1290 kc.**

KWNO—Winona Radio Service (a partnership), Harry Dahl, Otto
1200 M. Schlabach, Maxwell H. White and Hermann R. Wiecking, Winona, Minn.—Modification of construction permit (B4-P-983) for a new station, requesting changes in equipment, installation of vertical antenna, and approval of transmitter and studio sites at 110 Main Street, Winona, Minn.

KWOS—Tribune Printing Co., Jefferson City, Mo.—Construction
1210 permit to make changes in equipment; increase power from 100 watts to 100 watts night, 250 watts day; and change hours of operation from daytime to unlimited time. Amended to change frequency from **1310 kc.** to **1210 kc.**

WIBU—Wm. C. Forrest, Poynette, Wis.—Authority to install new
1210 automatic frequency control equipment.

NEW—Martin R. O'Brien, Aurora, Ill.—Construction permit for
1240 a new station to be operated on **1500 kc.**, 250 watts, daytime. Amended to change frequency from **1500 kc.** to **1240 kc.**; change transmitter site from corner Main Street and Island Avenue, Aurora, Ill., to site to be determined, Aurora, Ill.

KGCU—Mandan Radio Assn., Inc., Mandan, N. Dak.—Modifica-
1240 tion of license to change hours of operation from specified hours to unlimited time. Contingent upon the granting of KLPM's application for a new frequency.

KGNO—Dodge City Broadcasting Co., Inc., Dodge City, Kans.—
1340 Construction permit to install a new transmitter, erect a vertical antenna, and increase power from 250 watts to 1 KW.

WGRC—Northside Broadcasting Corp., New Albany, Ind.—Con-
1370 struction permit to change frequency from **1370 kc.** to **880 kc.**; change hours of operation from daytime to unlimited time, using 250 watts power and install directional antenna for night use.

WHLB—Head of the Lakes Broadcasting Co., Virginia, Minn.—
1370 Construction permit to make changes in equipment and increase power from 100 watts to 100 watts night, 250 watts day.

W9XBS—National Broadcasting Co., Inc., Chicago, Ill.—License to cover construction permit (B4-PHP-35) for a new transmitter and reduction in power.

W10XDD—Evansville on the Air, Inc., Mobile.—License to cover construction permit (B4-PE-205) for changes in equipment and increase in power.

NEW—National Battery Broadcasting Co., St. Paul, Minn.—Construction permit for a new high frequency broadcast station to be operated on **25950 kc.**, 1 KW.

Fifth Zone

KSEI—Radio Service Corp., Pocatello, Idaho.—Modification of
900 license to change power from 250 watts night, 500 watts day, to 250 watts night, 1 KW day.

NEW—Earl A. Nielsen, Phoenix, Ariz.—Construction permit for a
1210 new station to be operated on **1210 kc.**, 100 watts, unlimited time.

KYA—Hearst Radio, Inc., San Francisco, Calif.—License to cover
1230 construction permit (B5-P-328) as modified for new equipment, increase in power, and move of transmitter.

KYA—Hearst Radio, Inc., San Francisco, Calif.—Authority to
1230 determine operating power by direct measurement of antenna.

NEW—Tom Olsen, Port Angeles, Wash.—Construction permit for
1420 a new station to be operated on **1420 kc.**, 100 watts, unlimited time.

NEW—The Hebrew Evangelization Society, Inc., Los Angeles,
1570 Calif.—Construction permit for a new special broadcast station to be operated on **1570 kc.**, 1 KW, unlimited time.

W6XCI—Earle C. Anthony, Inc., Los Angeles, Calif.—License to cover construction permit (B5-PRE-16) as modified for a new relay broadcast station.

NEW—Church of Jesus Christ of Latter Day Saints, Salt Lake County, Utah.—Construction permit for a new international broadcast station to be operated on **6080, 11830, 17780 kc.**, 50 KW. Amended to make changes in equipment and change frequencies from **6080, 11830, 17780 kc.** to **15250** and **21460 kc.**

NEW—Harrisburg Broadcasting Co., Harrisburg, Ill.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 10 watts.

NEW—Earle C. Anthony, Inc.. Los Angeles, Calif.—Construction permit for a new relay broadcast station to be operated on **1606, 2022, 2102, 2758 kc.**, 100 watts.

W6XCI—Earle C. Anthony, Inc., Los Angeles, Calif.—Modification of construction permit for a new relay broadcast station, requesting changes in equipment and to reduce power from 25 watts to 2 watts, and extend completion date.

KALO—Intermountain Broadcasting Corp., Mobile.—Modification of construction permit for a new relay broadcast station, requesting extension of completion date from 5-29-37 to 6-29-37.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS ★ ★ ★ ★ ★ Vol. 5 - - No. 23
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NOTICE OF AMENDMENTS

In pursuance of the provisions contained in Article IX of the Constitution and By-Laws of the National Association of Broadcasters, Inc., notice is hereby given that certain amendments to the Constitution and By-Laws of the National Association of Broadcasters, Inc., as hereinafter described, will be presented for consideration at the annual membership meeting in Chicago, Illinois, June 20-23, 1937.

These amendments are as follows:

Article III

April 27, 1937.

"Mr. James W. Baldwin, Managing Director,
National Association of Broadcasters,
National Press Building,
Washington, D. C.

Dear Mr. Baldwin:

"It has come to my attention that certain owners of more than one broadcasting station have attempted to ride along in the NAB carrying a membership in only one station. This I feel might become a constantly increasing evil practice, which I am sure neither such owners as referred to would, upon careful thought, wish to continue nor members owning only one station would tolerate. I, therefore, wish to offer a resolution to be presented and acted upon in conformity with the NAB Constitution and By-Laws. The resolution is as follows:

"RESOLVED, that the Constitution and By-Laws of the National Association of Broadcasters shall be amended as follows:

"Under Article Three, Section (b), add the following:

" 'Provided, however, that no person, firm or corporation having ownership or control of more than one broadcasting station, otherwise qualified for membership, shall be eligible for membership unless memberships shall be held for each and every station of said member.'

Sincerely yours

(Signed) Arthur B. Church" (KMBC).

Article V

April 24, 1937.

"Mr. James W. Baldwin, Managing Director,
National Association of Broadcasters,
National Press Building,
Washington, D. C.

Dear Mr. Baldwin:

"For sometime I have felt that the NAB Constitution should be amended to provide that the Association shall benefit by the experience of its out-going President, by providing that he shall automatically become a director for a term of three years. In discussing this with quite a number of NAB members all have concurred with me. To date no one has done anything about it. I therefore propose the following resolution which I ask to be distributed among members of the Board of Directors and/or members of the Association, as provided in the By-Laws—this resolution to be acted upon at the 1937 Annual Convention:

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Make Your Plans Now to Attend the NAB Convention at Hotel Sherman, Chicago, June 20-23, 1937

"RESOLVED, That Article Five shall be changed as follows:

"Add to Section 'C' the following:

" 'Except that the out-going President shall automatically become a Director for a term of three years.'

"This amendment shall become effective with the retirement of the out-going President at the 1937 Annual Convention.

Sincerely yours,

(Signed) ARTHUR B. CHURCH" (KMBC).

Attention also is called to the proposed amendment to By-Law No. 1 notice of which appears in NAB Reports dated May 20, 1937.

AVERY CALLS SALES MANAGERS TO MEET AT NAB CONVENTION

Lewis W. Avery (WGR, Buffalo), Acting Chairman of the Sales Managers Division, requests Sales Managers of stations to attend meetings of the Sales Managers Division at 3:00 P. M. Monday, June 21, and Tuesday, June 22, Hotel Sherman.

FCC OPPOSES FIVE-YEAR LICENSES

The Federal Communications Commission having been asked for its opinion on H. R. 5038, introduced by Representative Anderson, which provides for a five-year licensing period for broadcasting stations, has sent an answer to Representative Lea, Chairman of the House Committee on Interstate Commerce, in which it states definitely that it opposes such legislation. The letter, which was signed by Commissioner Prall, as chairman, is as follows:

"In further reply to your letter of February 24, 1937, asking us for comments on H. R. 5038, a bill to prescribe five-year minimum terms for broadcasting stations, I beg leave to state that:

"No legislation similar to that proposed in H. R. 5038 has received the approval of a House or Senate Committee and the Commission heretofore has made no recommendation on the question. Section 9 of the Radio Act of 1927 provided that 'No license granted for the operation of a broadcasting station shall be for a longer term than three years and no license so granted for any other class of station shall be for a longer term than five years. . . .' This three-year limitation on broadcasting licenses was continued in the Communications Act of 1934 (Sec. 307/d/). The Senate, however, in acting upon its draft of the Communications Act (S. 3285) reduced the maximum terms of broadcasting licenses from three years to one year and for other licenses from five years to three years. The Senate Report on S. 3285 stated, 'Reduction of the maximum term of licenses will assist the Government in retaining control over these valuable privileges. This was passed by the Senate and House in H. R. 7716.' The conferees appointed to consider S. 3285 agreed to leave the maximum term of licenses in status quo. The Conference Report submitted by Mr. Rayburn on June 8, 1934, was adopted and accordingly the provisions of the Radio Act relating to maximum terms of licenses were continued in the Communications Act. This is the latest expression of Congress upon the subject.

"At the present time the Commission has no authority to suspend licenses or impose penalties for violations of its rules. The only punitive action available is revocation, deletion through denial of a renewal of license or recourse to criminal proceeding. These measures have been found to be too severe in most instances of delinquency. The Commission, however, has been able to exercise a degree of control through consideration of application for renewal of license every six months. There is thus constantly present a means of checking the technical operation and program service of stations.

"The art of radio broadcasting is rapidly changing. At a later date conditions in the industry may become more stable. It is conceivable that the adoption of the bill would tend to 'freeze' existing conditions. Adoption of a five-year minimum license period would recognize in principle that the allocation of frequencies has achieved a proper equilibrium. It has been the experience of the Commission that changes in the allocation of frequencies may be expeditiously accomplished under the short term licenses.

"It will be observed that the existing law authorizes the Commission to extend the term of broadcast licenses up to three years. If there exist sound reasons for extension of the term, it would seem preferable that the Commission try a longer term of licenses before the statute is changed to make such action mandatory.

"The power to suspend a license for short periods of time or to assess a penalty for violation of rules is definitely associated with the problem presented by the proposed legislation. The Commission may desire to suggest the inclusion of such authority in the proposed amendment."

BALDWIN TO ATTEND TEXAS MEETING

James W. Baldwin, NAB Managing Director, will attend the meeting of the Texas Broadcasters Association, at Houston, Texas, on June 5.

FCC APPOINTS SPECIAL ATTORNEY IN DISBARMENT PROCEEDINGS

The Federal Communications Commission sitting en banc on Wednesday, June 2, appointed Samuel F. Kaufman of New York City to represent the Commission as special counsel in the matter of disbarment proceedings brought against Paul M. Segal and George S. Smith. Mr. Kaufman, it is understood, is a noted trial lawyer, having formerly been Special Assistant to Attorney General Homer S. Cummings in the prosecution of immigration fraud cases in New York.

FEDERAL COMMUNICATIONS BAR ASSOCIATION TIGHTENS ETHICS TO OUTLAW CLAIMS OF POLITICAL INFLUENCE

Louis G. Caldwell, President of the Federal Communications Bar Association, last week advised Chairman Prall of the Federal Communications Commission that the Executive Committee had unanimously adopted an amendment to the Association's Canons of Ethics which was designed to outlaw claims of political influence by its members.

The text of Mr. Caldwell's letter and the amendment is as follows:

"Enclosed is an amendment to the Canons of Ethics of the Federal Communications Bar Association, consisting of a fourth paragraph to be added to Canon No. 2.

"This amendment was unanimously adopted by the Executive Committee on the recommendation of the Association's Committee on Professional Ethics and Grievances, at a meeting held last night, May 24th. I may add that it was the sense of those present that the subject matter of the amendment was already covered by certain of the general provisions in the Canons as previously adopted and that it certainly was the intent that it should be so covered. In order to eliminate any doubt, however, it has been deemed advisable to cover the matter specifically."

Amendment to Canons of Ethics of Federal Communications Bar Association

(Adopted by the Executive Committee May 24, 1937)

Amend Canon No. 2 by adding the following as a fourth paragraph:

"It is improper for a lawyer to represent, or cause to be represented, or knowingly to permit any other person to make such representation in his behalf, that he is able, or, if employed, intends, to secure favorable action from the Commission or any division, member or employe thereof, on a basis other than on the merits of the case to be presented and in accordance with the rules, regulations and practices governing presentation to or action on such cases, whether because of such attorney's prior employment by or other connection with the Commission or because, for any other reason whatsoever, he is in a position to exert, or to cause to be exerted, influence calculated or intended to bring about such action."

ARNOLD RESIGNS FROM FCC

Carl F. Arnold, assistant general counsel of the Federal Communications Commission in charge of telegraph, has tendered his resignation to become effective July 1. Mr. Arnold, who has been on leave of absence from the University of Wyoming, will return to his former post as dean of the law school.

GAMES OF CHANCE

Broadcasters should review carefully the several "games" which currently are being circulated among stations and which are comparable to the game of "Bingo." It is practically impossible to obtain any advance ruling from the Federal Communications Commission on such matters. In the absence of such ruling it is our belief that the games such as "Jubilo" and "Credit" recently sent to us by member stations should not be used.

EDGAR DUDLEY

NAB headquarters has the following statement from Don Hastings, manager of Station KDB:

"If any radio station manager is approached by one Edgar Dudley or his manager, William Jobelman, please get in touch immediately with Don Hastings, manager of KDB, in Santa Barbara, Cal. Dudley is purported to be an ex-G man and has a book entitled 'Racket-Ridden America' that is sold after his talks with various organizations. He will no doubt try to tie in these talks with the radio station."

CANADA TO BUILD NEW BROADCASTING STATIONS

Plans for the immediate construction of two 50,000 watt transmitters near Montreal and Toronto have been announced by the Canadian Broadcasting Corporation. It is expected that the two stations will commence operating about October 1, according to Assistant American Trade Commissioner Avery F. Peterson, Ottawa, in a report to the Department of Commerce.

The sites for the location of the stations have been selected because of their proximity to the Dominion's two principal cities and centers of broadcasting activities, the report states.

The construction plans include the proposed erection within two or three years of other high-powered outlets in the maritime provinces and in Western Canada. It is also expected that a high-powered shortwave station will soon be in operation in the Dominion to permit overseas broadcasts, it was stated. New exchange programs with Great Britain, the United States and France will be sought according to the report.

COMMISSION GRANTS NEW STATION

The Federal Communications Commission this week granted a construction permit for the erection of a new broadcasting station to the Lincoln Memorial University, at Middlesboro, Ky., to use 1210 kilocycles, 100 watts and unlimited time on the air.

MISSOURI STATION RECOMMENDED

Charles Porter and Edward T. Eversole applied to the Federal Communications Commission for a construction permit for the erection of a new station at Festus, Mo., to use 1420 kilocycles, 100 watts and daytime operation.

Examiner P. W. Seward in Report No. I-408 recommended that the application be granted "conditioned upon compliance with the rules and regulations relating to marking and lighting the antenna towers." The Examiner found that there is a need for daytime service in the area proposed to be served, and he states that granting of the application would be in the public interest.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3135. Charging unfair competition in the sale of engraved stationery products through false disparagement of competitors' products and other practices a complaint has been issued against a **Birmingham, Ala.,** engraver, **Ralph Dewberry,** trading as **Dewberry Engraving Co.** and **The National Engraving Co.** The respondent is alleged to have violated Section 5 of the Federal Trade Commission Act.

In his sale of engraved stationery, business and social cards and allied products, the respondent is charged with making representation to the effect that prices charged by competitors for engraving work were high because they had out-of-date equipment and were forced to charge such prices whereas the respondent had the most modern plant in the country and could charge lower prices.

No. 3137. Alleging unfair representations in the sale of a medicinal product, in violation of Section 5 of the Federal Trade Commission Act a complaint has been issued against **J. A. Boos, Mt. Vernon, N. Y.,** trading as **Winchester & Co.**

Engaged in the sale of "The Specific Pill," the respondent Boos is alleged to have advertised that the preparation will cure or relieve or be beneficial in the treatment of various ailments including nervous debility, neuritis, insomnia, and bladder and urethra irritation. His use of the designation, "The Specific Pill," is alleged to have served as a representation that his article is a specific cure for or has direct curative properties with respect to one or more of the diseases named.

No. 3139. Charging unfair competition in the interstate sale of a reference book entitled The Volume Library a complaint has been issued against **Educators Association, Inc.,** 307 Fifth Ave., **New York,** certain of its officers, and 13 individual respondent representatives of the corporation, trading under the name Educators Association.

Alleging the use of false and misleading representations, the complaint charges the respondents with inserting in newspaper "Help Wanted" columns such advertisements as the following: "College student or teacher, travel for summer for healthful work, $270 for ninety days", "Lady with ability and refinement, ex-teacher preferred, permanent advancement, four months' trial $300, Box—", and "Vacation position for college student or teacher, splendid experience, pleasant work."

This type of advertisement is alleged to lead applicants into the belief that the work offered consists of good salaried positions connected with teaching work, when in fact, according to the complaint, the work is actually the sale of The Volume Library from house to house and cannot be entered upon without the applicants first making a required deposit. The complaint alleges that the terms of the contract required are so difficult that persons selling the book find it a physical impossibility to comply, and that, because of such inability to comply, salespersons find that they have forfeited their deposit, and payment of the difference between the commissions earned and the minimum amount contracted for is refused by the respondents.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 01579. Jay Clifford and Leonard Praeger, trading as North American Mate Co., 120 Greenwich St., New York, stipulated that they will cease representing that their Angela Mate is a health tea having food value, and that it is an effective remedy for anemia, malnutrition, rheumatism, stomach and nervous disorders, or eye trouble. The respondents admit that Angela Mate is a beverage partaking of the elements of Japanese tea and coffee, and that it is a diuretic, and a stimulant to the brain and muscles.

No. 01581. Suntex Chemical Co., American and York Sts., Philadelphia, agreed to cease advertising that Suntex sterilizes; that it disinfects, unless such representation is limited to indicate that the product is a disinfecting agent when used as directed, and to stop representing that its use for laundering purposes obviates the necessity for rubbing the clothes laundered.

No. 01585. Borg-Warner Corporation, Chicago, selling the Norge Rollator Refrigerator, agreed to cease representing that tests of such refrigerators, conducted by Norge dealers, were all under the supervision of public officials; that the benefits and savings of a Norge refrigerator are as great during cold winter months as in summer, and that the mechanism of the Norge improves with use, unless such representation is limited to the three moving parts of the Rollator alone and does not refer to all the mechanism of the refrigerator.

No. 01590. Luigi Rosati, trading as Wonder Chemical Co., 1450 High St., Bethlehem, Pa., stipulated that in the sale of Bleach-Ox he will discontinue representing that the product is a sterilizer, a germicide and harmless, and that it is a disinfectant, unless, in the latter instance, specific instructions are given to indicate that the places or objects to be disinfected are to be cleansed before application of the solution.

No. 01592. Home Diathermy Co., Inc., 1776 Broadway, New York, in connection with the sale of its Home Diathermy Instrument, agrees to stop asserting that use of the device will eliminate pain, give lasting relief, free one of the ravages of neuritis, sciatica, arthritis, lumbago or rheumatism, and will increase oxidation, nutrition and elimination of waste and toxic poisons.

No. 01593. Uncle Sam Breakfast Food Co., Omaha, Nebr., agreed to stop representing generally that Uncle Sam Laxative Breakfast Food relieves a constipated condition without weakening the digestive organs or causing dangerous after effects, that it is good for a poor complexion caused by a sluggish system, and that use of the product would be of any material benefit when one feels run down or pepless.

No. 01594. The American Athletic Appliance Co., Inc., 4324 Paul St., Philadelphia, stipulates that it will discontinue advertising its German Iron Shoe Muscle Builder as the greatest exerciser made; that it is the choice of champions and the emblem of power; that it quickly stimulates natural muscular growth, and that by its use one can "pack a 16-inch arm in his sleeve" and duplicate the chain-breaking or iron-bending feats of Breitbart, Marx, Sandow, Moerki, Travis or Nordquist, and other similar representations.

No. 01602. Charles W. Furst and Fred G. Thomas, trading as Furst & Thomas, Freeport, Ill., will cease representing that in the sale of certain household products exceptional salesmen have made $75 and more a week, or that energetic salesmen will earn any amount in excess of that actually earned by one of the respondents' agents.

No. 01603. E. H. Brown and Harry Schneiderman, trading as American Book Mart, 140 South Dearborn St., Chicago, sell two publications called "Illustrated Price Catalog of Old Books Wanted" and "American Book Mart's Latest Price List of Old Books Wanted." They stipulated that they will cease advertising that their catalog is huge, has other than a limp binding or is profusely illustrated, until it is printed in a manner to justify such description; that their price list selling for 10 cents is a "big" list; that a fortune or any considerable sum will be paid for books published as late as 1927; that the number of books regarded as having more than a nominal value is unlimited, and that their company is the largest of its kind in the United States.

No. 01606. The Hilex Co., 319 East Kellogg Boulevard, St. Paul, Minn., selling Hi-Lex, will discontinue assertions that the product disinfects, unless directions are given to first cleanse the surface to be disinfected; that it removes stains, unless this claim is limited to most stains or certain indicated stains, and that it destroys odors, unless such representation is qualified to mean the destruction of odors by application of the product at the source of the odor or upon the object from which the odor emanates.

No. 01609. William R. and Mary L. Dewhurst, trading as The Double DD Products Co., 2205 Union Ave., Wesleyville, Pa., agreed to stop advertising that when their product Snowhite is used "stains are no longer stains," unless such representation is limited to removable stains and refers only to cotton and linen fabrics; that the product contains no harmful ingredients, and that it is effective when used for hygienic purposes on nursery utensils, general household ware, tile, enamel, linoleum and woodwork, unless directions are given for first cleansing the surface of the article before Showhite is applied.

No. 01611. Atlantic Macaroni Co., Inc., Vernon Building, Long Island City, N. Y., will discontinue representations that Caruso Spaghetti or Caruso Noodles contain certain vitamins in sufficient quantities to be of substantial benefit, and that Pastina Caruso is of benefit to persons who have weak stomachs or indigestion.

No. 01612. Wong Sun and Louie Sun, trading as Wong Sun Chinese Herb Co., Billings, Mont., stipulated that in the sale of their Chinese Herb Tea they will no longer represent that Chinese herbs have been used for centuries in curing ailments and promoting health and that the respondents' Chinese herb medicines are a competent remedy in the treatment of skin, liver, kidney, stomach, heart and nervous disorders.

No. 01620. Welch Grape Juice Co., Westfield, N. Y., agreed to discontinue advertising inferentially or otherwise that Welch's Grape Juice is a cure for excess weight and that the product alone or in connection with any system of exercise and diet will enable one to control one's weight; that it protects one against anemia, will correct acidosis, and is the only grape juice that is certified as pure and pasteurized.

No. 01621. Anna L. Austin, Sixth St. and Broadway, Los Angeles, trading as Prof. John H. Austin, stipulates that in the sale of a hair application called Co-Lo, she will cease advertising it as a scientific preparation discovered by Prof. Austin and capable of restoring gray hair to lustrous shades of blonde, brown or black, or to its natural color.

No. 01622. J. C. Kenyon, Owego, N. Y., trading as J. C. Kenyon, Druggist, agrees to stop representing Kenyon's Tablets as a remedy for rheumatism, arthritis or neuritis, or as capable of relieving lameness or severe pain, when, in fact, the respondent admits that such tablets are not such a remedy nor will they relieve lameness or do any more than relieve pain of moderate intensity.

No. 01623. J. T.'s Flat Wheat Co., 64 Jones St., Newark, N. J., trading as Dr. Tuliglowicz & Sons, Flat Wheat Co., and Joseph Tuliglowicz & Sons, stipulates that it will stop asserting that J. T.'s Flat Wheat is unequalled for building energy and health, and, inferentially or otherwise, that it contains all the minerals or vitamins for building sound teeth and bones or for normal growth. In its stipulation, the respondent admitted it had published advertisements in which it represented or implied that certain vitamins are more necessary to the human diet than others, when, according to scientific authority, other vitamins are equally as essential to the diet as those mentioned.

No. 01624. Under a stipulation the **Fireside Industries, Inc., Adrian, Mich.,** has agreed to cease using false and misleading advertising in connection with the sale of novelties and of a home study course of instruction in decorating novelties and other articles.

Admitting that it merely acts as an advisor on sales problems, the respondent corporation stipulated that it will discontinue advertising, inferentially or otherwise, that it purchases from customers using its course the articles they decorate, or that it acts as their sales agent.

No. 01625. B. M. Keene and B. M. Keene, Jr., Board of Trade Bldg., Indianapolis, trading as The Keene Drug Co., The Keene Pharmacal Co., and B. M. Keene Co., agree to cease using the word wintergreen to designate tablets in which wintergreen is not the dominant ingredient; to stop representing that the wintergreen in Keene's Wintergreen Tablets will afford relief from pain and discomfort due to rheumatism, muscular lumbago and kindred ailments; and to discontinue employing the word Bilezyme, or any other word containing the word bile as a component part thereof, to designate a tablet the ingredients of which will not serve as a component treatment for liver and bile disorders.

No. 01626. Myl Laboratories, Inc., 1034 Lowell St., New York, according to its stipulation, will stop advertising that use of Myl Complexion Treatment will leave the face soft, smooth or fine; that the product is a perfect facial or that it cleans the pores, and that the user is able in nine months or any other like period to get rid of coarse pores, blackheads, spots, wrinkles or sallow skin.

No. 01627. Dr. W. D. Stokes, Baton Rouge, La., dealer in Lon-Gre-Mo, a proprietary remedy, agrees to cease representing this product as a competent treatment for bronchial congestion or stubborn colds or as absolutely safe and harmless, the respondent admitting, according to its stipulation, that although scientific opinion shows Lon-Gre-Mo to have certain virtues in treating colds and coughs due to colds, it cannot be recommended as a competent treatment for bronchial congestion and stubborn colds. The respondent also admits that although the preparation may be used by laymen occasionally, it is not considered as a safe and harmless preparation for indiscriminate use.

No. 01628. The Mercirex Co., Milford, Del., selling Mercirex Cream and Mercirex Soap, will stop asserting that its products are competent for treating psoriasis, eczema, acne, external rashes and other skin disorders and that it will help restore the skin to a normal, healthy condition. In its stipulation, the respondent admitted that its treatment is a palliative to relieve irritations associated with psoriasis and certain other skin diseases, but cannot be relied upon as a competent treatment for such conditions proper or for their cause.

No. 01629. Frank A. Todd and Roger D. Brown, 1168 Murrayhill Ave., Pittsburgh, trading as Pillsbery Chemical Co., and engaged in the sale of Pillsbery's Original Washing Fluid, XLNT Washing Fluid, and Brown's Best Washing Fluid, stipulate that they will cease advertising that their products are beneficial to the hands or that either preparation removes stains, unless, in the latter instance, the assertion is specifically limited to "most" stains or to certain indicated stains, or words of similar limiting import are employed. Other representations to be discontinued are that either fluid can be depended upon as a disinfectant for personal uses, or to heal chapped hands or destroy odors, unless, in the latter instance, the representation is limited to destruction of odors by application at the source of the odor or upon the object from which it emanates.

No. 01630. Impoil Co., Inc., Denville, N. J., selling Impoil, a graphite lubricant, stipulates that it will cease asserting that the graphite particles in Impoil are ultra-microscopic in size and will pass through the smallest cracks and crevices without difficulty; that Impoil insures elimination of carbon from motor parts and will cause such parts to be self-lubricated, and that it will cause automobiles to start instantly at sub-zero temperatures. In its stipulation, the respondent company admits that although the graphite particles in Impoil are very small, they cannot be represented as ultra-microscopic and capable of passing smoothly through the smallest crevices, and that although scientific opinion furnished the Commission shows that Impoil may adhere to the surface of various motors and somewhat retard carbon formation, it cannot be represented as insuring carbon elimination or causing surfaces of various motor parts to be self-lubricated. According to the stipulation, the respondent company admits that although Impoil may aid in reducing friction, it will not effectively enable cars to start instantly in sub-zero weather.

No. 01631. Schoonmaker Laboratories, Inc., Caldwell, N. J.; "V-E-M" and "Zyl", for colds, catarrh, sinus trouble and hay fever.

No. 01632. R. O. Murphy, trading as The Stillwater Co., Stillwater, Minn.; "Hay Fever Treatment", for hay fever, asthma, bronchitis, colds and catarrh.

No. 01633. Van Patten Pharmaceutical Co., trading as Drugless Products, 54 West Illinois St., Chicago; "Allimin Essence of Garlic-Parsley Tablets," for arteriosclerosis or the other conditions which may cause high blood pressure.

No. 01634. H. Voightlander, trading as Educational Products Co., Chicago; "Educators No. 777," for ailments peculiar to women, and "Educators No. 225," for building vigor.

No. 01635. Mrs. T. D. Robinson, Elgin, Tex., selling a certain device for locating metals and minerals, agrees to stop representing that use of these instruments will enable one to locate gold, silver, lead and certain other minerals or underground wealth, and that the instruments are sufficiently sensitive to register metal or mineral attractions irrespective of the depth at which they may be located in the earth.

No. 01636. Lacene Laboratories, Inc., Baker Building, Omaha, Nebr., "Lacene," for sinus trouble, hay fever, colds, sore throat, and chronic nasal catarrh.

No. 01637. Fairbanks Tailoring Co., Oakley and Wabansia Sts., Chicago, selling men's clothing, stipulates that it will discontinue designating its garments or the cloth from which they are made by use of the word "wool" or any other term indicating or implying a wool content, when, according to the stipulation, with the exception of linings or trimmings, these products are not made wholly of wool. The stipulation provides that garments or cloth composed chiefly of wool and partly of silk, linen, cotton, or other material may be designated as "wool and silk," "wool and linen," or whatever such article may be. The stipulation also provides that where threads other than wool are added to the fabric for decorative purposes and are not essential in the woven fabric, the product may be designated as wool with silk, rayon, linen or cotton thread decorations, as the case may be. The respondent company also agrees to cease representing that salesmen handling its products may make up to $10 a day without canvassing and that suits or topcoats are given salesmen or agents free, when in fact such purported gifts are bought and paid for through the services performed by the agents in selling the respondent company's merchandise.

No. 01638. G. S. McDonald, trading as O-Poi-Zo Laboratories, Paragould, Ark.; "O-Poi-Zo," for boils, carbuncles, erysipelas, athlete's foot, or any skin disease. The respondent will cease using the word "Laboratory" as part of his trade name until he maintains an establishment where scientific experiments are conducted.

No. 01639. Western Refining Co., Inc., trading as Le Du Sales Co., 205 Middlesex St., Lowell, Mass.; "Cote French Tonic Tablets," for use as a tonic or nerve stimulant. The respondent company also agrees to discontinue representations that it is a manufacturing pharmacist or chemist or manufactures "Cote French Tonic Tablets" or operates a laboratory, until such are the facts. Use of the word "French" so as to imply that the tablets or the ingredients thereof are imported from France, or that the product is compounded in accordance with a French formula, will be stopped.

No. 01640. Adolph F. Lonk, Palatine, Ill., trading as Lonk Institute of Hypnotism, stipulates that he will stop advertising that the science of hypnotism can be taught successfully by correspondence and that by a study of Lonk's course of instruction a person may become able to hypnotize others instantly. Other representations to be discontinued are that the science of hypnotism leads to success, health, fortune or happiness; that a hypnotist can help others to get rid of their "blues" and bad habits; that the science is easily mastered and that everyone can be hypnotized, even against their wills. In his stipulation, the respondent admitted that, according to scientific opinions given by eminent and qualified psychologists, the power of hypnotism is not possessed by all people; that generally no one can be hypnotized against his will; that the science is not easily mastered, and a hypnotist cannot cure organic ills, but, on the contrary, that relief is limited to functional ailments, and these cases are relatively rare.

No. 01641. Allen & Co., Inc., 518 Western Ave., Lynn, Mass.; "Mulsicof," for bronchial and other coughs, colds and asthma.

No. 01642. The Tartaroff Co., 1640 Fulton St., Chicago, agrees to stop asserting in advertising that Tartaroff is a new, amazing, liquid discovery that whitens teeth instantly or is a new, secret formula that makes teeth pearly white and sparkling instantly, and other similar representations. In its stipulation, the respondent admits that, according to reliable medical authority, some deposits of tartar are so located in relation to the teeth and gums that they cannot readily be attacked by acids and these acids cannot be held in contact with the tartar for a sufficient time to remove it. According to the respondent company's admission, the only adequate method for removing some tartar deposits is by instrumentation (scraping).

No. 01643. Bob Cohen, Cleveland Heights, Ohio, trading as M. Arcy Coin & Stamp Co., and as American Coin Co., in the sale of the Bob Cohen Coin Book, agrees to stop asserting that he will purchase and pay for specified coins which are in fact non-existent or non-available; that by use of the respondent's coin book a person may keep posted on rare coins and their values, unless this statement is distinctly qualified to include only the rare coins listed therein, and that Cohen will pay any stated or approximate amount for a coin or coins, unless it is also explained that only coins of a certain date and in specified condition will be purchased at the prices noted.

No. 01651. Dermalab, Inc., Winnetka, Ill.; "Nac", for acnes, pimples, and other skin ailments.

No. 01652. The Vitacine Co., Inc., Book Building, Detroit; "Vitacine", for psoriasis.

No. 01653. Kalis Products, Inc., St. Joseph, Mo.; "Kalis Capsules", for colds and influenza.

No. 1923. Paul Thomas Schweyer, 524 South Spring St., **Los Angeles,** trading as **Naturol Laboratories,** has entered into a stipulation to discontinue certain false and misleading representations in connection with the sale of Naturol, a hair preparation.

Schweyer stipulates that he will stop using representations on labels or in advertisements implying that use of this preparation will restore to its original or natural color hair which has become gray, faded or streaked, or that the product is not a dye or will not have harmful effects. According to the stipulation, the product is a dye, and its use may result in harm to the user.

No. 2787. Bernard Licht, trading as **Licht's Fur Factory,** 102 West Twenty-Ninth St., **New York,** has been ordered to cease and desist from making certain false and misleading representations, by means of radio broadcasts or otherwise, in connection with the interstate sale of furs and fur garments.

The order directs Licht to discontinue advertising that he is in position to offer for sale "thousands" or any other number of furs and fur garments substantially in excess of his actual stock; that a saving of 50 per cent or any other saving can be effected by purchasing his products; that all the fur products sold by him are made from new skins not previously used or worn, and that he owns the building in which his business is operated.

FTC CLOSES CASE

No. 2735. The Federal Trade Commission has closed without prejudice its case against **International Silver Co.,** with headquarters in **Meriden, Conn.,** the company having entered into a stipulation to discontinue certain unfair methods of competition which were alleged in the Commission's complaint against it.

Engaged in the manufacture and sale of silver-plated ware in interstate commerce, the company agreed to cease representing, or aiding or assisting its retail dealers in representing, that any price at which its product is offered for sale or sold is a special or reduced price, or lower than the price ordinarily and usually received, when such is not a fact.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, June 7:

Monday, June 7

HEARING BEFORE AN EXAMINER

(Broadcast)

WEAU—Central Broadcasting Co., Eau Claire, Wis.—Modification of C. P., **1050 kc.,** 1 KW, limited, sunset at Abilene, Kans. Present Assignment: **1050 kc.,** 1 KW, daytime.

NEW—WRBC, Inc., Cleveland, Ohio.—C. P., **880 kc.,** 1 KW, unlimited time.

WMMN—Monongahela Valley Broadcasting Co., Fairmont, W. Va.—C. P., **890 kc.,** 1 KW, 5 KW LS, unlimited time. Present assignment: **890 kc.,** 500 watts, 1 KW LS, unlimited time.

KFNF—KFNF, Inc., Shenandoah, Iowa.—C. P., **890 kc.,** 1 KW, 5 KW LS, share-KUSD (KFNF ⅞, KUSD ⅛ time. Present assignment: **890 kc.,** 500 watts, 1 KW LS, share-WILL and KUSD ½ time.

WBLK—The Exponent Co., Clarksburg, W. Va.—Modification of C. P., **1370 kc.,** 100 watts, unlimited time.

Tuesday, June 8

HEARING BEFORE AN EXAMINER

(Broadcast)

WTBO—Roger W. Clipp and Frank V. Becker, Transferors, and Delaware Channel Corp., Transferee, Cumberland, Md.—Transfer of control of corporation; **800 kc.,** 250 watts, daytime.

NEW—Phillip Jackson, Brunswick, Ga.—C. P., **1420 kc.,** 100 watts, daytime.

Wednesday, June 9

HEARING BEFORE AN EXAMINER

(Broadcast)

WCLS—WCLS, Inc., Joliet, Ill.—Modification of license, **1310 kc.**, 100 watts, unlimited time.

WWL—Loyola University, New Orleans, La.—C. P., **850 kc.**, 50 KW, specified hours.

Thursday, June 10

HEARING BEFORE AN EXAMINER

(Broadcast)

WCMI—Ashland Broadcasting Co., Inc., Ashland, Ky.—C. P., **1120 kc.**, 250 watts, 1 KW LS, unlimited. Present assignment: **1310 kc.**, 100 watts, 250 watts LS, unlimited.

WRVA—Larus & Bros. Co., Inc., Richmond, Va.—C. P., **1110 kc.**, 50 KW (DA), unlimited time. Present assignment: **1110 kc.**, 5 KW, unlimited time.

KGLO—Mason City Globe Gazette Co., Mason City, Iowa.—C. P., **1210 kc.**, 100 watts, 250 watts, unlimited time. Present assignment: **210 kc.**, 100 watts, unlimited time.

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. 1-387:

NEW—W. Hanes Lancaster and J. W. Birdwell, d/b as Johnson City Broadcasting Co., Johnson City, Tenn.—C. P., **1200 kc.**, 100 watts, 250 watts LS, unlimited.

Examiner's Report No. 1-389:

NEW—Knoxville Journal Broadcasting Co., Knoxville, Tenn.—C. P., **1200 kc.**, 100 watts, 250 watts LS, unlimited.

NEW—Richard M. Casto, Johnson City, Tenn.—C. P., **1200 kc.**, 100 watts, 250 watts LS, unlimited.

Examiner's Report No. 1-402:

KFXR—Exchange Ave. Baptist Church of Oklahoma City, Oklahoma City, Okla.—Renewal of license, **1310 kc.**, 100 watts, 250 watts LS, unlimited.

KFXR—Exchange Ave. Baptist Church of Oklahoma City, Oklahoma City, Okla.—Voluntary assignment of license, **1310 kc.**, 100 watts, 250 watts LS, unlimited.

Friday, June 11

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Don M. Lindenton and A. L. McCarthy, d/b as Fields McCarthy Co., Poplar Bluff, Mo.—C. P., **1310 kc.**, 100 watts, daytime.

WKBH—Jos. C. Callaway, Transferor, and Harry Dahl, Transferee, La Crosse, Wis.—Authority to transfer control of corporation; **1380 kc.**, 1 KW, unlimited.

WKBH—WKBH, Inc., La Crosse, Wis.—Renewal of license, **1380 kc.**, 1 KW, unlimited time.

NEW—Harold F. Gross, Lansing, Mich.—C. P., **580 kc.**, 500 watts, 1 KW LS, unlimited.

APPLICATIONS GRANTED

WHLB—Head of the Lakes Broadcasting Co., Virginia, Minn.—Granted C. P. for changes in composite equipment and increase in day power from 100 watts to 250 watts; **1370 kc.**, unlimited.

KFYR—Meyer Broadcasting Co.. Bismarck, N. Dak.—Granted C. P. for local move of transmitter, changes in equipment, and installation of vertical radiator.

KGBX—Springfield Broadcasting Co., Inc., Springfield, Mo.—Granted modification of license for changes in directional antenna system for night-time use.

WTAD—Illinois Broadcasting Corp., Quincy, Ill.—Granted authority to install new automatic frequency control equipment.

WIBU—Wm. C. Forrest, Poynette, Wis.—Granted authority to install new automatic frequency control equipment.

KFYR—Meyer Broadcasting Co., Bismarck, N. Dak.—Granted authority to install new automatic frequency control equipment.

WLBL—State of Wisconsin, Department of Agriculture and Markets, Stevens Point, Wis.—Granted modification of C. P. to extend completion date from May 22 to June 22, covering local move of station, installation of new equipment, increase in power to 5 KW, change in hours of operation to daytime only.

KGBU—Alaska Radio & Service Co., Inc., Ketchikan, Alaska.—Granted modification of C. P. covering authority to change transmitter site, install vertical radiator and new equipment, and decrease day power from 5 KW to 1 KW.

WMBS—Fayette Broadcasting Corp., Uniontown, Pa.—Granted modification of C. P. for approval of transmitter site and antenna system and authority to change type of equipment.

KOL—Seattle Broadcasting Co., Inc., Seattle, Wash.—Granted modification of C. P. extending completion date to 6-30-37.

KSEI—Radio Service Corp., Pocatello, Idaho.—Granted modification of license to increase day power from 500 watts to 1 KW; **900 kc.**, 250 watts night, unlimited.

KYA—Hearst Radio, Inc., San Francisco, Calif.—Granted license to cover C. P. and modifications thereof; **1230 kc.**, 1 KW night, 5 KW day, unlimited. Also granted authority to determine operating power by direct measurement of antenna input.

KFJB—Marshall Electric Co., Inc., Marshalltown, Iowa.—Granted license to cover C. P. as modified; **1200 kc.**, 100 watts night, 250 watts day, unlimited.

KOYN—Universal Broadcasting Corp., Pine Bluff, Ark.—Granted license to cover C. P.; **1500 kc.**, 100 watts, daytime only.

KAND—Navarro Broadcasting Assn., Corsicana, Tex.—Granted license to cover C. P. as modified; **1310 kc.**, 100 watts, daytime only.

NEW—WKY Radiophone Co., Mobile.—Granted C. P. for new relay broadcast station, frequencies **1622, 2058, 2150** and **2790 kc.**, 200 watts.

NEW—Havens & Martin, Inc., Portable (Va.).—Granted C. P. for new relay broadcast station, frequencies **1622, 2058, 2150** and **2790 kc.**, 500 watts.

NEW—The Birmingham News Co., Mobile (Birmingham, Ala.).—Granted C. P. for new relay broadcast station, frequencies **1646, 2090, 2190** and **2830 kc.**, 20 watts.

NEW—Earle C. Anthony, Inc., Mobile.—Granted C. P. for new relay broadcast station, frequencies **1606, 2022, 2102** and **2758 kc.**, 100 watts.

NEW—Harrisburg Broadcasting Co.. Portable (Southern Illinois).—Granted C. P. for new relay broadcast station, frequencies **31100, 34600, 37600** and **40600 kc.**, 10 watts.

WMEF—National Broadcasting Co., Inc., Mobile.—Granted C. P. for changes in equipment and decrease in power from 150 to 100 watts. Also granted license to cover same.

W5XAB—Fort Worth Broadcasters, Inc., Portable-Mobile.—Granted modification of C. P. authorizing changes in equipment and decrease in power from 5 watts to 2 watts—relay broadcast station. Also granted license to cover C. P., frequencies **31100, 34600, 37600** and **40600 kc.**, on an experimental basis, 2 watts.

W10XDD—Evansville on the Air, Inc., Evansville, Ind. (Mobile).—Granted license to cover C. P. for relay broadcast station, frequencies **31100, 34600, 37600, 40600 kc.**, on experimental basis, 35 watts.

WATC—WAVE, Inc., Mobile—Granted license to cover C. P. for new relay broadcast station (low frequency); frequencies of **1622, 2058, 2150** and **2790 kc.**, 50 watts.

SET FOR HEARING

NEW—C. Bruce McConnell, Indianapolis, Ind.—C. P. for new station; **1500 kc.**, 100 watts night, 250 watts day, operation: Daily except Sunday 10 a. m. to 12 noon; 6 p. m. to 10 p. m. Desires hours now used by WKBV. Exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

NEW—Floyd A. Parton, San Jose, Cal.—C. P., already in hearing docket, amended to request frequency of **1330 kc.**, 250 watts, daytime only; exact transmitter site to be determined with Commission's approval.

NEW—The Enterprise Co., Beaumont, Tex.—C. P., already in hearing docket, amended to request **1350 kc.**, 250 watts night, 500 watts day, unlimited time; exact transmitter and studio sites to be determined with Commission's approval.

NEW—W. H. Hartman Co., Publishers of Waterloo Daily Courier, Waterloo, Iowa.—C. P., already in hearing docket, amended to request **1400 kc.**, 500 watts, daytime only; exact transmitter site and type of antenna to be determined with Commission's approval.

NEW—Church of Jesus Christ of Latter Day Saints, Salt Lake City, Utah.—C. P., already in hearing docket, for new international station on experimental basis in Saltair, Utah, amended to request **15250 kc.** and **21460 kc.**; 50 KW, A3 emission, unlimited time; exact transmitter site to be determined subject to Commission's approval.

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—C. P. (amended), requesting move of transmitter site locally to Loop Road; install new equipment and directional antenna system for nighttime use; change frequency to **620 kc.**, increase power to 500 watts, unlimited time.

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—C. P. to move transmitter to site to be determined, Santa Clara County, Calif.; install new equipment and vertical radiator; increase day power from 1 KW to 5 KW.

WEED—William Avera Wynne, Rocky Mount, N. C.—C. P. for changes in composite equipment; installation directional antenna system for nighttime use; change frequency to **1240 kc.**; increase power and time of operation from 100 watts night, 250 watts day, unlimited day and sharing with WCHV at night, to 500 watts, unlimited time.

KSLM—Oregon Radio, Inc., Salem, Ore.—C. P. (amended) to request move of transmitter site locally to site to be determined; install new equipment and vertical radiator, change frequency from **1370 kc.** to **1360 kc.**, and increase power from 100 to 500 watts.

WCNW—Arthur Faske, Brooklyn, N. Y.—Modification of license to use all hours now used by applicant and hours used by WMBQ; **1500 kc.**, 100 watts night, 250 watts day; specified hours.

WQDM—E. J. Regan & F. Arthur Bostwick, d/b as Regan & Bostwick, St. Albans, Vt.—Modification of license to change time of operation from specified hours to daytime until sunset at Cleveland, Ohio.

SPECIAL AUTHORIZATIONS

KGFF—Powell & Platz, Coffeyville, Kans.—Granted special temporary authority to operate from 7:15 to 9:15 p. m., CST, Tuesdays and Thursdays and on Wednesdays from 8:15 to 9:15 p. m., CST, during the period from June 1 to June 30, inclusive (provided WNAD remains silent) in order that KGGF may broadcast during time WNAD is silent for summer vacation of Okla. Univ.

WNAD—Univ. of Oklahoma, Norman, Okla.—To remain silent on above dates in order to observe summer vacation.

KICA—Western Broadcasters, Inc., Clovis, N. Mex.—Granted special temporary authority to operate from 4:30 to 7:30 p. m., MST, June 2 and 3, 1937, in order to serve community with broadcast of Pioneer Day activities.

KPDN—R. C. Hoiles, Pampa, Tex.—Granted special temporary authority to operate unlimited time for the period June 2, 3, and 4, 1937, in order to broadcast the "Top o' Texas Fiesta", which is sponsored annually by the Pampa Jr. Chamber of Commerce.

WHDF—The Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authority to operate from 6:30 to 9:30 p. m., CST, June 2, 1937, and from 7:30 to 9:30 p. m., CST, June 6, in order to broadcast special program commemorating 50th Anniversary of the Hancock Congregational Church direct from church at Hancock, Mich.

WWJ—The Evening News Assn., Detroit, Mich.—Granted extension of special temporary authority to operate for the period beginning June 3 and ending in no event later than July 2, 1937, with an increase in night power to 5 KW, to overcome interference.

KWLC—Luther College, Decorah, Iowa.—Granted special temporary authority to reduce hours of operation to one hour per week for the period June 5 to September 11, 1937, during summer vacation at Luther College.

KUSD—Univ. of So. Dakota, Vermillion, S. Dak.—Granted special temporary authority to remain silent from June 7 to 3 a. m., EST, September 1, 1937, during summer vacation.

KUMA—Albert H. Schermann, Yuma, Ariz.—Granted special temporary authority to operate from 9 to 11 a. m. and 2 to 6 p. m., MST, June 17 and 18, in order to broadcast the public hearing of the rate hearing of the Ariz. Edison Co. Inc.

WCCO—Columbia Broadcasting System. Minneapolis, Minn.—Granted special temporary authority to rebroadcast over station WCCO a demonstration of the two-way police communication system of the Minneapolis Police Department, Station KGPB, June 22.

KVOO—Southwestern Sales Corp., Tulsa, Okla.—Granted special temporary authority to operate simultaneously with station WAPI using power of 1 KW from 9 p. m., CST, June 22, to the conclusion of the Braddock-Louis fight.

WAPI—WAPI Broadcasting Corp., Birmingham, Ala.—To operate same as above except simultaneously with station KVOO.

WHAZ—Rensselaer Polytechnic Inst., Troy, N. Y.—Granted special temporary authority to remain silent August 2, 9, 16, 23, 30 and September 6, 1937, due to summer vacation of Rensselaer Polytechnic Institute.

WBAA—Purdue Univ., W. Lafayette, Ind.—Granted special temporary authority to operate a 25 watt portable test transmitter during daylight hours for a period not to exceed 30 days, in order to select a new transmitter site for station WBAA.

WFBR—The Balto. Radio Show, Inc., Baltimore, Md.—Granted special temporary authority to rebroadcast over station WFBR a program of about 5 minutes on June 5, 1937, originating aboard a Maryland National Guard plane, in connection with the 15th Anniversary of station WFBR.

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Granted extension of special temporary authority to operate with power of 50 watts from local sunset (June sunset 7:45 p. m.) to 11 p. m., EST, on Tuesdays, Thursdays, Saturdays and Sundays, beginning June 1, 1937, and ending no later than June 29, pending compliance with Rule 131 on modification of license application requesting this authority.

KGDY—Voice of So. Dakota, Huron, S. Dak.—Granted extension of special temporary authority to remain silent for period June 1 to June 30, inclusive, for purpose of rebuilding transmitter to comply with Rule 131, provided that the authority herein granted, to remain silent shall not be construed as a finding by the Commission with respect to any application of KGDY, which are now pending before the Commission, particularly the renewal of license application for this station, or upon any of the issues raised thereby, etc.

WCAX—Burlington Daily News, Inc., Burlington, Vt.—Granted extension of special temporary authority to operate Daylight Saving Time instead of EST, as licensed, during period that DST is recognized as official time in Burlington, Vt., but for the period beginning 3 a. m., EST, June 1 and ending in no event later than September 26, 1937. Also granted authority to operate daily except Sunday, 2 to 4:30 p. m., EST, and daily except Friday, Saturday and Sunday, 7 to 9 p. m., EST, for period June 15 to June 30, in order to broadcast sponsored northern league baseball games.

WOEH—National Broadcasting Co., Inc., New York City.—Granted extension of special temporary authority to operate relay broadcast station for period June 8 to June 17, utilizing the frequencies **4797.5, 6425, 8655** and **12862.5 kc.**, in addition to the licensed frequencies for relay broadcast from aboard Imperial Airways, Ltd., seaplane CAVALIER program material during initial flight inaugurating the Bermuda-New York air passenger service, to be rebroadcast over NBC national network of affiliated broadcast stations.

KGFI—Eagle Broadcasting Co., Inc., Corpus Christi, Tex.—Granted special temporary authority to remain silent for period of 30 days from 7 p. m., May 27, preparatory to removal to Brownsville as authorized in modification of C. P., granted March 9, 1937.

WCAT—So. Dak. School of Mines, Rapid City, S. Dak.—Granted special temporary authority to remain silent from June 4 to September 13, inclusive, in order to observe summer vacation.

W3XBS—RCA Mfg. Co., Inc., Camden, N. J.—Granted special temporary authority to operate with power of 5 KW on **590 kc.**, during broadcast experimental hours from 1 to 6 a. m., EST, for period June 1 to 10, in order to make certain measurements of radio frequency harmonic radiation, provided schedule is arranged so as to cause no interference to stations maintaining regular programs.

United Air Lines Transport Corp., Washington, D. C.—Granted special temporary authority to operate already licensed aircraft radio transmitter aboard the plane owned by United Air Lines Transport Corp., bearing call letters KHAZT as a relay broadcast station on frequency **2790 kc.**, on June 5, in cooperation with station KMTR in connection with KMTR Prudence Penny program.

ORAL ARGUMENTS

KINY—Ex. Rep. 1-386: Edwin A. Kraft, Juneau, Alaska.—Granted oral argument to be held September 16, 1937.

NEW—Ex. Rep. 1-406: Leonard A. Versluis, Grand Rapids, Mich. —Granted oral argument to be held September 16, 1937.

ACTION ON EXAMINERS' REPORTS

NEW—Ex. Rep. 1-365: Lincoln Memorial University, Middlesboro, Ky.—Granted C. P. for new broadcast station to operate on **1210 kc.,** 100 watts, unlimited time.

WLMU—Lincoln Memorial Univ., Middlesboro, Ky.—Granted modification of C. P. to make changes in equipment and increase power from 100 watts to 100 watts night, 250 watts day; **1210 kc.,** unlimited time. Examiner P. W. Seward sustained. Order effective July 20, 1937.

Ex. Rep. 1-373: J. L. Statler, M.D., d/b as Baker Hospital, Muscatine, Ia.—Denied authority to transmit programs to stations located in Canada and Mexico. Examiner R. L. Walker sustained. Order effective August 3, 1937.

NEW—Ex. Rep. 1-427: J. Leslie Doss, Sarasota, Fla.—Denied as in cases of default, application for C. P. for new station to operate on **1390 kc.,** 250 watts, daytime. Examiner Tyler Berry sustained.

NEW—Ex. Rep. 1-428: David J. Mercier & Geo. F. Warren, d/b as Northern Broadcasting Co., Traverse City, Mich.—Denied as in cases of default, application for C. P. for new station to operate on **830 kc.,** 500 watts, daytime. Examiner Tyler Berry sustained.

EXAMINER REPORT RELEASED SINCE MAY 25, 1937

NEW—Ex. Rep. 1-408—Charles Porter & Edward T. Eversole, Festus, Mo.—Examiner P. W. Seward recommended grant conditionally, of C. P. for new station to operate on **1420 kc.,** 100 watts, daytime.

MISCELLANEOUS

Lamar Life Ins. Co., Jackson, Miss.—Granted petition to postpone hearing date on application of Standard Life Ins. Co., of the South for new station at Jackson, Miss., to use **1420 kc.,** 100 watts night, 250 watts day, unlimited time, from July 7, to a date to be fixed by the Docket Section sometime later in July.

KRKO—Lee E. Hudgett, Everett, Wash.—Granted petition to continue hearing on application for C. P. to use **1420 kc.,** 100 watts night, 250 watts LS, unlimited time, from June 28 to a new date after September 1, 1937, exact time to be fixed at convenience of Docket Section.

NEW—Brenau College, Gainesville, Ga.—Denied petition requesting that action on application of WAPO, Chattanooga, Tenn. to use **1420 kc.,** 100 watts night, 250 watts day, unlimited time (Ex. Rep. 1-419), be deferred until decision on pending application of Brenau College to use frequency **1420 kc.,** 100 watts n. 250 watts LS, unlimited.

WTAQ—WHBY, Inc., Green Bay, Wis.—Granted indefinite continuance of hearing on application now scheduled for June 18, for C. P. to use **1330 kc.,** 1 KW night, 5 KW day, unlimited time. (Docket 4226.)

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Granted continuance of hearing on application for C. P. to use **580 kc.,** 1 KW, unlimited time (Docket 4420), to a date subsequent to September 6, 1937.

Kenneth Baker, Hartwell Gaus, V. A. Bernier, d/b as Key City Broadcasting Co., Kankakee, Ill.—Denied petition for continuance of hearing on application for new station to use **1500 kc.,** 100 watts, unlimited time, now scheduled for June 15, 1937.

KGA—Louis Wasmer, Spokane, Wash.—Denied continuance of deposition session relative to application of C. P. Sudweeks for C. P. for new station at Spokane, Wash., to use frequency of **950 kc.,** 500 watts n. 1 KW LS, unlimited time. (Docket 4461.)

WCMI—Ashland Broadcasting Co., Ashland, Ky.—Denied petition for continuance of hearing on application for C. P. for **1120 kc.,** 250 watts, 1 KW LS, unlimited time, now scheduled for June 10. Also denied petition for continuance of Deposition Session in the same case.

KOLO—Mason City Globe Gazette Co., Mason City, Ia.—Granted petition to reconsider action of January 12, 1937, designating for hearing the application of Mason City Globe Gazette Co. for change in equipment and authority to increase daytime power from 100 to 250 watts, and granted same without hearing.

NEW—Robert Raymond McCulla, Oak Park, Ill.—Denied motion to continue hearing, now scheduled for June 15, 1937, on application for C. P. to erect a new station to operate on frequency of **1500 kc.,** 100 watts daytime only.

NEW—El Paso Broadcasting Co., El Paso, Tex.—Denied motion to reconsider supplemental request to take depositions in connection with its application for C. P. to erect a new station at El Paso, to operate on **940 kc.,** 1 KW, unlimited time.

NEW—Robert E. Clements, Huntington Park, Calif.—Denied request for postponement of hearing on application for new station to operate on frequency of **1160 kc.,** 250 watts, daytime (Docket 4505), now scheduled for June 15.

NEW—Burlington Broadcasting Co., Burlington, Ia.—Granted petition to intervene in the hearing on the application of Leon M. Wisfeld for a new station at Burlington, Ia., to use **1310 kc.,** 100 watts, unlimited time, Docket 4502, now scheduled for June 9.

NEW—Harold F. Gross, Lansing, Mich.—Granted request for continuance of hearing now scheduled for June 11, to a new date in September to be fixed at the convenience of the Docket Section, on application to use **580 kc.,** 500 watts night, 1 KW day, unlimited time, Docket 4604.

WBNO—Coliseum Place Baptist Church, New Orleans, La.—The Commission, on its own motion, continued the hearing date on the application of WBNO for C. P. to use **1420 kc.,** 100 watts night, 250 watts LS, unlimited time, Docket 4560, to be heard on the same date as the application of Standard Life Ins. Co. of the South, which involves the use of the same frequency.

NEW—Continental Radio Co., Denver, Colo.—Denied petition for an indefinite continuance of the hearing date on application of Colo. Radio Corp. (KVOD), Docket No. 4527, now scheduled for June 23. The application of KVOD is for C. P. to use **630 kc.,** 1 KW, unlimited time.

Tri-State Broadcasting Co.—Granted petition to intervene in the proceedings upon the application of the El Paso Broadcasting Co. (Docket 4545).

WSAN—WSAN, Inc., Allentown, Pa.; and WCBA—B. Bryan Musselman, Allentown, Pa.—Granted applicants' joint motion to continue hearing now scheduled for June 14, to a date subsequent to September 15, 1937, on application of WSAN for voluntary assignment of license (Docket 4514), and application of voluntary assignment of license of WCBA. (Docket 4515.)

NEW—Monocacy Broadcasting Co., Rockville, Md.—Granted motion to continue hearing, now scheduled for July 2, for at least 60 days, new date to be fixed by Docket, on application for C. P. to use **1140 kc.,** 250 watts, daytime only. Docket 3191.

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Denied motion for continuance of hearing date upon application of Tri-State Broadcasting System, Inc. (KTBS), Shreveport, La. for modification of license to use **620 kc.,** 500 watts night, 1 KW day, unlimited time (Docket 4523), now scheduled for June 21, and for consolidation with application of KMLB requesting use of same frequency.

WHAT—Independence Broadcasting Co., Inc., Philadelphia, Pa.—Denied petition for reconsideration of action of the Broadcast Division denying its application for C. P. to authorize changes in equipment of station WHAT whereby operation will be permitted on frequency of **1220 kc.,** with 1 KW, unlimited time (Docket 3798), and grant said application in part, to authorize the aforementioned equipment changes and operation of the station during daytime hours.

RATIFICATIONS

The Broadcast Division ratified the following acts authorized on the dates shown:

KFXR—Exchange Ave. Baptist Church of Oklahoma City, Oklahoma.—Granted extension of program test period 30 days from May 26, 1937.

WAAK-W4XBT-W4XBZ—Radio Station WSOC, Inc., Charlotte, N. C.—Granted authority to operate as licensed period 30 days from 6-1 to 6-29, inclusive, relaybroadcast from various points of interest in city. Also authorized operate same stations 6-1 to 6-10, inclusive relaybroadcast commencement exercises and centennial celebration from Davidson College, provided no wire lines available.

W9XLC—Racine Broadcasting Corp., Racine, Wis.—Granted authority to operate as licensed 6-14, relaybroadcast Flag Day Parade and Celebration.

W9XPN-W9XPV—WDZ Broadcasting Co., Tuscola, Ill.—Granted authority to operate as licensed period 30 days from May 26, relaybroadcast from train running between Villa Grove and Tuscola.

KFDY—South Dakota College, Brookings S. Dak.—Denied special temporary authority to operate from 8 to 9:30 p. m., CST, May 24 and 31, in order to broadcast special concert by State College Military Band, and from 3 to 4:30 p. m., CST, June 7, in order to broadcast program commemorating the 25th anniversary of agricultural extension work in South Dakota.

KBPS—Benson Polytechnic School, Portland, Ore.—Granted special temporary authority to remain silent from 12:30 p. m., May 31, to 3 p. m., EST, July 1, in order to observe regular school vacation.

Granted motion filed on behalf of Independence Broadcasting Co. (WHAT), Philadelphia, for extension of effective date of Commission action in denying its application for C. P. and directed that effective date of decision in this case be extended from May 25 to June 1, 1937.

Granted petition of Frank P. Doherty, transferor, and J. F. Burke, Sr., and Royal K. King, transferees, for an order to take depositions in support of their application for authority to transfer control of Radio Broadcasters, Inc., licensee of Station KRKD, Los Angeles (Docket 4546).

Denied motion of Earle Yates to suppress the order to take depositions, issued May 20, 1937, in the matter of the application of El Paso Broadcasting Co. Docket 4545.

Denied supplemental request of El Paso Broadcasting Co., El Paso, Tex., asking that the order issued by the Commission May 19, authorizing the taking of depositions of certain witnesses in support of the El Paso Broadcasting Company's application for a new station at El Paso, Docket 4545, be amended to include four additional witnesses.

Granted motion of John W. Haigis requesting that hearing on his application for C. P. for new station at Greenfield, Mass., be continued, and directed that said hearing be held on June 25, 1937, instead of May 26, 1937.

Denied petition of John Stewart Bryan requesting that date for the taking of depositions in support of his application for a C. P. for a new station at Petersburg, Va., Docket 4506, be continued from May 25 to June 17.

Granted petition of WGAR Broadcasting Co., Cleveland, Ohio, to intervene in the proceedings on the application of WRBC, Inc., for C. P. for a new station at Cleveland, Ohio. Docket 3890.

Granted petition of Havens & Martin, Inc., to intervene in the proceedings upon the application of Larus and Bros. Co., Inc. (WRVA), Richmond, Va., for a C. P. Docket 4556.

Granted petition of Jos. C. Callaway and Harry Dahl for an order to take depositions in the matter of the application of Jos. C. Callaway, transferor, and Harry Dahl, transferee, for authority to transfer control of WKBH, Inc., and directed that an attorney from the Law Department of the Commission be present and participate in the taking of the depositions at La Crosse, Wis.

Granted petition of Radiotel Corp., San Diego, Calif., to intervene in the proceedings upon the application of Warren B. Worcester for C. P. for a new station at San Diego, Calif. Docket No. 4531.

Granted petition of Northside Broadcasting Corp., WGRC, New Albany, Ind., to intervene in the proceedings on the application of WRBC, Inc., for a C. P. for a new station at Cleveland, Ohio. Docket 3890.

APPLICATIONS RECEIVED

First Zone

WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—License to
550 cover construction permit (B1-P-1189) as modified for new equipment, increase in power, and move of transmitter.

WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—Authority to
550 determine operating power by direct measurement of antenna.

NEW—The Hampden-Hampshire Corp., Holyoke, Mass.—Con-
1240 struction permit for a new station to be operated on **1240 kc.**, 1 KW, unlimited time, to use directional antenna day and night. Amended to change power from 1 KW to 500 watts night, 1 KW day.

WKBW—Buffalo Broadcasting Corp., Buffalo, N. Y.—License to
1480 cover construction permit (B1-P-1637) for changes in antenna and move of transmitter.

WKBW—Buffalo Broadcasting Corp., Buffalo, N. Y.—Authority to
1480 determine operating power by direct measurement of antenna.

Second Zone

WCPO—Continental Radio Co., Cincinnati, Ohio.—Modification
1120 of license to change name from Continental Radio Co. to Scripps-Howard Radio, Inc.

WXYZ—King-Trendle Broadcasting Corp., Detroit, Mich.—Con-
1240 struction permit to install a new transmitter and increase power from 1 KW to 5 KW.

NEW—Keystone Broadcasting Co., New Castle, Pa.—Construc-
1250 tion permit for a new station to be operated on **1250 kc.**, 250 watts, daytime.

NEW—West Virginia Broadcasting Corp., Wheeling, W. Va.—Con-
1310 struction permit for a new station to be operated on **1310 kc.**, 100 watts, unlimited time.

WFBG—The Gable Broadcasting Co. (Lessee), Altoona, Pa.—
1310 License to cover construction permit (B2-P-1367) for new transmitter and vertical antenna.

WHK—Radio Air Service Corp., Cleveland, Ohio.—Construction
1390 permit to install directional antenna for night use. Amended to make changes in directional antenna.

WLAP—American Broadcasting Corp. of Kentucky, Lexington,
1420 Ky.—Construction permit to change frequency from **1420 kc.** to **610 kc.**; install a new transmitter; make changes in antenna; and increase power from 100 watts night, 250 watts day, to 500 watts night, 1 KW day. Amended to change transmitter site from Walton Bldg., Main and Esplanade Sts., Lexington, Ky., to intersection Russell Cave Pike and Ironworks Pike, near Lexington, Ky.

NEW—West Virginia Broadcasting Corp., Charleston, W. Va.—
1500 Construction permit for a new station to be operated on **1500 kc.**, 100 watts night, 250 watts day, unlimited time.

NEW—WTAR Radio Corp., Norfolk, Va.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 1 watt.

W3XEW—WTAR Radio Corp., Mobile.—License to cover construction permit (B2-PRE-36) for a new relay broadcast station.

NEW—WJW, Inc., Akron, Ohio.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 20 watts.

NEW—WJW, Inc., Akron, Ohio.—License to cover above.

NEW—WTW, Inc., Akron, Ohio.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 1 watt.

NEW—WJW, Inc., Akron, Ohio.—License to cover above.

NEW—WTAR Radio Corp., Norfolk, Va.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40000 kc.**, 1 watt.

WAAH—West Virginia Broadcasting Corp., Wheeling, W. Va.—Reinstatement of construction permit which expires 5-29-37 for a new relay station on **1646, 2090, 2190, 2830 kc.**, 50 watts, requesting changes in equipment and increase in power from 50 watts to 100 watts.

WAAJ—The Fort Industry Co., Toledo, Ohio.—Reinstatement of construction permit which expires 5-29-37 for a new relay station on **1646, 2090, 2190, 2830 kc.**, 50 watts, requesting changes in equipment and increase in power from 50 watts to 100 watts.

Third Zone

WCOC—Mississippi Broadcasting Co., Inc., Meridian, Miss.—
880 Modification of construction permit (B3-P-1434) for changes in equipment, requesting authority to install vertical antenna and move transmitter from U. S. Highway No. 45, 2½ miles southeast city limits, Meridian, Miss., to U. S. Highway 45 North, 1.3 miles north of city limits, Meridian, Miss. Amended to change power from 500 watts night, 1 KW day, to 1 KW day and night.

NEW—M. M. Valentine, Laredo Tex.—Construction permit for a
1310 new station to be operated on **1310 kc.**, 100 watts night, 250 watts daytime, hours of operation not given. Amended to give hours of operation as unlimited time.

NEW—J. T. Griffin, Oklahoma City, Okla.—Construction permit
1310 for a new station to be operated on **1310 kc.**, 100 watts night, 250 watts daytime, unlimited time. Requests facilities of KFXR.

1310 WSJS—Winston-Salem Journal Co., Winston-Salem, N. C.—Voluntary assignment of license from Winston-Salem Journal Co. to Piedmont Publishing Co.

1330 WRBL—WRBL Radio Station, Inc., Columbus, Ga.—Modification of construction permit (B3-P-1396) for new transmitter and antenna; increase power; move of station locally, further requesting changes in equipment; change frequency from **1200 kc.**, to **1330 kc.** and power from 100 watts, 250 watts day, to 250 watts, 500 watts day. Amended to change requested power from 250 watts, 500 watts day, to 1 KW.

1370 KTEM—Bell Broadcasting Co., Temple, Tex.—License to cover construction permit (B3-P-1621) for changes in equipment, hours of operation, and power.

1380 WALA—Pape Broadcasting Corp.. Inc., Mobile, Ala.—Voluntary assignment of license from Pape Broadcasting Corporation, Inc., to W. O. Pape, d/b as Pape Broadcasting Co.

1420 KCMC—KCMC, Inc., Texarkana, Tex.—License to cover construction permit (B3-P-1700) for changes in equipment and increase in power.

1450 WTFI—Liberty Broadcasting Co., Athens, Ga.—Modification of construction permit (B3-P-745) as modified, to increase power from 500 watts to 500 watts night, 1 KW day, and give studio site as 56 Marietta Street, N. W., Atlanta, Ga.

1500 NEW—State Broadcasting Corp., New Orleans, La.—Construction permit for a new station to be operated on **1370 kc.**, 100 watts, unlimited time. Amended to change requested frequency from **1370 kc.** to **1500 kc.**

1500 NEW—O. C. Burke, Dickinson, Tex.—Construction permit for a new station to be operated on **1500 kc.**, 100 watts, unlimited time.

NEW—WSOC, Inc., Charlotte, N. C.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 0.2 watts.

NEW—WSOC, Inc., Charlotte, N. C.—License to cover above.

1010 WNOX—Continental Radio Co., Knoxville, Tenn.—Modification of license to change name from Continental Radio Co. to Scripps-Howard Radio, Inc.

Fourth Zone

900 WLBL—State of Wisconsin, Department of Agriculture and Markets, Stevens Point, Wis.—Modification of construction permit (B4-P-1220) to extend completion date from 5-22-37 to 6-22-37.

1210 KDLR—KDLR, Inc., Devils Lake, N. Dak.—Construction permit to move transmitter from 1025 Third Street, Devils Lake, N. Dak., to edge of city limits, end of 4th Street, Devils Lake, N. Dak. (.2 of mile from present site), and install new vertical antenna.

1300 NEW—Burlington Broadcasting Co., Burlington, Iowa.—Construction permit for a new station to be operated on **1310 kc.**, 100 watts, unlimited time.

1370 KOBH—Black Hills Broadcast Co. (Robert Lee Dean), Rapid City, S. Dak.—Construction permit to increase power from 100 watts to 100 watts night, 250 watts day, and install a new transmitter. Amended to change name from Black Hills Broadcasting Co. of Rapid City to Black Hills Broadcast Co. (Robert Lee Dean, Pres.).

1500 NEW—N. B. Egeland, Roland, Iowa.—Construction permit for a new station to be operated on **1500 kc.**, 100 watts night, 250 watts day, specified hours. Amended to give transmitter site as 1 mile from business district of Roland, Story County, Iowa.

Fifth Zone

630 NEW—Continental Radio Co. Denver, Colo.—Construction permit for a new station to be operated on **630 kc.**, 500 watts night, 1 KW day, unlimited time. Amended to change requested power from 500 watts night, 1 KW day, to 1 KW night, 5 KW day; make changes in requested equipment; install directional antenna for day and night use and for approval of transmitter site at 5 miles north-northeast of Denver, Colo.

880 KPOF—Pillar of Fire, near Denver, Colo.—Modification of license to increase power from 500 watts to 1 KW.

1200 KVEC—Christina M. Jacobson, tr/as The Valley Electric Co., San Luis Obispo, Calif.—License to cover construction permit (B5-P-718) for a new station.

1240 KTFI—Radio Broadcasting Corp., Twin Falls, Idaho.—Construction permit to make changes in transmitting equipment; install a new vertical antenna; increase power from 1 KW to 1 KW night, 5 KW day; and move transmitter from 143 Second St., West, Twin Falls, Idaho, to on Highway 30, 4 miles west of Twin Falls, Idaho.

1270 KVOR—Out West Broadcasting Co., Colorado Springs, Colo.—License to cover construction permit (B5-P-1537) for new transmitter.

1400 NEW—Evening News Press, Inc., Port Angeles, Wash.—Construction permit for a new station to be operated on **1250 kc.**, 250 watts, unlimited time. Amended to change requested frequency from **1250 kc.** to **1400 kc.**

1420 KRLC—H. E. Studebaker, Lewiston, Idaho.—License to cover construction permit (B5-P-733) as modified for new equipment, increase in power, change in frequency, and move of transmitter.

NEW—David G. Adams (Adams Recording Studio), San Diego, Calif.—Authority to make electrical transcriptions and manufacture records for stations XEBG and XEMO at Tia Juana, Mexico.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

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REVIEW OF COMMERCIAL COMMITTEE RESOLUTIONS

To refresh the memories of the older members and to inform the newer members, there are reproduced herein those Resolutions touching upon commercial practices which were adopted at the last three annual membership meetings.

Resolution No. 5 (1934)

RESOLVED, That the National Association of Broadcasters hereby pledges its full cooperation to the Federal Trade Commission in its efforts to safeguard the people of the United States against all forms of fraudulent, untruthful or willfully misleading advertising, and urges upon every broadcaster the necessity for maintaining a standard of advertising truthfulness which will justify and strengthen the faith of the public in the dependability of radio advertising.

Resolution No. 7 (1934)

RESOLVED, That the National Association of Broadcasters hereby recommends that the Cost Accounting Committee appointed for the past year by President McCosker be continued with the same personnel until the completion of the standard accounting system which it now has in hand, and that this system be completed, if possible, not later than November 1, 1934.

That on the completion of this standard accounting system, the Managing Director is hereby directed to have copies thereof prepared and sent to all member stations, if possible not later than December 1, 1934.

That all member stations are advised to make the necessary adjustments in their accounting methods, so far as such adjustments may be found practicable, to bring their methods into conformity with the proposed standard systems.

Resolution No. 9 (1934)

RESOLVED, That the National Association of Broadcasters hereby directs the chairman of its Commercial Section to appoint a committee of five to study what is pertinent information for the advertising agencies and the advertisers who are buyers of radio advertising, and to invite discussions with representatives of the American Association of Advertising Agencies and the Association of National Advertisers, with a view to setting up a bureau for the broadcasting industry, such committee to report with recommendations to the Board of Directors for action as quickly as possible.

Resolution No. 10 (1934)

WHEREAS, there is a need in the broadcasting industry for further standardization of units of sale and rate card practices, be it, therefore,

RESOLVED, That the National Association of Broadcasters hereby authorizes the Commercial Committee to publish as the recommendations of said committee, the following:

1. That units of sale be standardized as follows: One hour, one-half hour, quarter hour, five minutes, one minute transcriptions, one hundred words, half minute transcriptions, fifty words or less.
2. That all quantity discounts be given within a period of one year, with discounts retroactive to the first broadcast within that year, discounts to apply within the same time classifications.
3. That operating companies or holding companies operating more than one subsidiary be permitted to buy under a group plan allowing discounts for each of the separate companies under a blanket order to apply even if more than one agency is involved in placing time.
4. That all stations put on their rate cards, in addition to the regular standard units of time, under a separate heading called—"special service features," such features as time signals, weather reports, sports events, participation programs and any other service features, with an adequate description of what the individual station allows.
5. That no station quote quantity discounts on consecutive times other than 13, 26, 52, 100, 150 and 300.

Resolution No. 12 (1934)

RESOLVED, That the National Association of Broadcasters establish and maintain an agency recognition bureau at the Washington office of the Association; and that such machinery as may be necessary be set up by the Managing Director with such funds as may be deemed necessary and approved by the Board of Directors as a part of the regular annual budget; that, in general, agency recognition be extended to only those agencies which can satisfy the bureau as to credit responsibility, character or operation and radio service facilities; that said bureau be given full power to study applications of agencies for such recognition and to determine whether or not such recognition should be extended, subject to approval of the Board of Directors; and that the bureau furnish a list of those agencies which are extended recognition together with all supplements thereof, with the strong recommendation of the Association that its members pay agency commission only to those advertising agencies extended recognition by the said bureau.

Resolution No. 14 (A) (1934)

RESOLVED, That the National Association of Broadcasters hereby reaffirms the resolution adopted at its 1933 convention referring to the elimination of announcements for electrical transcriptions produced especially for broadcasters, and directs the convention resolutions committee to draft an appropriate resolution for this purpose to be transmitted to the Federal Communications Commission.

Resolution No. 14 (B) (1934)

RESOLVED, That the National Association of Broadcasters hereby reaffirms the following resolution adopted at its 1933 annual meeting:

"WHEREAS, The use of the electrical transcription method of broadcasting programs is generally accepted by both stations and by listeners and has become an important economic factor in the operation of broadcasting stations; and

"WHEREAS, There is definite evidence of serious loss in income to stations because of existing requirements that electrical transcription programs must be announced; and

"WHEREAS, There has been sufficient progress in the manufacture of electrical transcription programs that the reproduction of the majority of such programs are now generally considered as excellent; and

"WHEREAS, The broadcasting industry would be greatly benefited by the removal of existing restrictions, therefore, be it

"RESOLVED, That the National Association of Broadcasters hereby respectfully urges the Federal Radio Commission to alter the existing regulations requiring that electrically transcribed programs made especially for broadcasting be so announced."

RESOLVED, FURTHER: That the National Association of Broadcasters hereby directs its officers to bring this resolution, without delay, to the attention of the Broadcasting Division of the Federal Communications Commission, and to take whatever steps may be necessary and practicable to secure prompt revision of the regulations in accordance with this resolution.

Resolution No. 15 (1934)

WHEREAS, The National Association of Broadcasters recognizes that merchandising of radio programs and assistance in merchandising of the products of advertisers stimulate the use of broadcasting as an advertising medium and enhance the value of the medium, be it, therefore,

RESOLVED, That the National Association of Broadcasters hereby urges the fullest possible cooperation in merchandising that is consistent with good business practices; but since the merchandising requirements of advertisers are wholly lacking in uniformity the Association recommends, in fairness to all advertisers, that the cooperation of the stations be limited to such activities as do not entail direct expense, and that where any direct expense is involved such costs be borne by the advertiser.

Resolution No. 13 (1935)

RESOLVED, That the Managing Director be instructed to proceed immediately with the creation of a bureau of agency recognition in accordance with the plan approved and recommended by the Commercial Committee, with the understanding that the said bureau will be finally established only if the cost of its first year of operation is underwritten by the stations proposing to avail themselves of its services.

Resolution No. 14 (1935)

WHEREAS, the 1934 convention of the National Association of Broadcasters directed the chairman of the Commercial Section to appoint a committee of five to study what is pertinent information for the advertising agencies and the advertisers who are buyers of radio advertising and to invite discussions with representatives of the American Association of Advertising Agencies and the Association of National Advertisers with a view of setting up a bureau for the broadcasting industry, and

WHEREAS, such committee was appointed, studied the problem and conducted discussions with the aforementioned organizations, the results of which discussions have been reported by the chairman of the Commercial Section to the Board of Directors and the convention.

THEREFORE BE IT RESOLVED, That the National Association of Broadcasters reaffirms its willingness to cooperate with the advertisers and agencies in the creation of a cooperative bureau, and that the President of the Association be directed to appoint a committee of not less than five members, to be approved by the Board of Directors and to be responsible to it, the said committee to conduct such activities as may be necessary to the establishment of such a bureau and to represent the National Association of Broadcasters in any discussions or negotiations with advertisers and/or agencies.

Resolution No. 16 (1935)

RESOLVED, That the National Association of Broadcasters hereby adopts the revised code of ethics as presented in the report of the chairman of the Commercial Committee.

REVISED NAB CODE OF ETHICS

The following is the revised Code of Ethics adopted by the Thirteenth Annual Convention of the NAB. The code incorporates the principal trade practice provisions of the radio broadcasting code which were found to be of benefit to the industry. Other than this it remains substantially the same as the code adopted in 1929.

CODE OF ETHICS

1. Recognizing that the radio audience includes persons of all ages and all types of political, social and religious belief, each member station will endeavor to prevent the broadcasting of any matter which would commonly be regarded as offensive.
2. When the facilities of a member station are used by others than the owner, the member shall ascertain the financial responsibility and character of such client, that no dishonest, fraudulent or dangerous person, firm or corporation may gain access to the radio audience.
3. Matter which is barred from the mails as fraudulent, deceptive or obscene shall not be broadcast by a member station.
4. Each member station shall refuse any advertising matter regarding products or services injurious to health.
5. Each member station shall maintain a public record of its current rates charged to advertisers for the use of broadcasting time together with all discounts, rebates, refunds and agency commissions which shall be allowed to the users of such time or to their recognized agents.
6. Each member station shall refuse to accept any business on a cost per inquiry, contingent, or percentage basis, or to accord free time for commercial use.
7. No member station shall permit the broadcasting of advertising statements or claims which he knows or believes to be false, deceptive or grossly exaggerated.
8. No member station shall defame or disparage a competitor, directly or indirectly, by words or acts which untruthfully call in question such competitor's business integrity, ability to perform contracts, credit standing or quality of service.
9. No member station shall claim for its service a character, scope or quality which cannot be substantiated, nor shall it claim as regular characteristics of its service features which it knows to be purely temporary or accidental.
10. Where charges of violation of any article of the code of ethics of the National Association of Broadcasters are filed in writing with the Managing Director, the Board of Directors shall investigate such charges, give opportunity for hearing and afterwards notify the station of its findings.

Resolution No. 9 (1936)

RESOLVED, That the Managing Director be instructed to proceed immediately with the creation of a bureau of agency recognition in accordance with the plan approved and recommended by the Commercial Committee, with the understanding that the said bureau will be finally established only if the cost of its first year of operation is underwritten by the stations proposing to avail themselves of its services.

Resolution No. 14 (1936)

RESOLVED, That the Committee on Radio Research for the year 1936-1937 consist of seven members appointed by the president, so as to represent the following groups, in addition to the Managing Director: (1) each major network contributing to the project; (2) local stations; (3) regional stations; and (4) clear channel or high powered stations.

BE IT FURTHER RESOLVED, That the committee be empowered to select five of its membership to represent the broadcasting industry on the Joint Committee on Radio Research.

RESOLVED, That this convention approve the activities of the NAB Radio Research Committee during the past year, and that it commend the excellent progress made by the Joint Committee on Radio Research sponsored by the National Association of Broadcasters, Association of National Advertisers, and American Association of Advertising Agencies.

RESOLVED, That the Board of Directors of the National Association of Broadcasters be empowered to devote for exploratory purposes upon recommendation of the NAB Radio Research Committee the sum of $10,000.00, and that additional funds be devoted to the project if necessary, and if, in the opinion of the Board, this can be done without impairing the financial position of the Association.

Resolution No. 19 (1936)

WHEREAS, it is the sense of this convention that the interests of those attending are becoming more and more varied and

WHEREAS, there has been an ever increasing tendency toward the formation of smaller groups within the Association, and

WHEREAS, experience has proven this to be a healthy development, tending to interest a greater number of individuals in the work of the Association, and

WHEREAS, the sales promotion problems of the industry and individual stations both are becoming increasingly important

NOW THEREFORE BE IT RESOLVED, That

1. This Association favors the formation of a Sales Managers Section of the NAB, to be affiliated with the Commercial Committee.
2. This Association recommends to the Board of Directors their approval of this project, and recommends that the Board authorize the Managing Director to pay such incidental expenses as are necessary for postage, printing and similar items out of funds of the Association.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS ★ ★ ★ ★ ★ Vol. 5 - - No. 25
JUNE 10, 1937

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CONVENTION PLANS COMPLETED

The Program of the Fifteenth Annual Convention of the National Association of Broadcasters follows:

Monday, June 21, 1937

9:30 A. M.

Call to Order

Address of Welcome:
HON. EDWARD J. KELLY, Mayor, City of Chicago

Address of the President:
MR. C. W. MYERS, KOIN, KOIN, Incorporated, Portland, Oregon

Address of the Chairman, Broadcast Division of the Federal Communications Commission:
JUDGE EUGENE OCTAVE SYKES, Washington, D. C.

The Duty and Responsibility of The Broadcaster.

Address of the Treasurer:
MR. HAROLD HOUGH, WBAP, Carter Publications, Inc., Fort Worth, Texas

Report of the Managing Director:
MR. JAMES W. BALDWIN, National Association of Broadcasters, Washington, D. C.

Report of the Nominating Committee

Appointment of Committees

Announcements

Adjournment

Monday, June 21, 1937

No Afternoon Sessions Scheduled

Committee Meetings (at call of chairman)
Commercial Committee, Parlor M
Resolutions Committee, Room 118
Engineering Committee, Parlor L

Tuesday, June 22, 1937

9:30 A. M.

Call to Order

Election of Officers

Report of the Resolutions Committee

Report of the Elections Committee

PLEASE REGISTER EARLY

Delegates to the Fifteenth Annual Convention of the NAB will aid materially in following the schedule for opening the Convention if they will register and secure their credentials Sunday, June 20. The Registration desk will be open beginning at 10 a. m. Sunday.

Tuesday, June 22, 1937

2:00 P. M.

Call to Order

Report of the Engineering Committee:
MR. J. H. DEWITT, WSM, National Life and Accident Insurance Company, Nashville, Tennessee

Wednesday, June 23, 1937

9:30 A. M.

Call to Order

Introductory Remarks and Explanation of the Commercial Section Organization:
MR. H. K. CARPENTER, WHK, Radio Air Service Corporation, Cleveland, Ohio

Report of the Sales Managers' Division:
MR. LEWIS H. AVERY, WGR, Buffalo Broadcasting Corporation, Buffalo, New York

Report of the Committee on National Sales Methods and Costs:
MR. CARL EVERSON, WHKC, Associated Radiocasting Corporation, Columbus, Ohio

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Federal Communications Commission Action 2151

An Agency Man Looks at Broadcasting:
Mr. Arthur Pryor, Jr., Batton, Barton, Durstine & Osborn, Inc., New York, N. Y.

Report of the Committee on Radio Research:
Mr. Arthur B. Church, KMBC, Midland Broadcasting Company, Kansas City, Missouri

Report of the Committee on Radio Promotion:
Mr. John J. Gillin, Jr., WOW, Woodmen of the World Life Insurance Association, Omaha, Nebraska

A Retailer Makes An Appraisal of Radio:
Mr. Marvin Oreck, Oreck's, Inc., Duluth, Minnesota

Report of the Committee on Standardization of Sales Forms:
Mr. Martin Campbell, WFAA, A. H. Belo Corporation, Dallas, Texas

Presentation, discussion and vote on Resolutions pertaining to the Commercial Section.

Wednesday, June 23, 1937

2:00 P. M.

Call to Order

A Panel Discussion—Mr. H. K. Carpenter, WHK, *Chairman*

How Should a Station Service Its Local Accounts?
Mr. Marvin Oreck—Mr. Lewis H. Avery

How Can We Simplify Our Rate Cards?
Mr. John J. Gillin, Jr.—Mr. Martin Campbell

How Can Our Present Methods of Securing National Spot Business Be Improved?
Mr. John J. Gillin, Jr.—Mr. Arthur B. Church

How Can Creative Selling Be Encouraged?
Mr. Arthur Pryor, Jr.—Mr. Arthur B. Church

What Information Should Stations Release with Respect to their "Circulation"?
Mr. H. K. Carpenter—Mr. Martin Campbell

What Is Your Definition of the Term "Merchandising"?

Installation of Officers

7:00 P. M.

Annual NAB Banquet

Entertainment

Presentation of BROADCASTING Trophy to winner of Golf Tournament

SYKES WILL ADDRESS NAB CONVENTION

Judge Eugene O. Sykes, Chairman, Broadcast Division of the Federal Communications Commission, will address the Fifteenth Annual Convention of the National Association of Broadcasters. The subject of Judge Sykes' address will be: "The Duty and Responsibility of The Broadcaster."

PRESIDENT APPOINTS LOCAL CONVENTION COMMITTEE

C. W. Myers, NAB President, has appointed the following Local Convention Committee:

Glenn Snyder, Chicago, Illinois, Chairman
H. Leslie Atlass, Chicago, Illinois
Ralph L. Atlass, Chicago, Illinois
H. C. Crowell, Chicago, Illinois
Gene T. Dyer, Chicago, Illinois
W. E. Hutchinson, Chicago, Illinois
Quin A. Ryan, Chicago, Illinois
F. A. Stanford, Chicago, Illinois
Niles Trammel, Chicago, Illinois
Clinton R. White, Chicago, Illinois

DECISION IN PHONOGRAPH RECORD CASE

DISTRICT COURT OF THE UNITED STATES DISTRICT OF MASSACHUSETTS

Equity No. 4418

Ray Noble

v.

One Sixty Commonwealth Avenue, Inc.

Memorandum

(June 4, 1937)

Sweeney, J. This suit in equity is before me on the defendant's motion to dismiss. Among the grounds assigned by the defendant for its motion is the allegation that the plaintiff has no cause of action against this respondent.

Statements of fact herein are intended as findings of fact, and statements of legal conclusions, as rulings of law, under the Equity Rules.

The plaintiff is an orchestra leader of substantial reputation, and under a contract with RCA Manufacturing Company, Inc., dated January 14, 1935, made twenty-four phonograph recordings which consisted of the plaintiff's interpretations of musical compositions written by others. Under his agreement the plaintiff surrendered to the RCA Manufacturing Company

"the right to sell, lease or otherwise dispose of, or to refrain, therefrom, throughout the world, records embodying the performances to be recorded hereunder upon such terms as the Company may approve", and * * * "all rights in and to the matrices and records upon which are reproduced the performances to be made hereunder."

Compensation was provided for the plaintiff and his orchestra for the making of the records, and a royalty of five per cent of the sale price of all records was reserved to the plaintiff.

The defendant is a corporation engaged in running the Hotel Vendome in this city, and in connection therewith is the owner and operator of the Nippon Room which is described in the plaintiff's bill as a restaurant and beverage room. At each table in the Nippon Room, the defendant provides a telephone by which patrons may make known their desire to have certain phonograph records played. In its Wine and Music List the defendant lists records containing the plaintiff's renditions or recordings. In practice when a patron of the Nippon Room desires to have one of the plaintiff's pieces played on a phonograph, he indicates his selection through the telephone on his table, and in due course of time the piece requested is played. The phonograph is not located in the Nippon Room, and the sounds are transmitted through loudspeakers.

The plaintiff seeks to enjoin further use by the defendant of his records under the theory that he has a property right in the rendition and interpretation of the compositions that he recorded, and that the defendant violates this right. In paragraph 15 of his bill, he says:

> "That all of the rights and property in and to said performances, recordings and interpretations, including the common law right of property therein are the property of, and belong to, the plaintiff herein, with the exception of the right to sell and the right to perform said records on home phonographs for private purposes only."

Looking to the contract between the plaintiff and the RCA Manufacturing Company, it is clear that there is no reservation contained in that contract of any rights by the plaintiff. He gave to the RCA Manufacturing Company "the right to sell, lease or otherwise dispose of" his recordings.

This case on the pleadings differs greatly from *Waring* v. *WDAS Broadcasting Station, Inc.* (No. 9053, Court of Common Pleas No. 1, County of Philadelphia). RCA-Victor Company had stipulated with Waring that the records which he made would not be sold for broadcasting purposes. The records as made by the RCA-Victor Company contained a stamped restriction against such use on each record. When Waring sought to enjoin the broadcasting company from the use of his records, the court held that he was entitled to injunctive relief on the theory that Waring had not parted with his right to the control of the records for radio broadcasting, and that the defendant broadcasting company violated the express restriction stamped upon the record and reserved by Waring.

Considering the contract between Noble and RCA Manufacturing Company, it is apparent that Noble for a consideration granted to the company the absolute right to "sell, lease or otherwise dispose of" his records throughout the world. This is a broad and all-inclusive grant. Had the recording company seen fit to limit the use of its records to home use it might have acquired rights which it could protest as against this defendant. No such limitations having been made by RCA, to whom Noble had granted all rights, this plaintiff has no standing to question the use by this defendant of the records in the manner indicated in the bill.

The defendant's motion to dismiss is therefore allowed.

INCREASED POWER RECOMMENDED FOR KIEM

Broadcasting Station KIEM, Eureka, Calif., applied to the Federal Communications Commission to increase its power from 500 to 1,000 watts. The station operates unlimited time on 1450 kilocycles.

Examiner P. W. Seward, in Report No. I-429, recommended that the application be granted "if the applicant will select a proper transmitter and antenna site, subject to the approval of the Engineering Department of the Commission." The Examiner found that a need exists for additional radio service in the area proposed to be served. The hearings indicated, the Examiner states, that the present and proposed site for the transmitter and antenna "seems to be too near the city of Eureka, and, operating as proposed, would include a greater percentage of the population within the blanketing area than is permitted by the rules."

RECOMMENDS AGAINST CONTROL CHANGE

Roy L. Albertson applied to the Federal Communications Commission to transfer station WMBO, Auburn, N. Y., to the Auburn Publishing Company. The station operates on 1310 kilocycles, 100 watts, unlimited time.

Examiner P. W. Seward, in Report No. I-430, recommended against the application to transfer. He states in his report that the granting of the application would be in conflict with the provisions of Section 310 of the Communications Act of 1934. He found that the proposed sale price "is far in excess of the valuation of the properties proposed to be transferred as a going concern. * * * The spread between the value of the properties and the sale price appears to be consideration for the transfer of the frequency involved."

NEW OREGON STATION RECOMMENDED

The Bend Bulletin applied to the Federal Communications Commission for a construction permit for a new station at Bend, Ore., to use 1310 kilocycles, 100 watts night and 250 watts LS, and unlimited time on the air.

Examiner George H. Hill, in Report No. I-432, recommended that the application be granted "subject to the selection of an approved transmitter site." The Examiner states that there is a definite need for the services proposed to be rendered by the applicant and no interference would be caused by granting the application.

RECOMMENDS AGAINST TIME CHANGES FOR WKBV

The Curtis Radiocasting Corporation applied to the Federal Communications Commission for a construction permit for the erection of a new station at Indianapolis, Ind., to use 1500 kilocycles, 100 watts night and 250 watts LS, and specified time. Also Station WKBV, Richmond, Ind., operating on 1500 kilocycles, 100 watts, and specified hours, asked that it be granted unlimited time on the air.

Examiner Robert L. Irwin, in Report No. I-431, recommended that both of the applications be denied. He found that there is no need for additional radio service at Indianapolis and the operation of the proposed new station would cause interference with WCKY during daytime operation. He found also that granting WKBV unlimited time on the air would cause objectionable interference to several stations.

TEXAS APPLICATION RECOMMENDATIONS

Applications were made to the Federal Communications Commission by the West Texas Broadcasting Company for a construction permit for a new station at Wichita Falls, Texas, to use 1380 kilocycles, 1,000 watts and unlimited time on the air. Also by the Wichita Broadcasting Company for a construction permit for a new station at Wichita Falls, Texas, to use 620 kilocycles, 250 watts and 1,000 watts LS and unlimited time; and the Faith Broadcasting Company to erect a new station also at Wichita Falls, Texas, to use 1380 kilocycles, 1,000 watts and 5,000 watts LS and unlimited time. Also C. C. Baxter of KFPL, Dublin, Texas, asked to voluntarily assign the station to WFTX, Inc. Also WFTX, Inc. (KFPL), asked to change the frequency from 1310 kilocycles to 1500 kilocycles, and its power to 100 watts and 250 watts LS.

Examiner John P. Bramhall in Report No. I-435 made the following recommendations:

1. That the application of the West Texas Broadcasting Company be granted upon condition that a site be specified which meets the requirements of the Commission and the Aeronautical Division of the Department of Commerce.

2. That the application of the Wichita Broadcasting Company is denied.

3. That the application of the Faith Broadcasting Company, Inc., be denied.

4. That the application of C. C. Baxter (KFPL) be dismissed, as provided in Rule 103.8.

5. That the application of WFTX, Incorporated, (KFPL) be dismissed, as provided in Rule 103.8.

RECOMMENDS NO CHANGES FOR WMBH

Broadcasting station WMBH, Joplin, Mo., operating on 1420 kilocycles, 100 watts night and 250 watts LS, unlimited time, applied to the Federal Communications Commission to change its frequency to 1380 kilocycles and to increase its power to 500 watts all time.

Examiner P. W. Seward in Report No. I-434 recommended that the application be denied. He found that with the changes suggested the station would reach fewer listeners than it does now. The Examiner stated that "the only benefit that might accrue would be to the applicant corporation by granting it the use of a regional frequency upon which it expects to predicate increased advertising rates, when in fact the service area will not be increased."

IDAHO STATION RECOMMENDED

Clarence A. Berger and Saul S. Freeman applied to the Federal Communications Commission for a construction permit for the erection of a new broadcast station at Couer d'Alene, Idaho, to use 1200 kilocycles, 100 watts and daytime operation.

Examiner P. W. Seward in Report No. I-436 recommended that the application be granted "subject to the approval of the Engineering Department of the antenna and transmitter site." He found that there is a need for additional daytime service in the area proposed to be served and "that the operation of the proposed station would not be expected to interfere with the efficient operation of an existing radio broadcast station."

RECOMMENDS NEW TEXAS STATION

The Beaumont Broadcasting Association applied to the Federal Communications Commission for a construction permit for the erection of a new station at Beaumont, Texas, to use 1420 kilocycles, 100 watts unlimited time.

Examiner Melvin H. Dalberg in Report No. I-433 recommended that the application be granted. The Examiner found that the proposed new facilities are needed, and that the proposed station would cause no objectionable interference with any existing station. It would be in the public interest he states.

BROADCAST ADVERTISING IN APRIL

HIGHLIGHTS OF THE MONTH

Total broadcast advertising during the month of April amounted to $11,309,319. Gross time sales for the month were 2.7% below the level recorded for last month, the usual seasonal decline. While national network and national non-network business showed declines in volume, regional network and local advertising experienced gains. Total sales were 28.1% ahead of the level as registered during April of 1936. The principal gain over last year occurred in the national non-network field, the volume of sales in this portion of the medium rising 53.8%.

As compared to last month, other major media followed the usual seasonal tendencies in experiencing slight increases in advertising volume. As against last April, national magazine volume increased 17.6%, national farm paper volume 11.8%, and newspaper lineage 3.4%. These increases compare to the 28.1% gain experienced by broadcast advertising.

Non-network broadcast advertising remained at approximately the same level as was recorded for March. Local station volume showed the only increase, rising 5.5%. All sizes of stations showed marked increases as compared to last April, the principal increase being a 47.2% gain recorded by regional stations. Of the geographical districts, the South Atlantic-South Central Area showed the only increase of any importance as compared to last month. All sections of the country recorded gains in business as against last April.

Electrical transcriptions continued to show the principal gains of any type of rendition as compared to the preceding month. Transcriptions rose 8.0% in the national non-network field and 9.3% in the local field. Compared to last April, live talent business rose 45.1%, announcements 25.3%, transcriptions 24.1%, and records 12.5%.

The following sponsor groups showed the principal gains as compared to last month: national network soap and kitchen supplies and tobacco advertising, regional network toilet goods and financial advertising, national non-network tobacco advertising, and local household equipment advertising. As against last April, principal increases occurred in the following groups: national network household equipment, financial, soap and kitchen supplies; regional network drug and clothing; national non-network foodstuffs, beverage, and confections; and local foodstuffs, department store and tobacco advertising. Retail broadcast advertising amounted to $1,252,430, an increase of 6.4% in volume over last month and a gain of 14.5% as compared to April of 1936.

TOTAL BROADCAST ADVERTISING

Total broadcast advertising for the month of April is found in Table I.

TABLE I

TOTAL BROADCAST ADVERTISING

	1937 Gross Time Sales		
Class of Business	*March*	*April*	*Cumulative Jan.-Apr.*
National networks..	$6,344,510	$6,013,181	$24,133,521
Regional networks..	101,944	112,938	403,433
National non-network	3,037,000	2,982,200	10,849,900
Local..............	2,144,700	2,201,000	8,102,500
Total........	$11,628,154	$11,309,319	$43,489,354

Total broadcast advertising experienced the usual seasonal decline, dropping 2.7% from the level of the preceding month. National network volume declined 5.2%, while national non-network advertising decreased 1.8%. Regional network volume increased 10.7% over the level of March. Local business followed the usual seasonal upswing in rising 2.6% in volume.

Compared with the corresponding month of last year, gross time sales of the medium increased 28.1% in volume. While regional network volume remained at approximately the same level, national network volume rose 24.4%, national non-network business 53.8%, and local advertising 12.9%.

COMPARISON WITH OTHER MEDIA

National magazine volume gained 9.6% as compared to the level of March. Newspaper lineage increased 3.9% and national farm paper volume rose nearly 1.0%. These increases are normal seasonal tendencies.

Radio broadcasting continued to show the greatest gain in advertising volume of any major medium as compared to the corresponding month of last year. Compared to the 28.1% gain in broadcast advertising, national magazines rose 17.6%, national farm papers 11.8%, and newspapers 3.4%.

Advertising volume by major media is shown in Table II.

TABLE II

ADVERTISING BY MAJOR MEDIA

	1937 Gross Time and Space Sales		
Advertising Medium	*March*	*April*	*Cumulative Jan.-Apr.*
Radio broadcasting.	$11,628,154	$11,309,319	$43,489,354
National magazines[1]	15,586,852	17,086,299	54,418,295
National farm papers[1]	799,755	807,117	2,956,114
Newspapers[2]......	50,264,000	52,224,000	183,056,000
Total.......	$78,278,761	$81,426,735	$283,919,763

[1] Publishers' Information Bureau.
[2] Estimated.

NON-NETWORK ADVERTISING

Total non-network broadcast advertising remained at approximately the same level as was recorded for last month. Local station volume registered the only increase, rising 5.5%. Advertising over clear channel and high-powered regional stations declined 1.7%, while regional station volume remained the same.

With total non-network advertising volume increasing 33.4% over last April, all sizes of stations registered important gains. Advertising over clear channel and high-powered regional stations rose 23.6%, over regional stations 47.2%, and over local stations 24.9%.

Broadcast advertising by power of station is found in Table III.

TABLE III

NON-NETWORK ADVERTISING BY POWER OF STATION

	1937 Gross Time Sales		
Power of Station	*March*	*April*	*Cumulative Jan.-Apr.*
Over 1,000 watts......	$2,195,500	$2,157,800	$8,118,100
250–1,000 watts......	2,316,800	2,318,800	8,351,800
100 watts............	669,400	706,600	2,482,500
Total..........	$5,181,700	$5,183,200	$18,952,400

Compared to March, non-network advertising in the South Atlantic-South Central Area rose 7.8% and in the North Central Area slightly less than 1.0%. Non-network advertising in the New England-Middle Atlantic and in the Pacific and Mountain Areas declined 4.8% and 2.7%, respectively.

All sections of the country enjoyed marked increases in non-network advertising volume as compared to last April. The greatest increase occurred in the New England-Middle Atlantic Area, non-network advertising in this region increasing 51.7%. Non-network advertising in the South Atlantic-South Central Area rose 30.3%, in the North Central Area 25.6%, and in the Pacific and Mountain Area 31.4%.

Non-network advertising by geographical districts is shown in Table IV.

TABLE IV

NON-NETWORK ADVERTISING BY GEOGRAPHICAL DISTRICTS

	1937 Gross Time Sales		
Geographical District	*March*	*April*	*Cumulative Jan.-Apr.*
New England-Middle Atlantic Area.......	$1,373,800	$1,307,600	$4,839,900
South Atlantic-South Central Area.......	966,100	1,042,000	3,649,300
North Central Area...	1,924,800	1,941,400	7,089,700
Pacific and Mountain Area..............	917,000	892,200	3,373,500
Total..........	$5,181,700	$5,183,200	$18,952,400

NON-NETWORK ADVERTISING BY TYPE OF RENDITION

Electrical transcriptions registered the principal increase during the month, total volume rising 8.2% above March. Record business, although much smaller in volume, recorded the greatest gain in rising 13.1%. Total live talent volume dropped 2.6% and announcements declined 3.8%. Compared to last April, live talent business rose 45.1%, announcements 25.3%, transcriptions 24.1%, and records 12.5%.

In the national non-network field, transcriptions rose 8.0% in volume over last month and records gained 16.1%. Live talent business declined 6.3% and announcements 10.1%. As against April 1936, records more than doubled, transcriptions rose 34.6%, live talent 65.5%, and announcements 76.0%.

All types of rendition in the local field increased in volume over last month. Transcriptions rose 9.3%, live talent 1.6%, records 12.1%, and announcements 1.4%. When compared to last April, transcriptions declined 10.4% and records 6.1%, while live talent business and announcements increased 28.2% and 3.3%, respectively.

Non-network advertising by type of rendition is found in Table V.

TABLE V

NON-NETWORK BROADCAST ADVERTISING BY TYPE OF RENDITION

	1937 Gross Time Sales						
	National Non-network		*Local*		*Total*		*Cumulative*
Type of Rendition	*March*	*April*	*March*	*April*	*March*	*April*	*Jan.-Apr.*
Electrical transcriptions.......	$1,077,800	$1,164,800	$214,100	$234,100	$1,291,900	$1,398,900	$4,575,980
Live talent programs.........	1,356,900	1,271,300	1,171,600	1,190,600	2,528,500	2,461,900	9,447,690
Records.....................	17,300	20,100	59,900	67,200	77,200	87,300	343,410
Announcements..............	585,000	526,000	699,100	709,100	1,284,100	1,235,100	4,585,320
Total.................	$3,037,000	$2,982,200	$2,144,700	$2,201,000	$5,181,700	$5,183,200	$18,952,400

SPONSOR TRENDS IN APRIL

Compared to March, declines were fairly general in the national network field, clothing and radio set advertising declining to the greatest extent. Soap and kitchen supplies and tobacco advertising registered the principal gains. In the regional network field, toilet goods and financial advertising showed the greatest increases. Most important changes in the national non-network field were a 26.8% drop in the automotive group and a gain of 20.1% in tobacco advertising. Gains were fairly general in the local field, with household equipment advertising recording the greatest gain.

In the national network field, principal increases occurred in the household equipment, soap and kitchen supplies, and financial advertising as compared to last

April. Drug and clothing volume led the other sponsor groups in the regional network field. Gains were general in the local and national non-network fields, with local foodstuffs, department store and tobacco advertising and national non-network foodstuffs, beverage and confectionery advertising recording substantial gains.

Broadcast advertising during April by major product and sponsor groups is shown in Table VI.

TABLE VI

RADIO BROADCAST ADVERTISING BY TYPE OF SPONSORING BUSINESS

(APRIL, 1937)

			Gross Time Sales		
Type of Sponsoring Business	*National Networks*	*Regional Networks*	*National Non-network*	*Local*	*Total*
1a. Amusements	—	$328	$2,860	$40,240	$43,428
1–2. Automobiles and accessories:					
(1) Automobiles	$517,540	—	172,240	118,170	807,950
(2) Accessories, gas and oils	498,919	10,220	172,280	60,680	742,099
3. Clothing and apparel	9,873	794	61,740	290,790	363,197
4–5. Drugs and toilet goods:					
(4) Drugs and pharmaceuticals	498,504	12,910	380,130	54,700	946,244
(5) Toilet goods	1,018,811	2,008	115,150	18,360	1,154,329
6–8. Food products:					
(6) Foodstuffs	1,287,406	39,283	774,580	323,100	2,424,369
(7) Beverages	315,536	6,495	178,480	104,060	604,571
(8) Confections	116,720	1,112	41,120	10,940	169,892
9–10. Household goods:					
(9) Household equipment and furnishings	164,686	3,463	133,130	254,790	556,069
(10) Soap and kitchen supplies	603,754	1,276	227,910	7,930	840,870
11. Insurance and financial	72,684	6,051	13,000	82,340	174,075
12. Radios	117,515	—	6,050	18,120	141,685
13. Retail establishments	—	—	7,420	203,960	211,380
14. Tobacco products	593,638	13,248	183,450	11,290	801,626
15. Miscellaneous	197,595	15,750	512,660	601,530	1,327,535
Total	$6,013,181	$112,938	$2,982,200	$2,201,000	$11,309,319

Details as to trends in the various fields of sponsorship are as follows:

1a. ***Amusements.*** Regional network advertising amounted to $328. National non-network business increased 18.1% and local advertising 21.9% as compared to March. As against last April, national non-network business increased 47.4% and local business 1.7%.

1. ***Automotive.*** National network volume 14.8% below March. National non-network business declined 26.8% and local advertising rose 1.9%. Compared to last April, national network volume increased 46.3%, while national non-network and local advertising dropped 33.3% and 21.3%, respectively.

2. ***Gasoline and accessories.*** Gains over March as follows: national networks 3.0%, regional networks 3.1%, national non-network 4.3%, and local 12.8%. Compared to last April, national network volume increased 28.5%. Regional network volume declined 34.4%, national non-network business 1.5%, and local advertising 27.9%.

3. ***Clothing.*** National non-network up 18.1% compared to March. Declines in other fields as follows: national network 61.2%, regional networks 3.1%, and local 4.1%. As against last April, national network volume decreased 65.8% while regional network volume increased 69.6%, national non-network 66.6%, and local 5.5%.

4. ***Drugs and pharmaceuticals.*** Local advertising 10.7% above March, while national network volume declined 14.9%, regional network volume 14.1%, and national non-network business 13.2%. Gains as compared to corresponding month of previous year as follows: national networks 36.0%, regional networks 99.2%, national non-network 7.5%, and local 6.6%.

5. ***Toilet goods.*** Regional network volume 79.2% above March. National network volume down 13.1%, national non-network 25.4%, and local 15.6%. As against last April, national non-network rose 60.1%, while national network declined 5.3%, regional network 62.8%, and local advertising 16.1%.

6. ***Foodstuffs.*** National network volume 3.4% below March and local down 1.6%. Regional network and national non-network business up 16.7% and 5.1%, respectively. Increases over April 1936 as follows: national networks 45.8%, regional networks 21.7%, national non-network 97.6%, and local 36.2%.

7. ***Beverages.*** National network volume 10.6% above March and national non-network up 11.6%. Regional network volume remained the same, while local advertising declined 9.7%. As against last April, national network volume declined 22.1% and regional network volume 31.5%. National non-network increased more than four times, while local advertising rose 19.6%.

8. ***Confectionery.*** Declines from the preceding month as follows: national networks 2.1%, regional networks 42.3%, national non-network 24.3%, and local 12.3%. National network volume 17.8% below last April and regional network volume down 48.8%. National non-

network business rose 66.7% and local advertising remained the same.

9. *Household equipment.* Gains over March as follows: national networks 1.4%, regional networks 39.1%, national non-network 16.3%, and local 24.4%. National network volume more than four times greater than during last April. National non-network and local advertising increased 12.9% and 13.7%, respectively. Regional network volume declined 24.6%.

10. *Soap and kitchen supplies.* Compared to March, national network up 16.7%, regional network 45.8%, and national non-network 2.0%. Local advertising declined 16.3%. National network up 89.7% over last April and national non-network more than tripled. Regional network volume declined materially and local advertising 30.3%.

11. *Insurance and financial.* Compared to last month, regional network volume more than doubled, while national network volume declined 4.0%, national non-network 32.9%, and local advertising 6.8%. As against last April, national network more than doubled, local advertising increased 15.4%, and regional network volume increased materially. National non-network volume declined 50.0%.

12. *Radios.* National non-network up 14.3% over March, while national network volume declined 52.9% and local advertising 3.3%. National network volume rose 7.3% and local advertising 8.6% when compared to April of last year. National non-network declined 51.0%.

13. *Department and general stores.* National non-network business down 59.7% as compared to March. Local advertising rose 8.7%. National non-network 28.1% below last April. Local business rose 35.2% over April of last year.

14. *Tobacco products.* National network and national non-network business increased 16.4% and 20.1%, respectively, as compared to March. Regional network volume remained the same, while local business dropped 4.5%. Gains over last April as follows: national networks 49.2%, regional networks 21.6%, and national non-network and local more than doubled.

15. *Miscellaneous.* National network volume 8.5% below last month, while regional networks rose 10.9%, national non-network 1.6%, and local advertising 1.8%. Compared to last April, national network volume declined 32.3%, while regional network volume rose 17.3%, national non-network business 87.6%, and local advertising 17.6%.

RETAIL BROADCAST ADVERTISING

Total retail broadcast advertising over individual stations was 6.4% greater in volume than during March and 14.5% higher than during April of last year. Advertising placed by beverage retailers, household equipment dealers and hardware stores showed the principal gains as compared to last month. Volume placed by beauty parlors and confectionery stores declined. Restaurants, beverages, confections, hardware stores, and department stores showed the principal gains as against April of last year.

Broadcast advertising by retail establishments will be found in Table VII.

TABLE VII

RETAIL BROADCAST ADVERTISING OVER INDIVIDUAL STATIONS

Type of Sponsoring Business	*1937 Gross Time Sales* *March*	*April*
Automobiles and accessories:		
Automobile agencies and used car dealers	$105,910	$126,320
Gasoline stations, garages, etc	34,720	39,740
Clothing and apparel shops	332,130	316,530
Drugs and toilet goods:		
Drug stores	20,470	21,510
Beauty parlors	6,980	5,470
Food products:		
Grocery stores, meat markets, etc	47,180	42,080
Restaurants and eating places	35,500	33,370
Beverage retailers	4,900	8,350
Confectionery stores	9,180	7,110
Household goods:		
Household equipment dealers	65,920	94,750
Furniture stores	112,090	124,360
Hardware stores	29,590	43,640
Radio retailers	14,860	16,750
Department and general stores	204,280	211,380
Tobacco shops	....	....
Miscellaneous	152,500	161,070
Total	$1,176,210	$1,252,430

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Nos. 3138 and 3140. Alleging unfair competition in the sale of candy complaints have been issued against **Ira W.** and **Clayton A. Minter,** trading as **Minter Brothers** and as **Douglass Candy Co.,** 3917 Lancaster Ave., **Philadelphia,** and against **Peck-O-Fun Co.,** 1428 West Thirty-seventh St., **Chicago.**

The complaint against the Minter firm charges the respondents with selling to wholesalers and retailers certain assortments of candy so packed and assembled as to involve, or which are designed to or may involve, the use of a lottery scheme when such products are distributed by retail dealers.

No. 3141. Charging use of unfair methods of competition in selling dresses which allegedly were falsely advertised as being composed of silk a complaint has been issued against **Lord & Taylor,** 5th Ave., and 38th St., **New York; Biberman Bros., Inc.,** 15th and Mt. Vernon Sts., **Philadelphia,** and **Galey & Lord, Inc.,** 57 Worth St., **New York.**

The complaint alleges that Lord & Taylor, a department store, purchased the dresses in question from the manufacturer thereof, Biberman Bros., Inc., which bought the fabrics from which such dresses were made from Galey & Lord, Inc.

In order to facilitate sales, the complaint alleges, Lord & Taylor, with the cooperation of the other two respondent companies, advertised the dresses, in newspapers and by other means, as being composed of "Soft, silky Seal crepe woven from Enka yarns," and as being "made from Seal crepe."

No. 3142. Four **New York** companies selling cosmetics, perfumes and drug notions to the retail and peddler trade, and certain of their officers, are charged with unfair competition in violation of Section 5 of the Federal Trade Commission Act, in a complaint issued by that Commission.

The corporate respondents are: **Rex Merchandise Corporation of America,** and **Crown Laboratories, Inc.,** both of 48 East Twenty-first St.; **Sheray, Incorporated,** and **Wilshire Sales Corporation,** both of 33 Union Square, **New York.**

The respondents are alleged to have entered into a combination and effected an agreement to sell tooth paste, shaving cream and other toiletries and notions marked and branded with fictitious prices and to have advertised them in a false and misleading manner.

Various items of merchandise described in their price lists and other printed matter are alleged to have been represented as of superior value because of the excessive fictitious prices marked thereon, when in fact, such articles were of values lower and had actual selling prices lower than the prices marked thereon would indicate to buyers, according to the complaint.

No. 3143. Violation of Section 5 of the Federal Trade Commission Act through use of certain unfair methods of competition is alleged in a complaint issued against six individuals trading as **National Optical Stores Company** and **Dr. Ritholz Optical Company,** 1148-1160 West Chicago Ave., **Chicago.**

The individual respondents, engaged in the interstate sale of spectacles and optical supplies, are Benjamin D., Morris I., Samuel J., Sylvia, Fannie and Sophie Ritholz. They have branch offices in Berwyn and Peoria, Ill.; Cleveland, Canton, Akron, Dayton, Youngstown, Columbus and Springfield, Ohio; Indianapolis, Gary, South Bend, Hammond and Evansville, Ind.; Nashville, Memphis, Knoxville and Chattanooga, Tenn., and Atlanta, Ga.

The respondents are said to have represented and implied in advertising matter that, in offering certain spectacles for sale at stated prices, they were making a special offer for a limited time, and that the stated prices advertised were much less than the regular retail prices and retail values of the spectacles, and much less than the prices at which products of the same kind and quality could be purchased elsewhere.

According to the complaint, the respondents did not make a special offer for a limited time, the prices advertised were the regular prices at which the spectacles customarily were sold and were not less than the retail values of such products.

Nos. 3144 and 3145. Complaints have been issued against a **Chicago** candy company and a **Detroit** chewing gum manufacturer, alleging the use of lottery methods in the sale of their products. The respondents are **Frank, George A.,** and **E. T. Urban,** trading as **Close & Co.,** 2021 Fulton St., **Chicago,** and **Wolverine Gum, Inc.,** 5625 Lauderdale Ave., **Detroit.**

The Chicago candy company is charged with selling assortments of uniformly sized candies, together with other articles of merchandise to be given as prizes to purchasers drawing certain pieces of candy having centers colored differently from those of most of the pieces, and to purchasers obtaining the last piece in an assortment.

The Detroit company is alleged to sell assortments consisting of several sticks of chewing gum and other articles of merchandise, so that customers drawing chewing gum with wrappers different from the majority of wrappers receive a prize.

No. 3146. Charging unfair competition in the sale of "Cosray Vitamin D Soap", a complaint has been issued against **Los Angeles Soap Co.,** trading as **Cosray Products Co.,** 617 East First St., **Los Angeles.**

Advertising in newspapers, over the radio and in pamphlets, the respondent company is alleged to have represented that the Vitamin D in its soap is a wonderful discovery of science to increase natural beauty, and that science has proven that this vitamin content will enable users of this soap to smooth out premature wrinkles, reduce large pores, eliminate blackheads and pimples, correct subnormal skin conditions and restore youthful color and elasticity.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 01644. Von Schrader Manufacturing Co., 16th St. and Junction Ave., Racine, Wis., selling the Von Schrader Portable Carpet Washer, stipulated that it will cease advertising that the machine restores colors or shades to and removes microbes or germs from carpets or rugs.

No. 01645. Henry and Sigmund Sacks, trading as Metal Cast Products Co., 1696 Boston Road, New York, agreed to discontinue advertising that they are the "only dealers" in casting forms or molds for manufacturers; that they sell the molds on a half-cost basis, or for any amount less than the regular price, unless such is a fact; that they furnish to purchasers of their molds all the necessary equipment for the manufacture of toys, novelties and other articles, and that they remunerate customers for any financial loss incurred.

No. 01647. William Jonason, trading as Bill's Music Shop, Clay Center, Nebr., agreed to cease representing that the study of any of the correspondence courses he sells will enable one to play any musical instrument within any definite period of time, or that any article is offered free to the purchaser of a course, when the cost of the article is included in the purchase price of the course.

No. 01650. The Sparks-Withington Co., Jackson, Mich., engaged in the sale of Sparton radios, will discontinue representations that Sparton radio tone control makes reception possible under any condition, and that by use of the Sparton, programs are received clearly and distinctly from all American stations or from various foreign countries or from outpost stations in remote parts of the world.

No. 01654. Wilhelmina Wittigschlager, trading as Indian Root & Herb Co., 150 N. E. Third St., Miami, Fla., will discontinue using the word "Indian" as part of her trade name or in the trade name of any of the various medicinal preparations she sells. She also will cease certain false representations as to the therapeutic value of preparations recommended as treatments for the nose and throat, rheumatism, skin ailments, high blood pressure, nervousness, and liver and stomach disorders.

No. 01655. French Lick Springs Hotel Co., French Lick, Ind., agreed to cease advertising that Pluto Water is the "only" laxative and will correct constipation, unless the latter representation is limited to indicate acute constipation; that it is of itself a competent treatment for gall bladder and liver troubles, and that it provides a sure way of cleansing the system of health-destroying poisons, unless such claim is limited to the intestinal tract.

No. 01656. Willard Mathias Moore, trading as Mooremade, 77 Turrill Ave., Lapeer, Mich., selling plans for an amusement park device, methods of engaging in mail order business, and other money-making schemes, stipulates that he will cease advertising that his plan for making money enabled him to accumulate $40,000, and that such plan will make easy money for anyone. Moore agrees to stop asserting that "Celebrated Magic Cologne" is in universal demand; that several hundred dollars' worth of "Magic Grease Eradicator" can be sold in a single township in a week's time; that "The Roadman's and Streetman's Guide" contains real plans for making big money, and that the book "Famous Secret Formulas", will enable one to clear $20 a day, and contains formulas for various accomplishments such as making inkless pens, an everlasting black ink, and a preparation that will cure the tobacco habit.

No. 01657. The Institute on Mentalphysics, Second St. at Hobart Blvd., Los Angeles, in the sale of correspondence courses, books and other literature on "Mentalphysics", agrees to cease the representation that the institute's founder was taught by masters of the Far East in Tibet, and is today an authoritative interpreter of the ancient wisdom.. The respondent also will cease representing that it offers a secret method of the actual technique of rejuvenation; that old age is only a chemical change which the respondent is able to instruct its students to overcome; that "Mentalphysics" enables one to cure appendicitis, sinus trouble and certain other ailments, and to attain a perfect supply of the right kind of food.

No. 01658. Jim Bourland, trading as Star Products Co., 1901 Runnels St., Houston, Tex., will cease making assertions in advertising that his Blue Star Ointment is a positive relief for itchy skin, will penetrate the pores or will kill common itch, tetter, rash, eczema, foot itch or ringworm.

No. 01659. Red Sea Balsam Co., Inc., 450 Broadway, Taunton, Mass., stipulated that it will cease advertising Red Sea Balsam as competent in the treatment of bruises, sprains, burns and sunburn, or that it is an effective remedy for colds, unless limited to the conditions associated with colds.

No. 01660. Crown Products Corporation, 1237 Minnesota St., San Francisco, agreed to discontinue advertising that Sani-Clor kills germs, is a sterilizer, or destroys odors, unless the latter representation is limited to the destruction of odors by application at the source of the odor or upon the object from which it emanates. The corporation also will cease representing that Sani-

Clor is a disinfectant, unless directions are given for first cleansing the surface to be disinfected, and then thoroughly wetting such surface with a proper solution of the product.

No. 01661. G. H. Glitzke, trading as Ulgo Co., 125 Wirthman Building, Kansas City, Mo., will stop advertising that Ulgo is a competent remedy in the treatment of leg or arm sores, or that it does other than control, but not cure, some cases of leg sores when caused by trichophyton tinea germs.

No. 01662. Dr. A. L. Barth, trading as Central Laboratory and as Central Laboratory Service, Pana, Ill., is engaged in the sale of a health service which includes his analysis of a body excretion as a means of diagnosing certain diseases. He agreed to cease representing that the findings of his analysis are an index to the state of one's health or indicate whether all the vital organs are performing their work properly or require attention, and that by the use of his health services the causes of dropsy, tonsillitis, tumors, goiter, indigestion and other ailments may be determined and the conditions relieved.

No. 01663. James Austin Co., Greenfield Ave. and Kaercher St., Pittsburgh, will stop representations that Austin's A-1 Solution will disinfect cuts, wounds, and insect bites; that when used for laundering clothes the use of bluing will not be necessary, and that the product will serve as a disinfectant for household purposes, unless such claim is qualified by the direction that the articles to be disinfected must be thoroughly washed or cleansed before application of the solution.

No. 01664. Farmaide Products Co., 2637 Randolph St., Lincoln, Nebr., will stop asserting that its Ex-Tone Poultry Worm Tablets or Ex-Tone Poultry Worm Powder will, alone or in combination with each other, constitute a competent treatment or an effective remedy for worm infestation of chickens or turkeys, or that either of them will save a flock from worms. The respondent company also will desist from advertising that Chloraide is suitable for all sanitation purposes in the home and on the farm, is non-poisonous, destroys bacteria, and will insure freedom from disease germs.

No. 01665. Thomas J. McBride, trading as The Entromul Co., 2147 West Washington Boulevard, Los Angeles, will discontinue advertising that Entromul is effective or competent in the treatment of inflamed stomach, nervousness and distress caused by acid secretions. Use of testimonials stating that the preparation will effect the cure of any disease or malady of the human body will be stopped.

No. 01666. Pacific Coast Borax Co., 510 West 6th St., Los Angeles, selling 20-Mule Team Borax, stipulated that it will desist from representing that the product will destroy all odors, banish insect pests and cure athlete's foot.

No. 01667. Francess Kable, Inc., 400 North Michigan Ave., Chicago, will discontinue representations that the respondent's product, Hollywood Contour Neck Band, is Hollywood's most guarded secret, and is used and endorsed by famous stage and screen stars, unless such celebrities actually use and endorse it; that the product rebuilds relaxed neck and contour muscles, builds up a receding chin or creates and protects the perfect contour. The respondent corporation also agreed to cease using the word "Hollywood" in designating its product.

No. 01668. Scientific Medicinal Products, Inc., Russ Building, San Francisco, agreed to cease advertising that its product, Slendrets, will enable one to get rid of fat and that its results are guaranteed. The company also will stop representing, inferentially or otherwise, that the product has been used in the reducing clinic of any hospital, unless such is a fact.

No. 01669. Elizabeth May and George W. Haylings, trading as National Folio Service, Los Angeles, agree to quit representing that their Treatise No. 5 on business methods is a remarkable plan telling a person how to earn a remarkable wage every week, and that in order to succeed with the business described in this treatise, it is not necessary to canvass and one need work only a few hours each day.

No. 01670. Towertown Studios, Inc., 520 North Michigan Ave., Chicago, agrees to stop advertising that in the sale of its correspondence course in art and commercial drawing, special cash offers are made or prizes are given for promptness, and that as a result of studying the course a person can begin selling his drawings as soon as he is able to produce them. The respondent also agrees to discontinue representing that the price of the course is fluctuating and subject to increase, or that such price is special, and that a reduction in tuition may be obtained by promptness in enrollment, unless such price increase actually takes place. The respondent admitted in its stipulation that expediting enrollment would not afford a student a special reduction in tuition.

No. 01671. Paul Gardinier, Newark, Mo., engaged in selling Vitality Tonic, Antiseptic Douche Powder, and roots and herbs, agreed to cease certain false representations concerning the therapeutic value of such products. Gardinier also will stop misrepresenting the results to be obtained from the use of other products he sells, including gazing crystals, booklets and novelties. The respondent does business under five trade names, each containing the words "Smythe Company."

No. 01674. W. M. Robbins, trading as Ray-Zem Laboratories, St. Paul, Minn., stipulated that in advertising Ray-Zem, a poultry remedy, he will discontinue assertions that the product is non-poisonous, harmless, and indispensable in making a success of poultry raising.

No. 01675. Hollywood Hygienic Products, Inc., Hollywood, Calif., will discontinue the following representations concerning certain products it sells: That use of Hollywood Dainties gives assurance of quality not found in other preparations for marriage hygiene, and that its germicidal qualities become active at once; that Glandex is a tonic and a competent remedy for nervousness and sleeplessness; that Ur-Gard is a Medical Corps prophylactic having properties fully effective for the prevention or treatment of social diseases generally, and that Retardex is a gland tonic, is harmless, and has been used with success where other remedies have failed.

No. 01677. H. D. Sandstone, trading as Rol-A-Ray Sales Co., Portland, Ore., stipulated that he will cease advertising that Rol-A-Ray, an electrical appliance, has performed miracles in relieving persons who had lost all hope of enjoying normal health; that it gives a miracle electrical massage, and is a competent treatment for anemia, arthritis, paralysis, pneumonia, influenza, ulcers and other ailments.

No. 1989. Illinois Nut Products Co., candy manufacturer, 613 West Lake St., **Chicago,** has entered into a stipulation to discontinue using any method or plan of sale or of promoting the sale of its candy products, which method or plan involves the use of any gift enterprise, lottery or scheme of chance whereby an article is given as a prize or premium in consideration of the purchase of any other article.

According to the stipulation, the company employed a certain punchboard method in promoting the sale of its products, and all of the prizes awarded were received by the purchasing public wholly by lot or chance.

No. 2355. An order to cease and desist has been issued against **H. N. Heusner & Son, Hanover, Pa.,** cigar manufacturer, requiring it to cease certain misrepresentations in the sale of its products.

The order directs that the respondent company stop representing, through use of the words "Havana" or "Habana," alone or with other words, or through use of other representations of similar effect, that cigars not made entirely from tobacco grown in Cuba, are Havana cigars. The use of such representations was held to be in violation of Section 5 of the Federal Trade Commission Act.

No. 2634. Kienzler Distilling Corporation, 3032 West Twenty-fourth St., **New York,** has been ordered to cease and desist from representing that it is a distiller of alcoholic beverages, when such is not a fact. Findings are that the company is engaged in the liquor business solely as a wholesaler and rectifier.

The respondent company is ordered to discontinue representing, through use of the word "Distilling" in its corporate name, in advertising, on labels, or otherwise, that it is a distiller of whiskies, gins or other spirituous beverages, that it manufactures such products through the process of distillation, or that it owns or operates a distillery, unless and until it does own or operate such a place.

No. 3074. Kolynos Co., New Haven, Conn., has been ordered to cease and desist from making certain false and misleading representations in connection with the interstate sale of Kolynos tooth paste.

Among representations prohibited in advertising are that Kolynos tooth paste conquers bacterial mouth allegedly caused by germs which attack tooth and gum; cleans and polishes teeth down to the naked white enamel and erases and removes tartar; gives teeth a double cleansing not to be obtained with ordinary or other dentifrices, and restores all teeth to sparkling or natural whiteness.

Nos. 3095 and 3098. Respondents in two cases have been ordered to cease and desist from using lottery methods to promote interstate sale of blankets, bedspreads or other merchandise.

In one case the respondents are **William F. Allen, Charles H. Wolf, Edward M. Mullen** and **Charles H. Clark,** individually and trading as **Miller, Bain, Beyer & Co.,** 1001 Filbert St., **Philadelphia;** in the other the respondent is **George J. Nothnagel,** trading as **The Stanley Store,** 734 Haddon Ave., **Collingswood, N. J.**

Findings are that these respondents sold their merchandise, along with their sales plan, to clubs, fraternal organizations, hospitals and charitable institutions, while Miller, Bain, Beyer & Co. sold to wholesalers and retailers as well.

The respondents' method of selling their merchandise is described in the findings as a club plan, the clubs organized having a fixed number of members 60 or 100, each of whom pays weekly dues, generally 25 cents, for a given number of weeks.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, June 14:

Monday, June 14

FURTHER HEARING BEFORE AN EXAMINER

(Broadcast)

WBZA—Westinghouse Electric and Manufacturing Co., Springfield, Mass.—C. P., **550 kc.**, 1 KW, unlimited time (requests facilities WDEV). Present assignment: **990 kc.**, 1 KW, synchronized with WBZ.

WDEV—Chas. B. Adams, Administrator of Harry C. Whitehill Estate and Executor of Mary M. Whitehill Estate, Waterbury, Vt.—Renewal of license, **550 kc.**, 500 watts, daytime.

Tuesday, June 15

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Robert E. Clements, Huntington Park, Calif.—C. P., **1160 kc.**, 250 watts, daytime.

NEW—Kenneth Baker, Hartwell Gaus, V. A. Bernier, d/b as Key City Broadcasting Co., Kankakee, Ill.—C. P., **1500 kc.**, 100 watts, unlimited time.

NEW—Robert Raymond McCulla, Oak Park, Ill.—C. P., **1500 kc.**, 100 watts, daytime.

NEW—Northwest Research Foundation, Inc., Seattle, Wash.—C. P., **1530 kc.**, 1 KW, unlimited time.

NEW—Earle Yates, Las Cruces, N. Mex.—C. P., **930 kc.**, 500 watts, daytime.

Wednesday, June 16

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—A. Annas, K. C. Elliott, C. L. Green, C. D. Newton, d/b as Hickory Broadcasting Co., Hickory, N. C.—C. P., **1370 kc.**, 100 watts, daytime.

NEW—World Publishing Co., Tulsa, Okla.—C. P., **940 kc.**, 1 KW, 5 KW LS, unlimited time.

KGKL—KGKL, Inc., San Angelo, Tex.—C. P., **940 kc.**, 1 KW, 5 KW LS, unlimited time. Present assignment: **1370 kc.**, 100 watts, 250 watts LS, unlimited.

NEW—The Tribune Co., Tampa, Fla.—C. P., **940 kc.**, 1 KW, 5 KW LS, unlimited time.

Friday, June 18

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Clark Standiford, L. S. Coburn, and A. C. Sidner.—C. P., **1370 kc.**, 100 watts, unlimited time.

WKEU—Radio Station WKEU, Griffin, Ga.—C. P., **1310 kc.**, 100 watts, unlimited time.

NEW—J. K. Patrick, Earl B. Braswell, Tate Wright, C. A. Rowland, and A. Lynne Brannen, d/b as J. K. Patrick & Co., Athens, Ga.—C. P., **1310 kc.**, 100 watts, 250 watts LS, unlimited time.

APPLICATIONS GRANTED

WTFI—Liberty Broadcasting Co., Atlanta, Ga.—Granted modification of C. P. to move studio site locally and increase day power from 500 watts to 1 KW.

KSRO—The Press Democrat Publishing Co., Santa Rosa, Calif.—Granted modification of C. P. approving transmitter site at Fresno Ave. and Vallejo St.; extension of commencement date to 60 days after grant and completion date to 180 days thereafter.

KTEM—Bell Broadcasting Co., Temple, Tex.—Granted license to cover C. P., **1370 kc.**, 250 watts, daytime only.

KCMC—KCMC, Inc., Texarkana, Tex.—Granted license to cover C. P., **1420 kc.**, 100 watts night, 250 watts day, unlimited time.

KVEC—Christina M. Jacobson, tr/as The Valley Electric Co., San Luis Obispo, Calif.—Granted license to cover C. P. for new station, **1200 kc.**, 250 watts, daytime only.

WFBG—The Gable Broadcasting Co. (Lessee), Altoona, Pa.—Granted license to cover C. P. as modified, **1310 kc.**, 100 watts night and day, sharing with WJAC.

KRLC—H. E. Studebaker, Lewiston, Idaho.—Granted license to cover C. P. as modified, **1390 kc.**, 250 watts, unlimited time.

WKBW—Buffalo Broadcasting Corp., Buffalo, N. Y.—Granted license to cover C. P., **1480 kc.**, 5 KW, unlimited time. Also granted authority to determine operating power by direct measurement of antenna.

WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—Granted license to cover C. P. as modified, **550 kc.**, 1 KW night, 5 KW day, unlimited time. Also granted authority to determine operating power by direct measurement of antenna.

KGNC & KFYO—Estate of Wilbur C. Hawk and Gene A. Howe, Lubbock, Tex.—Granted authority to transfer control of Plains Radio Broadcasting Company, Inc. (KGNC), to Globe News Publishing Co., Inc.; station operates on **1410 kc.**, 1 KW night, 2½ KW LS, at Amarillo, Tex., and station KFYO, Plains Radio Broadcasting Co., Inc., Lubbock, Tex.; **1310 kc.**, 100 watts, 250 watts LS, unlimited.

WSIX—Jack M. Draughon and Louis R. Draughon, d/b as 638 Tire & Vulcanizing Co., Nashville, Tenn.—Granted voluntary assignment of license to WSIX, Inc. (**1210 kc.**, 100 watts, unlimited).

NEW—WTAR Radio Corp., Mobile around Norfolk, Va. (2 applications).—Granted C. P. for new high frequency relay broadcast station, frequencies **31100, 34600, 37600** and **40600 kc.**, 1 watt.

W3XEW—WTAR Radio Corp., Mobile around Norfolk, Va. (2 applications).—Granted license to cover C. P., frequencies **31100, 34600, 37600** and **40600 kc.**, 5 watts.

NEW—WSOC, Inc., Mobile.—Granted C. P. for new high frequency relay broadcast station; frequencies **31100, 34600, 38600** and **40600 kc.**, 0.2 watts. Also granted license covering same.

NEW—WJW, Inc., Mobile.—Granted C. P. and license for new high frequency relay broadcast station, frequencies **31100, 34600, 37600** and **40600 kc.**, 20 watts.

NEW—C. G. Hill, Geo. D. Walker, Susan H. Walker, Mobile (Winston-Salem, N. C.).—Granted C. P. for new high frequency relay broadcasting station, frequencies **31100, 34600, 37600** and **40600 kc.**, 5 watts.

WAAJ—The Fort Industry Co., Mobile.—Granted reinstatement of original C. P. which expired May 29, 1937, and modifications thereof for changes in equipment and increase in power from 50 to 100 watts.

NEW—WJW, Inc., Mobile (vicinity of Akron, Ohio).—Granted C. P. for new high frequency relay broadcast station, frequencies **31100, 34600, 37600** and **40600 kc.**, 1 watt. Also granted license covering same.

W6XCI—Earle C. Anthony, Inc., Mobile.—Granted modification of C. P. to make changes in equipment and decrease power from 250 watts to 2 watts, and extend completion date to 60 days after grant.

W6XCI—Earle C. Anthony, Inc., Mobile.—Granted license to cover C. P. as modified for new relay station on experimental basis, frequencies in group D of Rule 1003.

SET FOR HEARING

NEW—Southern Broadcasting Corp., Bogulusa, La.—C. P. for new station, **1500 kc.**, 100 watts night, 250 watts day, unlimited time. Exact site to be determined with Commission's approval.

NEW—Seaboard Broadcasting Corp., Savannah, Ga.—C. P. for new station, **1310 kc.**, 100 watts night, 250 watts day, unlimited time. Transmitter location to be determined with Commission's approval.

NEW—Martin R. O'Brien, Aurora, Ill.—C. P. for new station, **1240 kc.**, 250 watts, daytime only. Exact site and type of antenna to be determined with Commission's approval.

NEW—Tom Olsen, Port Angeles, Wash.—C. P. for new station, **1420 kc.**, 100 watts, unlimited time. Transmitter site to be determined.

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—C. P. to make changes in composite equipment and increase day power from 1 to 5 KW.

NEW—State Broadcasting Corp., New Orleans, La.—C. P. for new station, already in hearing docket, amended so as to request **1500 kc.**, 100 watts, unlimited time.

NEW—Radiotel Corp., San Diego, Calif.—C. P. for new station, already in hearing docket, amended so as to request **920 kc.**, 1 KW, unlimited time.

WNBZ—Earl J. Smith and William Mace, d/b as Smith and Mace, Saranac Lake, N. Y.—Application for voluntary assignment of license to the Upstate Broadcasting Corporation.

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—C. P. to install directional antenna system for night-time use.

WHK—Radio Air Service Corp., Cleveland, Ohio.—C. P. to install directional antenna system for night-time use.

SPECIAL AUTHORIZATIONS

WSAJ—Grove City College, Grove City, Pa.—Granted special temporary authority to operate from 9:45 a. m. to 1 p. m., EST, June 9, 1937, in order to broadcast the Grove City College commencement program. Also granted authority to suspend operation of station during the college vacation from June 10 to September 22, 1937.

WCBS—WCBS, Inc., Springfield, Ill.—Granted special temporary authority to operate from 10 p. m. to 12 midnight, CST, June 12, in order to broadcast National Convention Activities of the Phi Tau Omega Sorority.

WCAD—St. Lawrence University, Canton, N. Y.—Granted special temporary authority to operate from 10:30 a. m. to 12 noon, EST, June 13, in order to broadcast Commencement Exercises of Theological School.

WDZ—WDZ Broadcasting Co., Tuscola, Ill.—Granted extension of special temporary authority to operate from 5 to 6 a. m., CST, for the period beginning June 15 and ending no later than July 14, 1937, in order to reach the farmers in the territory surrounding station WDZ who are in their fields during the summer months by 5 a. m.

WCAL—St. Olaf College, Northfield, Minn.—Granted extension of special temporary authority to operate from 2 to 3 p. m., CST, the following Sundays: June 27, July 4, 11, 18, 25, 1937 (provided WTCN remains silent), in order to continue schedule NBC programs with the commencement of daylight saving time in New York City.

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—Same as above except to operate from 3 p. m. to 4 p. m., CST (provided WCAL remains silent).

WBIG—North Carolina Broadcasting Co., Inc., Greensboro, N. C.—Granted special temporary authority to operate a 100-watt mobile transmitter between the hours of 2 and 6 a. m., EST, for a period not to exceed 30 days, in order to make tests to determine a new transmitter site in the territory surrounding Greensboro, N. C. However, such operation not permitted during those hours prescribed for Commission monitoring schedule.

WCBS—WCBS, Inc., Springfield, Ill.—Granted special temporary authority to operate from 10 p. m. to 12 midnight, CST, Mondays, Tuesdays, Wednesdays, Thursdays, Fridays, for period not to exceed 30 days, in order to broadcast local evening Municipal League baseball games only.

KUMA—Albert H. Schermann, Yuma, Ariz.—Granted special temporary authority to operate from 9 to 11 a. m. and from 2 to 6 p. m., MST, June 16, in order to broadcast the public hearing of the rate hearing of the Arizona Edison Co., Inc.

KFRO—Voice of Longview, Longview, Tex.—Granted special temporary authority to operate from local sunset (July sunset 7:30 p. m.) to 9 p. m., CST, using power of 100 watts, on Sundays, July 4, 11, 18 and 25, 1937, in order to broadcast church services of the Kelly Memorial Methodist Church.

KOAC—Oregon State Agricultural School, Corvallis, Ore.—Granted special temporary authority to operate from 8 a. m. to 2:30 p. m. and from 6:30 to 8 p. m., PST, during months of July and August (instead of unlimited time, as licensed) in order to observe summer vacation.

WFLA-WSUN—Clearwater Chamber of Commerce and St. Petersburg Chamber of Commerce, Clearwater, Fla.—Granted special temporary authority to transmit programs originating aboard the yacht *Iorano* for a period not to exceed 30 days.

W10XGY—Donald Roebling, on board yacht *Iorano*.—Granted special temporary authority to operate general experimental station aboard the yacht *Iorano* as a relay broadcast station to transmit programs, under the sponsorship of the Smithsonian Institution, over broadcast station WFLA-WSUN, for a period not to exceed 30 days.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

NEW—WDRC, Inc., New Haven, Conn.—C. P., **1330 kc.**, 250 watts, 250 watts LS. To synchronize with WDRC.

WFIL—WFIL Broadcasting Co., Philadlephia, Pa.—**560 kc.**, 5 KW, 5 KW LS, unlimited time.

ORAL ARGUMENTS SCHEDULED

Oral arguments were granted, to be held September 23, 1937, in the following cases: Ex. Rep. 1-405 (KDON), Monterey Peninsula Broadcasting Co., Del Monte, Calif., and Salinas Newspapers, Inc., Salinas, Calif. Ex. Rep. 1-410 (WHOM), New Jersey Broadcasting Corp., Jersey City, N. J. Ex. Rep. 1-411, Sharon Herald Broadcasting Co., Sharon, Ohio, and Allen T. Simmons, Mansfield, Ohio. Ex. Rep. 1-416 (KADA), C. C. Morris, Ada, Okla.; and on September 30, 1937, Ex. Rep. 1-417 (WSOC), WSOC, Inc., Charlotte, N. C.

EXAMINERS' REPORTS RELEASED SINCE JUNE 1

KIEM—Ex. Rep. 1-429: Redwood Broadcasting Co., Inc., Eureka, Calif.—Examiner P. W. Seward recommended grant of application to increase daytime power to 1 KW and to continue operation with 500 watts at night on **1450 kc.**

WMBO—Ex. Rep. 1-430: Roy L. Albertson, Auburn, N. Y.—Examiner Seward recommended denial of application to transfer control of corporation to the Auburn Publishing Co.; **1310 kc.**, 100 watts, unlimited time.

NEW—Ex. Rep. 1-431: Curtis Radiocasting Corp., Indianapolis, Ind.—Examiner R. L. Irwin recommended denial of application for C. P. to erect new station to operate on **1500 kc.**, 100 watts night, 250 watts LS, specified hours.

WKBV—Knox Radio Corp., Richmond, Ind.—Examiner Irwin recommended denial of application for modification of license to change hours from specified to unlimited time of operation.

NEW—Ex. Rep. 1-432: The Bend Tribune, Bend, Ore.—Examiner George H. Hill recommended grant of application for C. P. to erect a new station to operate on **1310 kc.**, 100 watts night, 250 watts LS, unlimited time.

NEW—Ex. Rep. 1-433: Beaumont Broadcasting Assn., Beaumont, Tex.—Examiner M. H. Dalberg recommended grant of application for C. P. for a new station to operate on **1420 kc.**, 100 watts, unlimited time.

WMBH—Ex. Rep. 1-434: Joplin Broadcasting Co., Joplin, Mo.—Examiner P. W. Seward recommended denial of application for C. P. to change frequency from **1420 kc.** to **1380 kc.**, power from 100 watts night, 250 watts LS, to 500 watts.

NEW—Ex. Rep. 1-435: West Texas Broadcasting Co., Wichita Falls, Tex.—Examiner John P. Bramhall recommended grant of application for C. P. to erect a new station to operate on **1380 kc.**, 1 KW, unlimited time.

NEW—Wichita Broadcasting Co., Wichita Falls, Tex.—Examiner Bramhall recommended denial of application for C. P. for new station to operate on **620 kc.**, 250 watts, 1 KW LS, unlimited.

NEW—Faith Broadcasting Co., Inc., Wichita Falls, Tex.—Examiner Bramhall recommended denial of application for C. P. for new station to operate on **1380 kc.**, 1 KW, 5 KW LS, unlimited.

KFPL—C. C. Baxter, Dublin, Tex.—Examiner Bramhall recommended dismissal of application for voluntary assignment of license to WFTX, Inc.

KFPL—WFTX, Inc., Wichita Falls, Tex.—Examiner Bramhall recommended dismissal of application for C. P. to change frequency from **1310 kc.** to **1500 kc.**

MISCELLANEOUS

WFMD—The Monocacy Broadcasting Co., Frederick, Md.—Granted special temporary authority to operate from local sunset (June, 7:45 p. m.) to 10 p. m., EST, June 8, in order to broadcast election returns in Frederick City Municipal election.

WRR—City of Dallas, Tex.—Granted petition to intervene in the hearing on the application of Centennial Broadcasting Corp. for a new station at Dallas, Tex. (Docket 4551.)

WDAE—Tampa Times Company, Tampa, Fla.—Granted authority to intervene in the hearing on the application of The Tribune Company for C. P. to erect a new station at Tampa, Fla., to operate on **940 kc.**, 1 KW n, 5 KW LS, unlimited time.

KXA—American Radio Telephone Company, Seattle, Wash—Granted request to continue hearing on application for C. P. to make changes in equipment, install vertical antenna, increase power from 250 watts night, 500 watts local sunset to 1 KW limited hours, from June 29, 1937, to the second week in September, 1937, new date to be fixed by the Docket Section.

NEW—Richland Broadcasting Co., Mansfield, Ohio.—Denied petition requesting Commission to withhold decision on the application of Allen T. Simmons for C. P. to erect a new broadcast station at Mansfield, Ohio, to operate on **780 kc.**, 1 KW, daytime only, until such time as a hearing is held on petitioner's application.

KCRC—Enid Radiophone Company, Enid, Okla.—Granted request to withdraw application for C. P. to use **1360 kc.**, 500 watts, unlimited time, calendared for hearing on June 22, without prejudice.

NEW—Seaboard Broadcasting Corp., Savannah, Ga.—Denied petition requesting hearing on application of Arthur Lucas for a new station at Savannah, Ga., to use **1310 kc.**, 100 watts, unlimited time, Docket 4563, be continued until such time as the Commission shall schedule for hearing the application of Seaboard Broadcasting Corp., and that both hearings be consolidated and heard on the same date.

W2XNT—National Television Corp., New York City.—Denied petition for an amendment and modification of special temporary experimental authorization for the operation of a television broadcast station upon the frequencies **2000-2100 kc.**, with power of 500 watts, unlimited time. The Commission also entered its final order denying the application of the National Television Corp. for a C. P. (Ex. Rep. 1-125), to establish and operate a visual broadcast station upon frequencies **2000-2100 kc.**, with power of 500 watts, hours of operation to be determined in accordance with Rule 308.

NEW—Seaboard Broadcasting Corp., Savannah, Ga.—Granted petition to intervene in the hearing on the application of Arthur Lucas for a new station at Savannah, Ga., to use **1310 kc.**, 100 watts, unlimited time, Docket 4563, now scheduled for July 6, 1937.

NEW—George H. Payne, San Jose, Cal.—Granted motion for continuance of hearing now calandared for June 28, 1937, on application for new station at San Jose, to use **1440 kc.**, 500 watts, unlimited time, Docket 4276, and that new hearing date in October, 1937, be fixed at the convenience of the Docket Section.

NEW—Kenneth Baker, Hartwell Gaus and V. A. Bernier, Kankakee, Ill.—Granted petition to intervene in the proceedings upon the application of Robert Raymond McCulla (Docket 3647), now scheduled for June 15, for C. P. to use **1500 kc.**, 100 watts, daytime only.

NEW—Gallatin Radio Forum, Gallatin, Mont.—Denied motion to quash an order to take depositions in connection with the application of the Roberts-MacNab Company for C. P. to erect a new station at Bozeman, Mont., to use **1420 kc.**, 100 watts night, 250 watts LS, unlimited time (Docket 4460), and dismissed opposition thereto by Roberts-MacNab Company.

WOW—Woodmen of the World Life Ins. Assn., Omaha, Neb.—Denied petition to extend effective date of the Commission's Order in Docket 2412, granting the application of WKZO, Inc., for C. P. to move transmitter location, install directional antenna and increase hours of operation to unlimited time.

WAAB—The Yankee Network, Inc., Boston, Mass.—Denied petition requesting authority to operate station with 1 KW day pending effective date of Commission's order authorizing such operation. The Commission on May 18 granted application of WAAB for modification of license to increase power from 500 watts to 1 KW daytime.

WKEU—Radio Station WKEU, Griffin, Ga.—Granted petition for continuance of hearing now scheduled for June 18, for a period of approximately 4 months, the new date to be fixed at the convenience of the Docket Section.

KGMB—J. L. P. Robinson, Pacific Theatres & Supply Co., Ltd., and Fred J. Hart, Honolulu, T. H.—Granted petition for continuance of hearing now scheduled for June 25, 1937, to a date on or about November 1, 1937, in the matter of the application to transfer control of Honolulu Broadcasting Co., Ltd. (Docket 3873), and the applications of Honolulu Broadcasting Co., Ltd. (Dockets 4571, 4572, 4590 and 4570).

WBNO—Coliseum Place Baptist Church, New Orleans, La.—The Commission, on its own motion, continued the hearings upon the applications of Coliseum Place Baptist Church for voluntary assignment of license and renewal of license (Dockets 4468 and 4008), Charles C. Carlson (WJBW) for C. P. to use **1200 kc.**, 100 watts night, 250 watts LS, unlimited, and for renewal of license (Dockets 4204 and 4330), and Southern Broadcasting Corp., for a new station to use **1200 kc.**, 100 watts night, 250 watts LS, unlimited (Docket 3999), to be heard upon the same date as the applications of Coliseum Place Baptist Church for C. P. to use **1420 kc.**, 100 watts night, 250 watts LS, unlimited time (Docket 4580), and Standard Life Ins. Co. of the South for a new station to use **1420 kc.**, 100 watts n, 250 watts LS, unlimited (Docket 4510).

WRC—National Broadcasting Co., Washington, D. C.—Denied petition to reconsider and grant without a hearing application to use 5 KW power at night on **950 kc.**

KFWB—Warner Bros. Broadcasting Corp., Hollywood, Cal.—Denied petition to reconsider and grant without a hearing application to use 5 KW power at night on **950 kc.**

KMBC—Midland Broadcasting Co., Kansas City, Mo.—Denied petition to reconsider and grant without a hearing application to use 5 KW power at night on **950 kc.**

RATIFICATIONS

The Broadcast Division ratified the following acts, authorized on the dates shown:

WTAR—Radio Station WTAR, Norfolk, Va.—Granted authority to operate directional antenna authorized by C. P., for period of 5 days, beginning June 4 from midnight to local sunset in order to obtain additional measurements.

WGST—Radio Station WGST, Atlanta, Ga.—Granted authority to reduce power at 6:30 instead of 6:45 p. m., CST, during June and July to prevent interruption of program.

KGFL—KGFL, Inc., Roswell, N. M.—Granted authority to operate unlimited time for emergency broadcast flood only in strict compliance with Rule 23, period 10 days.

WNOX—Contenental Radio Co., New York City—Granted extension program test period 30 days from June 3.

KVEC—Valley Electric Co., San Luis Obispo, Cal.—Granted extension program test period 30 days from June 11.

WNOX—Radio Station WNOX, New York City—Granted authority employ former licensed transmitter WNOX period 10 days repair equipment damaged by lightning.

W9XPV-W9XPN—WDZ Broadcasting Co., Tuscola, Ill.—Granted authority operate as licensed period 30 days, beginning June 3, relaybroadcast material from Douglas Farms provided no wire lines available.

W4XCI—The Atlanta Journal Co., Atlanta, Ga.—Granted authority operate as licensed period 30 days, beginning June 5, relaybroadcast A. A. A. National Safety Campaign, also from Atlanta Fire Dept.

KNEF—Radio Service Corp. of Utah, Salt Lake City—Granted authority operate as licensed, June 5 and 11, relaybroadcast model home description.

WAXD-WAXC—Alford J. Williams, Pittsburgh, Pa.—Granted special temporary authority to operate R. C. A. Type H. aircraft transmission, 5 w. power, on board plane NR-1050, and R. C. A. Type AVT-7 transmission, portable on ground, for period 30 days, for testing transmission of program communication service between plane and portable transmission on ground in connection with flight demonstrations and junior Aviator activities at various locations over U. S.

KROC—Southern Minn. Broadcasting Co., Rochester, Minn.—The Broadcast Division, upon consideration of a petition by the Southern Minn. Broadcasting Co., to reconsider its action of April 2, 1937, in designating for hearing application for C. P. to make changes in equipment and increase day power from 100 to 250 watts, and granted same without a hearing. The Broadcast Division directed further that an order be entered accordingly and forwarded to all interested parties.

WEAU—Central Broadcasting Co., Eau Claire, Wis.—The Broadcast Division, upon consideration of a petition filed on behalf of WEAU, reconsidered its action of December 15, 1936, in designating application for modification of C. P. approving transmitter location and increase in time of operation from daytime to limited, sunset at Abilene, Kans., for hearing, and granted same without a hearing, and directed that an order be entered accordingly and forwarded to all interested parties.

NEW—Northwest Research Foundation, Inc., Seattle, Wash.—Dismissed, without prejudice, at request of applicant, application for C. P. for new station, **1530 kc.,** 1 KW, unlimited time; exact transmitter site in Seattle to be determined, subject to Commission approval.

Granted motion of WCLS, Inc., for continuance of hearing upon its application of modification of license, Docket 4517, and directed that hearing be continued until September 7, 1937.

Granted petition of Athens Times., Inc., for continuance of hearing upon its application for C. P., Docket 4534, until July 9, 1937.

Granted petition of F. B. Clements & Co., d/b as Southern Minn. Supply Co., for continuance of hearing upon its application for C. P., Docket 4549, and directed that said hearing be continued until July 15, 1937.

Reconsidered its action of June 1, 1937, in denying petition of Ashland Broadcasting Co. (WCMI), for continuance of hearing an application for C. P., Docket 4537, and directed that hearing be continued until September 8, 1937.

Denied motion of George W. Taylor Co., Inc., for continuance of hearing on application for C. P., Docket 4367, now scheduled for June 4, 1937.

Granted petition of J. K. Patrick, Earl B. Braswell, Tate Wright, C. A. Rowland and A. Lynne Brannen, d/b as J. K. Patrick & Co., for an order to take depositions in support of their application for C. P. for new station at Athens, Ga., Docket No. 4489.

Granted petition of WSMK, Inc., requesting that its application for C. P., Docket 4470, be heard on July 2, 1937, together with application of KQV Broadcasting Co., Docket 4469.

PETITION DENIED

NEW—Saginaw Broadcasting Co., Saginaw, Mich.—Denied petition for rehearing upon its application for C. P. to establish a new broadcast station to operate on frequency **1200 kc.,** 100 watts, 250 watts LS, specified hours (Docket 3651), and upon the application of Harold F. Gross and Edmund C. Shields for a C. P. to establish a new broadcast station at Saginaw, upon the frequency **950 kc.,** 500 watts, daytime hours. (Docket 3899.)

APPLICATIONS RECEIVED

First Zone

NEW—Colonial Broadcasting Co., Morristown, N. J.—Construc-
620 tion permit for a new station to be operated on **620 kc.,** 1 KW, unlimited time. Amended to give transmitter site as adjacent to Route 10, near Whippany, N. J.

WDEL—WDEL, Inc., Wilmington, Del.—Authority to transfer
1120 control of corporation from Mason Dixon Radio Group, Inc., to J. Hale Steinman and John F. Steinman, 500 shares common stock.

WILM—Delaware Broadcasting Co., Wilmington, Del.—Authority
1420 to transfer control of corporation from Mason Dixon Radio Group, Inc., to J. Hale Steinman and John F. Steinman, 707 shares of stock.

NEW—Donald B. MacMillan, Provincetown, Mass.—Construction permit for a new temporary relay station to be operated on **12855 kc.,** 100 watts.

W2XDG—National Broadcasting Co., Inc., New York, N. Y.—Constructoin permit to install new equipment, decrease power from 5000 watts to 150 watts, and move transmitter from 350 Fifth Avenue, New York, to 30 Rockefeller Plaza, New York, N. Y.

W2XDG—National Broadcasting Co., Inc., New York, N. Y.—License to cover above.

NEW—National Broadcasting Co., Inc., New York, N. Y.—Construction permit for a new relay broadcast station to be operated on **1606, 2022, 2102, 2758 kc.,** 100 watts.

NEW—National Broadcasting Co., Inc., New York, N. Y.—License to cover above.

NEW—National Broadcasting Co., Inc., New York, N. Y.—Construction permit for a new relay broadcast station to be operated on **1606, 2022, 2102, 2758 kc.,** 100 watts.

NEW—National Broadcasting Co., Inc., New York, N. Y.—License to cover above.

Second Zone

WPHR—WLBG, Inc., Petersburg, Va.—Construction permit to
880 install a new transmitter, erect a directional antenna for day and night use, increase power from 500 watts to 1 KW, and change hours of operation from daytime to unlimited time.

WEST—Associated Broadcasters, Inc., Easton, Pa.—Authority to
1200 transfer control of corporation from Mason Dixon Radio Group, Inc., to J. Hale Steinman and John F. Steinman, 5,000 shares common stock.

NEW—D. E. Kendrick, Louisville, Ky.—Construction permit for
1210 a new station to be operated on **1210 kc.,** 100 watts night, 250 watts day, unlimited time.

WORK—York Broadcasting Co., York, Pa.—Authority to transfer
1320 control of corporation from Mason Dixon Radio Group, Inc., to J. Hale Steinman and John F. Steinman, 5,000 shares common stock.

WLVA—Lynchburg Broadcasting Corp., Lynchburg, Va.—Con-
1390 struction permit to change frequency from **1200 kc.** to **1390 kc.;** make changes in equipment; increase power from 100 watts night, 250 watts day, to 500 watts day and night; and install directional antenna for night use. Amended to change transmitter site from near Lynchburg, Va., to U. S. Highway 29, near Lynchburg, Va.

WAZL—Hazleton Broadcasting Service, Inc., Hazleton, Pa.—Au-
1420 thority to transfer control of corporation from Mason Dixon Radio Group, Inc., to J. Hale Steinman and John F. Steinman, 5,000 shares common stock.

WKBZ—Karl L. Ashbacker, Muskegon, Mich.—Voluntary as-
1500 signment of license from Karl L. Ashbacker to Ashbacker Radio Corporation.

WGAL—WGAL, Inc., Lancaster, Pa.—Authority to transfer con-
1500 trol of corporation from Mason Dixon Radio Group, Inc., to J. Hale Steinman and John F. Steinman, 5,000 shares common stock.

W8XNC—Allen T. Simmons, Akron, Ohio—License to cover construction permit for a new relay broadcast station.

W8XKH—The Crosley Radio Corp., Cincinnati, Ohio—Modification of construction permit (B2-PRE-44) to extend completion date from 6-7-37 to 12-7-37.

WATA—Ashland Broadcasting Co., Ashland, Kentucky—License to cover construction permit (B2-PRY-29) for a new relay broadcast station.

W8XKD—The Fort Industry Co., Mobile—Modification of construction permit to extend completion date from 5-29-37 to 7-29-37.

W8XKB—West Virginia Broadcasting Corp., Mobile—Modification of construction permit (B2-PRE-22) to extend completion date from 5-29-37 to 8-29-37.

Third Zone

KARK—Arkansas Radio and Equipment Co., Little Rock, Ark.—
890 Involuntary transfer of control of corporation from John R. Frazer to Radio, Inc., 617 shares common stock.

WBBZ—Adelaide Lillian Carrell, Rep. of Estate of Charles Lewis
1200 Carrell, deceased, Ponca City, Okla.—License to cover construction permit (B3-P-1384) for new equipment, changes in antenna, and increase in day power.

WJNO—Hazlewood, Inc., West Palm Beach, Fla.—License to
1200 cover construction permit (B3-P-1610) for changes in equipment and increase in day power.

WJBY—Gadsden Broadcasting Co., Inc., Gadsden, Ala.—Con-
1210 struction permit to make changes in transmitting equipment; install vertical antenna; increase power from 100 watts to 100 watts night, 250 watts day; move transmitter from Anniston Highway, Gadsden, Ala., to 100 Block, Broad Street, Gadsden, Ala., and move studio from 108 South Sixth Street, Gadsden, Ala., to 100 Block, Broad Street, Gadsden. Ala.

KOCA—Oil Capital Broadcasting Assn. (James G. Ulmer, Pres.),
1210 Kilgore, Tex.—Construction permit to make changes in equipment, increase power from 100 watts to 100 watts night, 250 watts day.

WMFJ—W. Wright Esch, Daytona Beach, Fla.—Modification of
1240 construction permit (B3-P-1518) for new transmitter and antenna, requesting authority to change frequency from **1420 kc.** to **1240 kc.,** make further changes in equipment and antenna, increase power from 100 watts to 1 KW, and move transmitter from 126½ Magnolia Avenue, Daytona Beach, Fla., to N. Ridgewood Avenue, Port Orange, Fla.

KTAT—Tarrant Broadcasting Co., Fort Worth, Tex.—License to
1240 cover construction permit (B3-P-1472) for a new transmitter and antenna.

WAIR—C. G. Hill, George D. Walker and Susan H. Walker,
1250 Winston-Salem, N. C.—Construction permit to make changes in transmitting equipment and increase power from 250 watts to 1 KW.

WDAH—Tri-State Broadcasting Co., Inc., El Paso, Tex.—Modifi-
1310 cation of license to use the transmitter now licensed to KTSM located at corner Texas and Stanton Streets, El Paso, Tex. Amended to change power from 100 watts to 100 watts night, 250 watts day.

KTSM—Tri-State Broadcasting Co., Inc., El Paso, Tex.—Modifi-
1310 cation of license to change frequency from **1310 kc.** to **1350 kc.,** and change power from 100 watts night, 250 watts day, to 250 watts day and night.

KMAC—W. W. McAllister, San Antonio, Tex.—Voluntary assign-
1370 ment of license from W. W. McAllister to W. W. McAllister and Howard W. Davis, d/b as Walmac Company.

NEW—National Life & Accident Insurance Co., Inc., Nashville,
1370 Tenn.—Construction permit for a new station to be operated on **1370 kc.,** 100 watts night, 250 watts day, unlimited time.

KTBS—Tri-State Broadcasting System, Inc., Shreveport, La.—
1450 Construction permit to change frequency from **1450 kc.** to **620 kc.** and install directional antenna for day and night use.

KTVL—Voice of Longview, Longview, Tex.—Reinstatement and modification of construction permit for **1622, 2058, 2150, 2790 kc.,** 20 watts.

Fourth Zone

KGAM—A. Staneart Graham, E. V. Baxter and Norman Baxter,
790 d/b as Pittsburg Broadcasting Co., Pittsburg, Kans.—Modification of construction permit (B4-P-459) for a new station requesting changes in authorized equipment, approval of vertical antenna, approval of transmitter site near Pittsburg, Kansas and studio site at 404 Commerce Bldg., Pittsburg, Kansas.

WDZ—WDZ Broadcasting Co., Decatur, Ill.—Construction permit
1020 to move transmitter from 1½ miles north on U. S. Highway No. 45, Tuscola, Illinois, to site to be determined, Decatur, Illinois, and studio from Star Store Bldg., Tuscola, Illinois to site to be determined, Decatur, Illinois.

WISN—Hearst Radio, Inc., Milwaukee, Wisc.—License to cover
1120 construction permit (B4-P-1566) as modified, for a new transmitter and antenna and move of transmitter.

KGCU—Mandan Radio Assn., Inc., Mandan, N. Dak.—Modifica-
1240 tion of license to change hours of operation from specified hours to unlimited time. Contingent upon the granting of KLPM's application for a new frequency. Amended: To install a new vertical antenna.

KWOS—Tribune Printing Co., Jefferson City, Mo.—Construction
1310 permit to make changes in equipment, increase power from 100 watts to 100 watts night, 250 watts day and change hours of operation from daytime to unlimited time. Also change frequency from **1310 kc.** to **1210 kc.** Amended: To omit request for change in frequency.

NEW—Sherman V. Coultas, Milton Edge & Hobart Stephenson,
1310 Jacksonville, Ill.—Construction permit for a new station to be operated on **1310 kc.,** 100 watts, unlimited time.

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—
1360 Voluntary assignment of license and construction permit (B4-P-1599) from Oak Leaves Broadcasting Station, Inc., to WSBC, Incorporated.

WIRE—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Au-
1400 thority to install new automatic frequency control equipment.

KOVC—KOVC, Inc., Valley City, N. Dak.—Construction permit
1500 to make changes in equipment and increase power from 100 watts to 100 watts night, 250 watts day.

KSAL—R. J. Iaubengayer, Salina, Kans.—License to cover con-
1500 struction permit (B4-P-1004) as modified, for a new station.

W9XJL—Head of the Lakes Broadcasting Co., Superior, Wisc.—Modification of license to delete frequencies **31600, 35600, 38600, 41000 kc.** and request **25950 kc.** only.

W9XPU—WDZ Broadcasting Co., Mobile—License to cover construction permit (B4-PRE-24) for a new relay broadcast station.

WAAC—WDZ Broadcasting Co., Mobile—Modification of construction permit (B4-PRY-9) to extend commencement and completion dates.

WAAE—WDZ Broadcasting Co., Mobile—Modification of construction permit (B4-PRY-10) to extend commencement and completion dates.

W9XPW—WDZ Broadcasting Co., Mobile—Reinstatement of construction permit (B4-PRE-26) for a new relay broadcast station, requesting increase in power from 2 watts to 30 watts and changes in equipment.

Fifth Zone

NEW—Scripps-Howard Radio, Inc., Denver, Colo.—Construction
630 permit for a new station to be operated on **630 kc.,** 1 KW night, 5 KW day, unlimited time. Amended: To change name from Continental Radio Co. to Scripps-Howard Radio, Inc.

KFVD—Standard Broadcasting Co., Inc., Los Angeles, Calif.—
1000 License to cover construction permit (B5-P-1210) for changes in equipment, new vertical antenna and increase in power.

KFXM—J. C. & E. W. Lee (Lee Brothers Broadcasting Co.), San
1210 Bernardino, Calif.—Construction permit to make changes in equipment.

KTMS—News Press Publishing Co., Santa Barbara, Calif.—Modi-
1220 fication of construction permit (B5-P-982) for a new station, requesting changes in authorized equipment, approval of vertical antenna and approval of transmitter site near Goleta, California.

KHUB—Anna Atkinson as Executrix of the last will of F. W.
1310 Atkinson, deceased, Watsonville, Calif.—Involuntary assignment of license from F. W. Atkinson to Anna Atkinson as Executrix of the last will of F. W. Atkinson, deceased.

KGGC—The Golden Gate Broadcasting Co. (Robert J. Craig),
1370 San Francisco, Calif.—Construction permit to make changes in equipment, increase power from 100 watts to 100 watts night, 250 watts day and change frequency from **1420 kc.** to **1370 kc.** Contingent upon the granting of KRE's application for change in frequency.

KOY—Salt River Valley Broadcasting Co., Phoenix, Arizona.—
1390 Authority to install automatic frequency control.

KLO—Interstate Broadcasting Corp., Odgen, Utah.—Construction
1400 permit to make changes in equipment, increase power from 500 watts to 1 KW night, 5 KW day, move transmitter and install directional antenna. Amended: To give transmitter site as ⅝ Mile South of Kanesville Church, Kanesville Township, Utah, and make changes in directional antenna.

Puerto Rican Zone

WAAG—Julio M. Conesa, Mobile, Puerto Rico—License to cover construction permit for a new relay broadcast station.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS

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FCC GRANTS FOUR NEW STATIONS

The Federal Communications Commission this week granted construction permits for four new broadcasting stations as follows:

To the Owensboro Broadcasting Company, at Owensboro, Ky., to use 1500 kilocycles, 100 watts, unlimited time, effective July 13.

To Harold M. Finley and Mrs. Eloise Finley, at La Grande, Ore., to use 1420 kilocycles, 100 watts night and 250 watts day, and unlimited time, effective July 13.

To Edwin A. Kraft, at Petersburg, Alaska, to use 1420 kilocycles, 100 watts, unlimited time, effective August 10.

To the Okmulgee Broadcasting Corporation, at Okmulgee, Okla., to use 1210 kilocycles, 100 watts and daytime operation, effective July 20.

NEW RELAY STATION PROVISIONS

The Federal Communications Commission this week made the following official statement in connection with relay broadcast stations:

The Broadcast Division on June 15 deleted the provisions in the rules and regulations pertaining to the requirement of two-day notice and approval from the Commission for operation required of relay broadcast stations.

The following changes were made in the rules governing relay broadcast stations:

Rule 1002 was deleted in its entirety;

Rule 1001 (f) was amended by striking out in the sixth and seventh lines "and the information specified in Rule 1002 (b), 1, 2, 3, 4"; and

Rule 1004 was amended by striking out in the second and third lines "and have been authorized to operate under Rule 1002 (b)".

In the future, the operation of relay broadcast stations that may cause interference to other relay stations shall be governed by the provisions of Rule 1004. All the licenses of existing relay broadcast stations will be corrected in accordance with these amendments when the next renewals are issued.

SOCIAL SECURITY TAX RESPONSIBILITY

"Statement of custom with respect to employment of musicians, orchestration writers and orchestra leaders on sponsored radio programs:

"A sponsor may or may not engage an advertising agency to make arrangements for the program. The sponsor, or the agency, engages an orchestra leader specifying the number of musicians needed. The orchestra leader then deals with the musicians through a 'contractor', as required by union rules. This 'contractor' is usually a musician and union member, and in most cases he plays in the orchestra receiving double pay, one salary as a musician and another as a 'contractor'. The musicians can be discharged for unsatisfactory services by the 'contractor', orchestra leader, advertising agency or the sponsor. Ordinarily, musicians are engaged for several different programs during the same period of time. When an orchestration is needed the orchestra leader hires an orchestration writer, also a union member. These orchestration writers 'free lance'; they are hired only for one orchestration at a time, but they may work for many employers during the same period. The money for salaries is paid to the orchestra leader who in turn pays the musicians, 'contractor' and orchestration writers.

"Ruling: The orchestra leader, 'contractor', orchestration writers and musicians are all employees of the sponsor. They are employees as distinguished from independent contracts because they are members of a voluntary union, which requires a specified amount of compensation and regulates the conditions of employment, and because they perform services subject to the direction of the

PLEASE REGISTER EARLY

Delegates to the Fifteenth Annual Convention of the NAB will aid materially in following the schedule for opening the Convention if they will register and secure their credentials Sunday, June 20. The Registration desk will be open beginning at 10 a. m. Sunday.

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sponsor or its agents. They are employees of the *sponsor* because the advertising agency, orchestra leader and 'contractor' act as agents or sub-agents of the sponsor in producing the program. (*Digest Treasury Department letter, dated 3-13-37.*)"

—Prentice-Hall, Inc.-Unemployment Insurance Service, 6-4-37.

CAIRO CONFERENCE COMMITTEE APPOINTED

A report to the Department of Commerce from American Commercial Attache, James T. Scott, at Cairo, regarding the International Telecommunication Conference to be held beginning February 1, states that an organizing committee has been formed in the Egyptian capital under the chairmanship of the Minister of Communications.

The organizing committee has nominated an executive committee under the chairmanship of the general manager of the Egyptian state railways, telegraphs and telephones, to take charge of the general arrangement for the conference, according to the report.

DENIAL RECOMMENDED

The Valley Broadcasting Company applied to the Federal Communications Commission for a construction permit for the erection of a new broadcasting station at Youngstown, Ohio, to use 1350 kilocycles, 1,000 watts, and unlimited time on the air.

Examiner Melvin H. Dalberg in Report No. I-437 recommended that the application be denied. The Examiner contended that the applicant did not demonstrate at the hearing "a very definite need in the area to be served for the type of service proposed to be rendered, nor that such proposed service is not duplicated by broadcasts received from other stations." He found also that the proposed station would receive severe interference from other existing stations at night.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3147. A complaint has been issued against **H. E. Wagley,** 508 South Dearborn St., **Chicago,** trading as **National Sales** and as **Paramount Sales.** The complaint alleges unfair competition in the sale of clocks and other merchandise through use of sales methods involving lottery, in violation of Section 5 of the Federal Trade Commission Act.

Charged with distributing certain merchandise to ultimate purchasers entirely by lot or chance, the respondent is said to have used push card devices by means of which some retail customers received prizes for drawing names of girls appearing under disks on the card, the lucky name corresponding to the name under a master seal at the top of the card.

No. 3148. Alleging unfair competition in the sale of pipes and smokers' supplies, a complaint has been issued against **Wally Frank, Ltd.,** 10 East 45th St., **New York.**

The respondent company is alleged to have advertised in periodicals, on labels and in its publication, "Pipe Lore Monthly," in a manner implying that it is a British concern or has an office and a business in London, dealing exclusively in goods imported from foreign countries; that some of its pipes are prepared in accordance with certain famous processes, and that it sells established brands of pipes at prices greatly reduced from the customary and standard prices. The respondent is also charged with indicating in its advertising that it is a manufacturer.

No. 3149. A complaint has been issued against **Les Parfums d'Isabey, Inc.,** 312 East 32nd St., **New York,** alleging unfair methods of competition in connection with the sale of perfumes in interstate commerce.

Appearing in price lists and on containers, it is alleged, are representations and descriptions in the French language which serve to lead purchasers into the erroneous belief that the respondent company's perfumes are manufactured in France and imported into the United States. According to the complaint, the perfumes so described are made in the United States.

No. 3150. A complaint has been issued against **Schenley Distillers Corporation,** 20 West 40th St., **New York,** a holding company controlling 13 subsidiary liquor companies in various parts of the country. The complaint charges the respondent company with violation of Section 7 of the Clayton Act, through purchase of the capital stock of the Bernheim Distilling Co., Louisville, Ky., a competitor.

This acquisition by Schenley is alleged to have the effect of (1) substantially lessening competition between Bernheim Distilling Co. and the Schenley subsidiaries, (2) restraining interstate commerce in the sale of whiskey in certain sections of the United States, and (3) tending to create a monopoly in Schenley Distillers Corporation and its subsidiaries in the sale and distribution of whiskey.

Schenley Distillers Corporation, according to the complaint, organized the Bernheim Distilling Co., a Delaware corporation with headquarters in New York, on or about March 2, 1937, and on or about March 11, acquired all outstanding capital stock of Bernheim Distilling Co., the Kentucky corporation, with headquarters in Louisville, and thereupon transferred the Kentucky corporation's capital stock to the newly organized Delaware corporation in exchange for the latter's outstanding capital stock. According to the complaint, it also caused the Kentucky corporation to transfer and assign all of its assets and business as a going concern, including trade marks, good will, accounts receivable, machinery, equipment, and stocks of whiskey in bonded warehouses, to the Delaware corporation. Since on or about March 11, 1937, the Delaware corporation allegedly has operated the business theretofore conducted by the Kentucky corporation, and Schenley Distillers Corporation owning all outstanding capital stock of the Bernheim Distilling Co., the Delaware corporation, controls operations of that subsidiary.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 01673. The Grove Laboratories, Inc., Pine and Beaumont Sts., **St. Louis,** has entered into a stipulation to discontinue certain misleading advertising representations in the sale of Grove's Emulsified Nose Drops.

This product, according to the stipulation, will not be advertised as affording relief in cases of asthma and sinusitis and as relieving nasal pains and irritations or congestion of the nasal mucosa, unless the latter representation is worded so as to indicate clearly that it refers to pains, irritation or congestion due to or usually associated with the progress of head colds.

No. 01678. William A. and Myndall Cain Wickland, trading as The Myndall Cain House of Beauty, 808 LaSalle Ave., Minneapolis, will cease representing that either Myndall Cain Cleansing Cream or Myndall Cain Nourishing Cream are penetrating oils, or that they will serve as a diet for the skin, revitalize or rebuild the skin, banish wrinkles, or restore those youthful secretions that have been taken from the skin by time and exposure.

No. 01680. G. Bernardi, 1015 Euclid Ave., Cleveland, agreed that in the sale of Bernaris, a medicinal preparation, he will cease advertising that the product is a competent treatment or effective remedy for colds, catarrh, bronchitis, sinus ailments or throat irritations, or that it will afford a cure or prevent any disorder or disease of the body.

No. 01681. Elmer C. Rice, trading as **Plymouth Rock Squab Co., Melrose, Mass.,** has entered into a stipulation to discontinue false and misleading advertising representations in the sale of pigeons and pigeon supplies.

Rice agrees to stop representing that more than 100,000,000 or any other number of squabs are produced by his customers, unless he possesses reliable information showing this to be true, and to cease asserting that with an order for pigeons or any other products, additional pigeons or products will be given free, when in fact a price therefor is included in the purchase price of the products ordered.

No. 01682. Charles C. Merriam, trading as Caswell Agency, New Haven, Conn., will stop representing that his Hollywood Nights Perfume is a new sensation in perfume, that it originated in Paris, has been endorsed by Hollywood's most discriminating stars, and that a $1 introductory bottle is sent postpaid for 25 cents and the return of a coupon. The respondent admitted that the introductory bottle does not have a value of $1.

No. 01683. Collins Laboratories, 523 Franklin Ave., St. Louis, agreed that in the sale of Nuro-Sheen Dandruff Eliminator Shampoo it will cease advertising that the product is guaranteed to give relief from dandruff, will maintain a healthy condition of the scalp, remedy dandruff trouble, and revive dead and lifeless hair. The respondent company also will cease using the word "eliminator" as a part of the trade name for the preparation, or from otherwise representing that the product eliminates dandruff.

No. 01684. Frank H. Jones, trading as Britelite Co., Greenfield, Mass., will discontinue representing that his polish, designated "Brite-Lite", restores antiques, brass and pewter ware, and other articles to their original luster or brightness, and "makes old things new". The respondent also will cease representing that his sales agents are assured of repeat orders, or that any territory is open to them.

No. 01685. Mary C. Hogle Foundation, Scott Building, Salt Lake City, agreed to cease advertising that a booklet entitled "Build Up With Foods That Alkalinize and Heal" tells the things one may do to keep well when in health and to regain health when ill; lists the foods that protect, revitalize, soothe and heal, and contains food regimes for digestive disorders, cancer, arthritis and other ailments. The respondent also will stop representing that carrot juice and celery juice offer the body the essential food materials for good blood and healthy cells.

No. 01686. Scott-Phillips, Inc., 211 West Wacker Drive, Chicago, selling Eye-Gene, will discontinue advertising that the preparation is an essential of eye hygiene and relieves strained eyes regardless of the cause; that it is a competent treatment for inflamed eyes and lids, unless this representation is limited to relief of inflamed eyes and lids when due to a minor local condition, and that it does not contain boric acid, or that the latter is an old-fashioned solution.

No. 01687. H. W. Eakins, trading as Long-Eakins Co., 1128 South High St., Springfield, Ohio, selling a potato chip fryer, agreed to cease advertising that he will help finance prospective purchasers of his machines, that any profits in the potato chip business are certain, or that the profits to be realized from the operation of his machine are up to 80 cents of each dollar taken in. He also will stop representing, by use of such expressions in advertising as "Wanted—Men", that he has employment to offer.

No. 01688. The Compagnie Parisienne, Inc., trading as H. U. Rhodius, Perfumes, Parisienne Building, San Antonio, Tex., will stop representing that its Madam Roxy cosmetic preparations protect youthful complexion or restore texture to older skins; penetrate the pores or oil glands, hold or restore contour of the chin, and are effective for sallow or muddy complexions, sunburn, and skin discolorations. The respondent company further stipulated that it will cease using the words "deep-pore" and "nourishing" as a part of the trade names of any of its products.

No. 01689. Arwell, Inc., 1119 Glen Rock Ave., Waukegan, Ill., agreed that in the sale of insecticides known as Arwell, Arwellex and Arwellmist, it will not represent that any of these products will "free the camp of insects" or banish odors, or that if these preparations are used, one will not be bothered by flies or mosquitoes.

No. 01690. Zerbst Pharmacal Co., Zerbst Building, St. Joseph, Mo., stipulated that it will not advertise that its Ulypto Cough Drops stop coughs and end colds quickly, or that Zerbst Capsules stop colds before they get started, and keep colds from becoming dangerous.

No. 01691. Lockhart Drug Store, Inc., Lockhart, S. C., will stop representing that Red Star Liquid and Red Star Ointment are competent treatments for the various forms of eczema, ringworm, athlete's foot and itch, unless such representations are limited to palliative relief from itching and burning.

No. 01692. The Howdy Co., 4545 Olive St., St. Louis, Mo., will discontinue representations that its preparation, known as 7-Up, settles the stomach, dispels the ill effects caused by excessive use of alcoholic drinks, banishes distress after eating, speeds digestion, and slenderizes.

No. 01701. Selling premium merchandise and punch boards, **Jay Zelle** and **S. Fischman,** 329 Loeb Arcade Building, **Minneapolis,** trading as **Variety Sales Co.,** have entered into a stipulation to discontinue certain false and misleading advertising representations.

The respondents agree to stop advertising that a person can make "big money" giving away the respondents' motion picture cameras, admitting in their stipulation that only in connection with the sale of other merchandise can a person make money in giving away these cameras. The respondents also will cease asserting that everybody wins in their punch board deals and that such deals are legal in every State or that there is no gambling in connection with the deals. Another representation to be abandoned is that the respondents' merchandise is a sensational new business stimulator.

No. 1947. Owens Staple-Tied Brush Co., 901 Buckingham St., Toledo, Ohio, manufacturing tooth brushes, hair brushes, clothes brushes and finger nail brushes, agrees to stop representing, through the medium of labeling or stamping on the handles of tooth brushes, that such products are made entirely in the United States, when in fact the handles have been imported from a foreign country, the name of which has been obliterated and obscured. This company agrees to stop representing, by imprinting upon the brushes or the cartons or other packages in which they are placed for sale, the phrase "Made in U. S. A.", or other words of similar import, meaning that the brushes are manufactured in the United States, when, in fact, the handles have been imported from a foreign country.

No. 1949. Maison Blanche Co., Canal & Dauphin Sts., New Orleans, a department store, will cease employing in advertising matter or on labels the words "Solid Mahogany" or "Mahogany", or any abbreviation or imitation of the word mahogany so as to imply that certain furniture products are manufactured of wood derived from trees of the mahogany family, when such is not a fact.

No. 1951. Levy Bros. & Adler-Rochester, Inc., Hand St., Rochester, N. Y., maker of men's and boys' ready-made suits, agrees to stop using or furnishing others for their use, labels or advertising matter bearing the words "Royal Warrant", alone or in connection with a typically English script, pictures or simulations of the British Coat-of-Arms or Crown, or in any other way implying that the respondent company's suits or the fabrics of which they are composed are manufactured in England or by the holder of a British or other Royal warrant, when such is not a fact. The respondent company agrees to stop using in advertising matter which it furnishes dealers for their use in selling products, representations to the effect that owners of the mills in the United States producing the worsted material designated "Royal Warrant" are lineal descendants of British manufacturers, or that this worsted originated in England. It will cease asserting that superiority of English fabrics is due to the fact that they have been treated by washing in English or West English streams of water allegedly possessing chemical qualities or properties particularly applicable to treating woolen fabrics. The respondent company will stop asserting that the water used by the manufacturer in producing the "Royal Warrant" worsted in the United States possesses and was chosen because it has the same chemical properties to be found in streams of water in the west of England, when such are not the facts.

Nos. 1948 and 1952. Rainier Brewing Co., Inc., 1550 Bryant St., **San Francisco,** manufacturing beer, ale and stout, and **Seminole Bottling Co.,** 102 Hamilton St., **LaGrange, Ga.,** selling carbonated beverages, have entered into stipulations to discontinue certain unfair methods of competition in connection with the sale of their products.

Advertising its products in newspapers and in radio broadcasts, the San Francisco brewing company agreed to discontinue representations implying that lager beer, to be real or true beer, is dependent upon lengthy ageing, and that the company's storage capacity is the largest or in excess of any in the West, when such is not a fact. The company also will cease advertising that it has been a brewer of ale and stout since 1878. According to the stipulation, the brewery has been making ale and stout only since 1934.

No. 1953. J. F. Friedel Paper Box Co., 215 Wallace St., Syracuse, N. Y., also trading as J. F. Friedel Co., and engaged in the manufacture of paper boxes and kindred items, will discontinue the use in circulars or in other advertising matter of representations which, in effect, may tend to cause purchasers to believe that the method of protecting garments against moth damage as used in its Pro Tex Wardrobe has been endorsed or approved by the United States Government or any of its departments, when such is not a fact.

No. 1954. Ajax Tire & Rubber Corporation, 601 West 26th St., New York, engaged in the sale of tires and tubes, stipulated that it will stop making assertions in advertising implying that it was founded in 1904 or has been in business for more than 30 years, and that it is now engaged in either the manufacture or sale of its fiftieth million series of tires and tubes. The company also agreed to cease using the word "factory", or any other words or representations, to create the impression that it manufactures the products it sells.

Other representations to be discontinued are that the company formerly had factory branches in the United States or in foreign countries or that it has spent up to $1,000,000 annually for advertising, when such are not the facts.

According to the stipulation, Ajax Tire & Rubber Corporation was organized in 1934, fills orders with products manufactured in factories which it neither owns nor operates, and is merely a distributor.

No. 1955. Webster Co., North Attleboro, Mass., manufacturing tableware, toilet ware and novelties, agrees to cease using the expression "Mir-A-Gold" as a brand name for its products not composed of gold, and from use of the word "gold" in connection with the letters "Mir-A" or in any way in advertisements to imply that the products are composed of gold, when such is not a fact. The Webster Co. also stipulates that it will stop using as a trade brand for or in its advertising matter relating to its products, the word "Syl-van-ite", or other words simulating the word "Silver" so as to imply that certain articles are made of or contain silver in whole or in part, when such is not a fact.

No. 2404. Provincial Distilleries, Ltd., Inc., 1-27 Forrest St., **Brooklyn,** has been ordered to cease and desist from representing that it is a distiller of alcoholic beverages, when such is not a fact.

The respondent company is ordered to discontinue representing, through use of the word "Distilleries" in its corporate name, in advertising, on labels, or otherwise, that it distills whiskies, gins or other spirituous beverages, that it manufactures such products through the process of distillation, or that it owns or operates a distillery, until it does own or operate such a place.

No. 2476. L. Musil Distilling Co., 1228 Buchanan St., **Racine, Wis.,** has been ordered to cease and desist from representing that it is a distiller of alcoholic beverages, when such is not a fact. Findings are that the company had been engaged in the liquor business solely as a wholesaler and rectifier.

The respondent company is ordered to discontinue representing, through use of the word "Distilling" in its corporate name, in advertising, on labels, or otherwise, that it is a distiller of whiskies, gins or other spirituous beverages, that it manufactures such products through the process of distillation, or that it owns or operates a distillery, unless and until it does own or operate such a place.

No. 2530. Prohibiting certain price fixing agreements in the sale of uniform caps, an order to cease and desist has been issued against the **Cap Association of the United States, Inc.,** and the **Uniform Cap Manufacturers Institute, Inc.,** both of **New York City,** certain of their officers, eleven manufacturers of uniform caps, and four manufacturers of visors and trimmings.

These respondents are directed to cease entering into agreements or understandings among and between themselves for fixing prices at which they sell uniform caps. They are also ordered to stop maintaining by concerted action, coercion and persuasion, a boycott against and refusing to purchase visors and trimmings from any visor manufacturer failing to abide by their program of withholding supplies from non-participants in their uniform price fixing agreement.

The order further bans publication of lists containing names of only the so-called regular or recognized members of the two associations entitled to procure visors and trimmings used in manufacturing uniform caps.

No. 2650. Six Middle Western manufacturers selling more than 90 per cent of the total volume of new butter tubs produced in the United States, and their trade association, the **Butter Tub Manufacturers' Council, Cleveland,** have been ordered to discontinue certain concerted efforts to maintain uniform prices, terms or discounts, resulting in restraint of trade in violation of Section 5 of the Federal Trade Commission Act.

Orders to cease and desist from these practices have been served on the following manufacturers: **Menasha Wooden Ware Corporation, Menasha, Wis.,** said to be the largest manufacturer and distributor of butter tubs in the United States; **The Creamery Package Mfg. Co.,** 1243 West Washington Blvd., **Chicago; Elgin Butter Tub Co., Elgin, Ill.; Wisconsin Butter Tub Co., Marshfield, Wis.; Bousfield Wooden Ware Co.,** 2524 Marshall Ave., N. E., **Minneapolis,** and **Storey City Butter Tub Co., Storey City, Iowa.**

The respondent manufacturers are directed to cease and desist from entering into combinations, conspiracies or agreements, express or implied, with each other and by and through their trade association, to restrict, restrain and suppress competition in the interstate sale of butter tubs by any one or more of six specific methods detailed as follows:

No. 2854. An order to cease and desist has been issued against **Allura, Inc., Sacramento, Calif.,** directing discontinuance of certain unfair methods of competition in the sale of Allura, an eye lotion. Findings are that the company made false and misleading representations in advertising matter and radio broadcasts in violation of Section 5 of the Federal Trade Commission Act.

The order prohibits representation, directly or by implication, that use of the respondent company's preparation will take the place of the wearing of glasses, relieve astigmatism and general weakness of the eyes, and overcome irritating and painful conditions.

No. 2909. Under an order to cease and desist, **National Kream Co., Inc.,** and **National Foods, Inc.,** 360 Furman St., **Brooklyn,** are directed to discontinue certain unfair methods of competition in the sale of preserves and jams or imitations thereof.

Findings are that the respondents sold certain preserves and jams prepared under formulas at variance with the commercially recognized ratio of actual fruit content in relation to sugar. This proportion is said to be a minimum of 45 pounds of actual fruit to each 55 pounds of sugar in preserves or jam and to be based on the housewife's formula of one cup of sugar to a cup of fruit.

The respondents' products are said to have been adulterated by substitution of a mixture of water, sugar and pectin for part of the fruit content required in pure preserves and jams, with the result that, in selling such adulterated products as genuine, they have saved considerable expense in manufacture and gained an unfair competitive advantage over competitors selling the pure products.

No. 3041. Use of unfair methods of competition in connection with the sale of a type of piano formerly designated as the "Haddorff Vertichord Grand" is prohibited in an order to cease and desist entered against **Haddorff Piano Co.,** 1900 Harrison Ave., **Rockford, Ill.**

The respondent company is ordered to discontinue use of the word "grand", alone or with other words, as a trade name to designate any piano not having its strings placed horizontally, and not having gravity action of hammers, shifting soft pedal, and those tonal and other qualities associated by the trade and the general public with grand pianos.

No. 3070. Mills Sales Company of New York, Inc., 901 Broadway, **New York,** and its officers, have been ordered to discontinue fictitious price marking and certain other unfair methods of competition in connection with the sale of peddlers' and retail dealers' supplies, including tooth brushes, dental creams, razor blades, perfumes and other drug sundries and notions.

The order to cease and desist directs the respondents to discontinue marking cartons and containers, in which their merchandise is offered for sale, with retail prices in excess of the actual and usual selling prices at which such merchandise is sold by retailers to the consuming public; and to stop representing in advertisements, catalogues, radio broadcasts, or in any other manner, that the prices marked on their products are the regular or customary retail prices when they are fictitious and greatly in excess of the customary prices at which such products are retailed.

FTC DISPOSES OF TWO CASES

No. 2868. The Federal Trade Commission has dismissed without prejudice its complaint against **Associated Rubber Corporation,** 517 West 57th St., **New York,** charged with unfair representations in the sale of rubber tires.

Dismissal was ordered following receipt of information that the corporation had been dissolved.

No. 3126. The Commission has also issued an order closing its case against **M. J. Levinson,** trading as **J. Lewis, Francine Laboratories and Superior Products Co.,** 539 State St., **Hammond, Ind.,** charged with unfair competition in the sale of the "Circe Line" of cosmetics, and of packaged drugs, chemical specialties and feminine hygiene products, in violation of Section 5 of the Federal Trade Commission Act.

The closing order was issued following receipt of information that Levinson had been convicted and sentenced for violation of the postal laws upon charges similar to the allegations of the Commission's complaint. It was also reported that the respondent's place of business had been closed.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, June 21:

Monday, June 21

FURTHER HEARING BEFORE AN EXAMINER

(Broadcast)

WLB—University of Minnesota, Minneapolis, Minn.—C. P., **760 kc.,** 5 KW LS, S-WCAL (2/3 daytime). Present assignment: **1250 kc.,** 1 KW, specified hours.

WCAL—St. Olaf College, Northfield, Minn.—C. P., **760 kc.,** 5 KW LS, S-WLB (1/3 daytime). Present assignment: **1250 kc.,** 1 KW, 2½ KW LS, specified hours.

WTCN—Minn. Broadcasting Corp., Minneapolis, Minn.—Modification of license, **1250 kc.,** 1 KW, 5 KW LS, unlimited time. Present assignment: **1250 kc.,** 1 KW, 5 KW LS, specified hours.

Tuesday, June 22

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Roberts-MacNab Co., Bozeman, Mont.—C. P., **1420 kc.,** 100 watts, 250 watts LS, unlimited time.

NEW—Gallatin Radio Forum, Bozeman, Mont.—C. P., **1420 kc.,** 250 watts, daytime.

Wednesday, June 23

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Radio Enterprises, Inc., Hot Springs, Ark.—C. P., **1310 kc.,** 100 watts, daytime.

NEW—Asso. Arkansas Newspapers, Inc., Hot Springs, Ark.—C. P., **1310 kc.,** 100 watts, daytime.

Thursday, June 24

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. 1-382:

NEW—Peninsula Newspapers, Inc., Palo Alto, Cal.—C. P., **1160 kc.,** 250 watts, daytime.

Examiner's Report No. 1-392:

WMEX—The Northern Corp., Boston, Mass.—C. P., **1470 kc.,** 5 KW, unlimited time.

Examiner's Report No. 1-393:

KARK—Ark. Radio & Eqpt. Co., Little Rock, Ark.—Modification of C. P., **890 kc.,** 1 KW, unlimited time. Present assignment: **890 kc.,** 500 watts, 1 KW LS, unlimited time.

Examiner's Report No. 1-394:

NEW—Arthur H. Croghan, Minneapolis, Minn.—C. P., **1310 kc.,** 100 watts, daytime.

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Leon M. Eisfeld, Burlington, Ia.—C. P., **1310 kc.,** 100 watts, unlimited time.

Friday, June 25

HEARING BEFORE AN EXAMINER

(Broadcast)

KIUL—Garden City Broadcasting Co. (Homer A. Ellison & Frank D. Conard), Garden City, Kans.—Voluntary assignment of license to KIUL, Inc., **1210 kc.,** 100 watts, unlimited time.

NEW—John W. Haigis, Greenfield, Mass.—C. P., **1210 kc.,** 250 watts, daytime.

APPLICATIONS GRANTED

KOBH—Black Hills Broadcast Co. (Robert Lee Dean), Rapid City, S. Dak.—Granted C. P. to install new equipment and increase day power to 250 watts; **1370 kc.,** 100 watts night.

KFXM—J. C. & E. W. Lee (Lee Bros. Broadcasting Co.), San Bernardino, Cal.—Granted C. P. to make changes in equipment.

KDLR—KDLR, Inc., Devils Lake, N. Dak.—Granted C. P. to move transmitter and install vertical antenna.

KSOO—Sioux Falls Broadcast Assn., Inc., Sioux Falls, S. Dak.—Granted C. P. to erect new vertical antenna at NE½ of NE¼ Sec. 24, Township 101, Range 50 West, 3 miles west of Sioux Falls.

KTAT—Tarrant Broadcasting Co., Fort Worth, Tex.—Granted license to cover C. P. as modified; **1240 kc.,** 1 KW, unlimited time.

WNOX—Continental Radio Co., Knoxville, Tenn.—Granted license to cover C. P. as modified; **1010 kc.,** 1 KW night, 5 KW day, unlimited time.

WISN—Hearst Radio, Inc., Milwaukee, Wis.—Granted license to cover C. P. as modified; **1120 kc.,** 250 watts night, 1 KW day, unlimited time.

KFVD—Standard Broadcasting Co., Los Angeles, Cal.—Granted license to cover C. P.; **1000 kc.,** 1 KW night and day, limited time.

WBBZ—Adelaide L. Carrell, Representative of estate of Chas. L. Carrell, Deceased, Ponca City, Okla.—Granted license to cover C. P.; **1200 kc.,** 100 watts night, 250 watts day, unlimited time.

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—Granted license to cover C. P.; **1390 kc.,** 1 KW night, 5 KW day, unlimited time.

KSAL—R. J. Laubengayer, Salina, Kans.—Granted license to cover C. P.; **1500 kc.,** 100 watts night, 250 watts day, unlimited time.

KWNO—Winona Radio Service, Winona, Minn.—Granted modification of C. P. approving transmitter and studio at 110 Main Street, installation of new equipment and vertical radiator.

WDAF—The Kansas City Star Co., Kansas City, Mo.—Granted modification of C. P. for changes in equipment.

WNOX—Continental Radio Co. Knoxville, Tenn.—Granted modification of license to change name to Scripps-Howard Radio, Inc.; **1010 kc.,** 1 KW night, 2 KW day (C. P., 5 KW day, unlimited).

WCPO—Continental Radio Co., Cincinnati, Ohio.—Granted modification of license to change name to Scripps-Howard Radio, Inc.; **1200 kc.,** 100 watts night, 250 watts day, unlimited time.

WTAQ—WHBY, Inc., Green Bay, Wis.—Granted modification of license for changes in directional antenna.

KFXR—Exchange Avenue Baptist Church of Oklahoma City, Oklahoma, City, Okla.—Granted authority to install automatic frequency control, on condition that this authority shall not be construed as a finding upon the application for renewal of license and assignment of license, nor upon any issues involved therein.

WIRE—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Granted authority to install new automatic frequency control equipment.

KOY—Salt River Valley Broadcasting Co., Phoenix, Ariz.—Granted authority to install new automatic frequency control equipment.

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—Granted modification of C. P. to extend completion date to 12-13-37.

W8XKH—The Crosley Radio Corp., Mobile (Cincinnati, Ohio).—Granted modification of C. P. to extend completion date to 12-7-37.

W3XEX—WTAR Radio Corp., Norfolk, Va.—Granted C. P. to make equipment changes (new antenna) and move transmitter of high frequency broadcast station.

WATA—Ashland Broadcasting Co., Mobile (Ashland, Ky.).—Granted license to cover C. P. for new relay broadcast station, frequencies **1622, 2058, 2150** and **2790 kc.,** 40 watts.

W9XPU—WDZ Broadcasting Co., Mobile (Tuscola, Ill.).—Granted license to cover C. P. for new relay broadcast station, frequencies **31100, 34600, 37600** and **40600 kc.,** experimentally, 10 watts.

W9XBS—National Broadcasting Co., Inc., Chicago, Ill.—Granted license to cover C. P. for experimental high frequency broadcast station, frequencies **31600, 35600, 38600, 41000 kc.,** 50 watts.

W8XKD—The Fort Industry Co., Toledo, Ohio (Mobile).—Granted modification of C. P. to extend completion date to July 29, 1937.

WAAC—WDZ Broadcasting Co., Mobile (Tuscola, Ill.).—Granted modification of C. P. covering reinstatement of same which expired May 29, 1937, covering authority to extend commencement date to 7-29-37 and completion date to 1-29-38.

WAAE—WDZ Broadcasting Co., Mobile (Tuscola, Ill.).—Granted modification of C. P. covering reinstatement of same which expired May 29, 1937, covering authority to extend commencement date to 7-29-37 and completion date to 1-29-38.

W8XKB—West Virginia Broadcasting Corp., Mobile (Wheeling, W. Va.).—Granted modification of C. P. authorizing extension of completion date to 8-29-37.

WAAH—West Virginia Broadcasting Corp., Mobile (Wheeling, W. Va.).—Granted modification of C. P. authorizing reinstatement of original C. P., and increase in power from 50 to 100 watts; also changes in equipment.

KTVL—Voice of Longview, Mobile (Longview, Tex.).—Granted modification and reinstatement of C. P. for changes in equipment and decrease in power from 40 to 20 watts.

NEW—Florida Capitol Broadcasters, Inc., Mobile (Tallahassee, Fla.).—Granted C. P. for new relay broadcast station, frequencies **1622, 2058, 2150** and **2790 kc.,** 40 watts.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KABC, San Antonio, Tex.; KABR, Aberdeen, S. Dak.; KAST, Astoria, Ore.; KBIX, Muskogee, Okla.; KBPS, Portland, Ore.; KBST, Big Spring, Tex.; KDB, Santa Barbara, Calif.; KERN, Bakersfield, Calif.; KEUB, Price, Utah; KELD, El Dorado, Ark.; KFIZ, Fond du Lac, Wis.; KFJZ, Fort Worth, Tex.; KGAR, Tucson, Ariz.; KGFF, Shawnee, Okla.; KGFL, Roswell, N. Mex.; KGKL, San Angelo, Tex.; KICA, Clovis, N. Mex.; KIDW, Lamar, Colo.; KOBH, Rapid City, S. Dak.: KORE, Eugene, Ore.; KPLC, Lake Charles, La.; KPLT, Paris, Tex.; KRE, Berkeley, Calif.; KRLH, Midland, Tex.; KTOK, Oklahoma City, Okla.; KVOE, Santa Ana, Calif.; KWBG, Hutchinson, Kans.; KWYO, Sheridan, Wyo.; KXO, El Centro, Calif.; WACO, Waco, Tex.; WAGF, Dothan, Ala.; WAPO, Chattanooga, Tenn.; WAZL, Hazleton, Pa.; WBNY, Buffalo, N. Y.; WBTM, Danville, Va.; WCBM, Baltimore, Md.; WCBS, Springfield, Ill.; WCNW, Brooklyn, N. Y.; WDNC, Durham, N. C.; WELL, Battle Creek, Mich.; WEOA, Evansville, Ind.; WGAL, Lancaster, Pa.; WGL, Fort Wayne, Ind.; WHBQ, Memphis, Tenn.; WHFC, Cicero, Ill.; WHLB, Virginia, Minn.; WIBM, Jackson, Mich.; WJMS, Ironwood, Mich.; WKBB, E. Dubuque, Ill.; WKBZ, Muskegon, Mich.; WLEU, Erie, Pa.

SET FOR HEARING

NEW—Capitol Broadcasting Co., Inc., Raleigh, N. C.—C. P., already in hearing docket, amended to request **1210 kc.,** 100 watts night, 250 watts day, unlimited time, exact transmitter and studio sites and type of antenna to be determined with Commission approval.

NEW—Gerald A. Travis, La Porte, Ind.—C. P., already in hearing docket, amended to request **1420 kc.,** 250 watts, daytime only, transmitter and studio locations to be determined with Commission's approval.

NEW—J. T. Griffin, Oklahoma City, Okla.—C. P. for new station. Requests facilities of KFXR, **1310 kc.,** 100 watts night, 250 watts day, unlimited time, exact transmitter site to be determined with Commission's approval.

WFBL—Onondago Radio Broadcasting Corp., Syracuse, N. Y.—Modification of license to increase power from 1 KW night, 5 KW day, to 5 KW unlimited time (to be heard before the Broadcast Division).

WJAX—City of Jacksonville, Jacksonville, Fla.—Special experimental authorization to increase night power from 1 KW to 5 KW for period ending September 1, 1937 (to be heard before the Broadcast Division).

NEW—The Hampden-Hampshire Corp., Holyoke, Mass.—C. P., already in hearing docket, amended to request operation on **1240 kc.,** 500 watts night, 1 KW day, unlimited time, using directional antenna system for day and night-time operation.

SPECIAL AUTHORIZATIONS

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—Granted special temporary authority to operate from 7 to 7:30 p. m., CST, on Fridays only, from July 16 to August 13, 1937 (provided WLB remains silent), in order to permit WTCN to schedule the NBC program "Robert Ripley and Henry Busse's Orchestra."

WLB—University of Minnesota, Minneapolis, Minn.—Same as above except to operate from 8 p. m. to 8:30 p. m., CST (provided WLB remains silent).

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted special temporary authority to operate unlimited time for the period June 26 to July 1, 1937 (provided WSVS remains silent).

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted special temporary authority to operate from 2 to 3 p. m. EST, the following Saturdays: June 19 and 26, in order to broadcast local safety program; to operate from 8:30 to 10 a. m., EST, Sundays, June 20 and 27, in order to broadcast various religious services, and also from 2 to 3 p. m., EST, Sundays, June 20 and 27, in order to broadcast program of the Catholic Evidence Guild (provided WSVS remains silent).

KTMS—The News Press Publishing Co., Santa Barbara, Cal.—Granted special temporary authority to operate a 50 watt portable crystal controlled transmitter between the hours of 12 midnight and 6 a. m., PST, for period not to exceed 30 days, in order to make tests for transmitter site located on the ocean, 1 mile east of Coleta, Cal.

WSVS—Seneca Vocational High School, Buffalo, N. Y.—Granted special temporary authority to remain silent on the following dates: July 1 to Sept. 15, 1937, summer vacation; Oct. 12, Columbus Day; Oct. 29 and 30, Teachers' Convention; Nov. 2, Election Day; Nov. 11, Armistice Day; Nov. 25, 26, 27, Thanksgiving holidays, and from Dec. 24 to 31, 1937, for Christmas holidays.

WSUI—State University of Iowa, Iowa City, Ia.—Granted special temporary authority to operate a minimum of 6 hours daily, instead of unlimited time, for the period July 1 to July 31, 1937, inclusive, in order to observe summer vacation period at university.

KBPS—Benson Polytech. School, Portland, Ore.—Granted extension of special temporary authority to remain silent for the period July 1 to Sept. 8, 1937, in order to observe regular school vacation.

WMFO—James R. Doss, Jr., Decatur, Ala.—Granted special temporary authority to operate from local sunset (June sunset 7 p. m.), Saturday, June 26, until midnight, Sunday, June 27, in order to celebrate second anniversary of radio station WMFO.

WNBX—The WNBX Broadcasting Corp., Springfield, Vt.—Granted special temporary authority to operate a 100 watt portable test transmitter between hours of 12 midnight and 6 a. m., EST, for a period not to exceed 30 days, in order to conduct transmitter site survey for station WNBX.

WBOW—Banks of Wabash, Inc., Terre Haute, Ind.—Granted special temporary authority to rebroadcast over station WBOW the conversation carried on between experimental radio stations W5XAR and W5XAS of the Western Radio Telegraph Co., for a period of 1 hour between June 12 and June 17, 1937, flying weather permitting.

WGBF—Evansville on the Air, Inc., Evansville, Ind.—Granted special temporary authority to rebroadcast over station WGBF the conversation carried on between experimental radio stations W5XAS and W5XAR of the Western Radio Telegraph Co., for a period of 1 hour, between June 8 and 14 flying weather permitting.

WLBC—Donald A. Burton, Muncie, Ind.—Same as above except between June 14 to 19, 1937.

W3XDS—RCA Mfg. Co., Inc., Camden, N. J.—Granted extension of special temporary authority to operate with power of 5 KW on **590 kc.** during broadcast experimental hours from 1 to 6 a. m., EST, for period June 11 to July 10, in order to make certain measurements of radio frequency harmonic radiation provided schedule is arranged so as to cause no interference to stations maintaining regular programs.

WNLC—Thames Broadcasting Corp., New London, Conn.—Granted special temporary authority to operate from local sunset (June sunset, 7:30 p. m.) to 11 p. m., EST, June 15, in order to broadcast Democratic Town Committee banquet.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

WMIN—Edward Hoffman, St. Paul, Minn.—**1400 kc.,** 250 watts, unlimited time.

KFBB—Buttery Broadcast, Inc., Great Falls, Mont.—**950 kc.,** 5 KW, unlimited time.

EXAMINERS' REPORTS RELEASED SINCE JUNE 8, 1937

NEW—Ex. Rep. 1-436: Clarence A. Berger and Saul S. Freeman, Coeur d'Alene, Idaho.—Examiner P. W. Seward recommended grant of C. P. for new station to operate on **1200 kc.,** 100 watts, daytime hours.

NEW—Ex. Rep. 1-437: Valley Broadcasting Co., Youngstown, Ohio.—Examiner Melvin H. Dalberg recommended denial of application for new station to operate on **1350 kc.,** 1 KW, unlimited time.

ACTION ON EXAMINERS' REPORTS

NEW—Ex. Rep. 1-354: Owensboro Broadcasting Co., Owensboro, Ky.—Granted C. P. for new station to operate on **1500 kc.,** 100 watts, unlimited time. (Site to be determined subject to Commission's approval.) Examiner R. H. Hyde sustained. Order effective July 13, 1937.

NEW—Ex. Rep. 1-367—Harold M. Finley & Mrs. Eloise Finley, La Grande, Ore.—Granted C. P. for new broadcast station to operate on **1420 kc.,** 100 watts night, 250 watts day, unlimited time. (Site to be determined subject to Commission's approval.) Examiner P. W. Seward sustained. Order effective July 13, 1937.

NEW—Ex. Rep. 1-384—Edwin A. Kraft, Petersburg, Alaska.—Denied C. P. for new broadcast station to operate on **1420 kc.;** 100 watts, unlimited time. (Site to be determined subject to Commission's approval.) Examiner R. H. Hyde reversed. Order effective August 10, 1937.

WJAR—Ex. Rep. 1-404—The Outlet Co., Providence, R. I.—Granted C. P. to make changes in equipment and increase power from 1 KW to 1 KW night, 5 KW day, on **890 kc.,** unlimited time (directional antenna day and night). Examiner R. L. Walker sustained. Order effective July 30, 1937.

NEW—Ex. Rep. 1-415—Okmulgee Broadcasting Corp., Okmulgee, Okla.—Granted C. P. for new broadcast station to operate on **1210 kc.;** 100 watts, daytime. Site to be determined subject to Commission's approval. Examiner P. W. Seward sustained. Order effective July 20, 1937.

WAPO—Ex. Rep. 1-419: W. A. Patterson, Chattanooga, Tenn.—Granted C. P. to install new transmitter; increase power from 100 watts to 100 watts night, 250 watts day, and change hours of operation from daytime to unlimited; **1420 kc.** Examiner John P. Bramhall sustained. Order effective July 27, 1937.

WHBB—Ex. Rep. 1-424: W. J. Reynolds, Jr., J. C. Hughes & J. S. Allen, d/b as Selma Broadcasting Co., Selma, Ala.—Granted modification of license to change hours of operation from daytime to unlimited; **1500 kc.,** 100 watts. Examiner P. W. Seward sustained. Order effective July 27, 1937.

WHBB—Ex. Rep. 1-425: W. J. Reynolds, Jr., J. C. Hughes & J. S. Allen, d/b as Selma Broadcasting Co., Selma, Ala.—Granted voluntary assignment of license from W. J. Reynolds, Jr., J. C. Hughes & J. S. Allen, d/b as Selma Broadcasting Company to Selma Broadcasting Company, Inc., **1500 kc.,** 100 watts, daytime. Examiner Seward sustained. Order effective July 27, 1937.

ORAL ARGUMENTS GRANTED

Oral arguments were granted to be held October 7, 1937, in the following cases: Ex Rep. 1-412, Pacific Acceptance Corp., San Diego, Cal.; Ex. Rep. 1-327, Smith, Keller & Cole, San Diego, Cal.; Ex. Rep. 1-420, Norther Broadcasting Co. (WSAU), Wausau, Wis.; Ex. Rep. 1-421, R. R. Jackman, et al., Lawrence, Kans., and Kansas City Star Co., Kansas City, Mo. On October 14, Ex. Rep. 1-422, The Troy Broadcasting Co., Inc., Troy, N. Y.

DATE OF ORAL ARGUMENTS CHANGED

Oral arguments scheduled for June 24 were changed to July 1, 1937, in the following cases:

Ex. Rep. 1-382, Peninsula Newspapers, Inc., Palo Alto, Cal.; Ex. Rep. 1-392, The Northern Corp., Boston, Mass.; Ex. Rep. 1-393, Arkansas Radio and Equipment Co. (KARK), Little Rock, Ark., and Ex. Rep. 1-394, Arthur H. Croghan, Minneapolis, Minn.

EFFECTIVE DATES EXTENDED

WSBT—Ex. Rep. 1-315: The South Bend Tribune, South Bend, Ind.—Effective date of order extended to July 6, 1937.

WEMP—Milwaukee Broadcasting Co., Milwaukee, Wis.—Effective date of order extended to July 6, 1937.

NEW—Ex. Rep. 1-330: Brownwood Broadcasting Co., Brownwood, Tex.—Effective date of order extended to July 6, 1937.

NEW—Ex. Rep. 1-331: Sweetwater Broadcasting Co., Sweetwater, Tex.—Effective date of order extended to July 6, 1937.

MISCELLANEOUS

KFOR—Cornbelt Broadcasting Corp., Lincoln, Neb.—Granted petition for continuance of hearing upon application for modification of license to use **1450 kc.,** 1 KW night, 5 KW LS (Docket 4604), and petitions of L. L. Coryell & Son and of KCMO Broadcasting Company in opposition to the continuance were dismissed.

NEW—T. E. Kirksey, Waco, Tex.—Denied motion to reopen case for the purpose of adducing additional evidence in connection with application for C. P. to use frequency **930 kc.,** 250 watts night, 500 watts LS, unlimited time, heard May 10 and 11, and dismissed motion in opposition filed on behalf of KTSA Broadcasting Co. (WACO), Intervenor, and dismissed motions filed on behalf of Birmingham Broadcasting Co., Inc. (WRBC), Times-World Corp. (WDBJ), and Educational Broadcasting Corp. (KROW), respondents.

Southwest Broadcasting Co., Prescott, Ariz.—Granted petition for a change of place of hearing upon application of W. P. Stuart, for new station at Prescott, to use **1500 kc.,** 100 watts, unlimited. Docket 3905, and of the Southwest Broadcasting Co., Prescott, for new station to use **1500 kc.,** 100 watts night, 250 watts LS, unlimited (Docket 3797), to Prescott, Ariz., and continued hearing date to July 27; also vacated orders to take depositions in Prescott on June 21 and 24, heretofore issued, and authorized an examiner and an attorney to proceed to Prescott to conduct the hearing.

WMIN—Edward Hoffman, Minneapolis, Minn.—Granted authority to make the following station announcement: "This is Station WMIN with studios in St. Paul and Minneapolis."

NEW—Radio Enterprises, Inc., Hot Springs, Ark.—Granted motion in part authorizing new hearing date after September 1, 1937, to be fixed by Dockets (Docket 4004), and denied request for indefinite continuance.

WTFI—Liberty Broadcasting Co., Athens, Ga.—Granted extension of Rule 132 until August 1, 1937.

WCOP—Massachusetts Broadcasting Corp., Boston, Mass.—Granted continuance of oral argument now scheduled for September 9, 1937, to a new date to be fixed by the Broadcast Division.

NEW—Havens & Martin, Petersburg, Va.—Granted petition to accept amendment of May 28, 1937, to its application (Docket 4562), without changing the hearing date or status of said application.

NEW—W. W. Luce, Fort Lauderdale, Fla.—Granted continuance of hearing, now scheduled for June 30, for a period of at least 30 days, new hearing date to be fixed by Dockets. (Docket 4455.)

NEW—Eugene P. O'Fallen, Denver, Colo.—Granted petition to intervene in the hearing on application of Colorado Radio Corp. (Docket 4527), now scheduled for June 23.

KFNF—KFNF, Inc., Shenandoah, Ia.—Granted petition to advance oral argument on the application of KARK (Docket 4263), now scheduled for June 24 to July 1, 1937.

WFLA-WSUN—Clearwater Chamber of Commerce, Clearwater, Fla.—Denied petition asking authority under Rule 175 to announce location as: "This is Station WFLA with studios in Clearwater and Tampa, Fla." Permitted to make this announcement: "This is station WFLA, Clearwater, with studios in Clearwater and Tampa."

WEBC—Head of the Lakes Company, Duluth, Minn.—Denied petition asking authority to announce location under Rule 175, as "This is station WEBC with studios in Duluth and Superior." Permitted to make this announcement: "This is Station WEBC, Duluth, Minn., with studios in Duluth and Superior."

RATIFICATIONS

The Division ratified the following acts authorized on the dates shown:

KOB—Albuquerque Broadcasting Co., Aubuquerque, N. M.—Granted extension equipment test period for period of 10 days from June 9.

WAAU—Columbia Broadcasting System, Inc., New York City—Granted authority to operate as licensed period 30 days from June 14 relay broadcast from SS Potomac program dance music.

W8XIK—Crosley Radio Corp., Cincinnati, Ohio—Granted authority to operate as licensed June 16, 23, 30 relaybroadcast program "playtime from different local playgrounds."

WPAY—Veebee Corp., Portsmouth, Ohio—Granted special temporary authority to suspend operation until June 15, pending compliance Rule 132.

WQDM—Regan and Bostwick, St. Albans, Vt.—Granted special temporary authority to operate from 2 to 3:30 p. m. and 5 to 6 p. m., EST, June 12; 3 to 6:30 p. m., EST, June 13, and 5 to 7:45 p. m., EST, June 16, 19, 22 and 24, in order to broadcast sponsored ball games.

WNBX—WNBX Broadcasting Corp., Springfield, Vt.—Granted special temporary authority to test with directional antenna daytime for period not to exceed 15 days, to facilitate completion of field measurements; sunset for June 8 p. m.; July 8 p. m., EST.

WPAD—Paducah Broadcasting Co., Inc., Paducah, Ky.—Granted extension of special temporary authority to broadcast police calls for period beginning June 8 ending in no event later than July 1, pending building of new police transmitter, (effective June 8).

Granted motion for postponement of oral argument on the application of W. Hanes Lancaster and J. W. Birdwell, d/b as Johnson City Broadcasting Co. for C. P. Docket 4078, The Knoxville Journal Broadcasting Co. for C. P., Docket 4188, and Richard M. Casto for C. P., Docket 4212, now scheduled for June 10, and directed that said oral argument be continued until September 30, 1937.

Granted request of Gallatin Radio Forum to amend the order to take depositions in Docket No. 4501, issued by the Commission on May 28, by substituting the name of J. E. Woodard, Butte, Mont., in place of J. J. Burke, Butte, Mont.

Granted petition of Scripps-Howard Radio, Inc., for continuance of the hearing date upon application of Colorado Radio Corp. (KVOD), Docket 4527, and Eugene O'Fallon, Inc. (KFEL), Docket 4578, and for a consolidated hearing upon these applications with the application of Scripps-Howard Radio, Inc. for C. P. for new station at Denver, Colorado, Docket No. 4559, and dismissed the opposition of Colorado Radio Corp. to said petition.

The Broadcast Division, upon consideration of a petition of Keystone Broadcasting Corp. (WKBO), waived Rule 104.6 (b) and accepted its answer to the appearance of Press-Union Publishing Co. in Docket No. 4449.

APPLICATIONS RECEIVED

First Zone

WINS—Hearst Radio, Inc., New York, N. Y.—Construction
1180 permit to install a new transmitter, increase power from 1 KW to 5 KW, change hours of operation from limited time to unlimited time, erect a directional antenna for day and night use and move transmitter from Paterson Plank Road, Carlstadt, New Jersey to 1 Mile East of Kearny, New Jersey.

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—
1210 Special experimental authorization to operate simultaneously with WBRB, sharing as before with WGBB and WGNY, for regular license period. Amended: To change requested hours of operation from simultaneously with WBRB, share WGBB & WGNY to simultaneously with WBRB, share WGNY, WGRB and share evenings with WBRB, WGNY, WGBB.

WTNJ—WOAX, Incorporated, Trenton, N. J.—Construction
1280 permit to install a new transmitter. Amended: To make changes in requested equipment, install a new vertical antenna and change transmitter site from 600 W. Ingham Avenue, Trenton, New Jersey to 1 Mile S. of Morrisville, U. S. Route 1, Falls Township, Pa.

NEW—City Broadcasting Corp., New Haven, Conn.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.,** 10 watts.

NEW—Donald B. MacMillan, Provincetown, Mass.—Construction permit for a temporary relay broadcast station to be operated on **12855 kc.,** 100 watts.

NEW—Donald B. MacMillan, Provincetown, Mass.—License to cover above.

Second Zone

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—Modi-
570 fication of construction permit (B2-P-1412) for a new antenna and move of transmitter, requesting extension of completion date from 6-13-37 to 12-13-37.

NEW—WAVE, Incorporated, Louisville, Ky.—Construction permit
610 for a new station to be operated on **610 kc.,** 250 watts night, 500 watts, daytime, unlimited time.

NEW—WWPO, Incorporated, Pittsburgh, Pa.—Construction permit
1120 for a new station to be operated on **1120 kc.,** 250 watts, unlimited time. To use directional antenna for day and night use.

WKBZ—Karl L. Ashbacker, Muskegon, Mich.—Modification of
1200 license to change frequency from **1500 kc.** to **1200 kc.**

W8XKI—The Crosley Radio Corp., Cincinnati, Ohio.—Modification of construction permit (B2-PRE-43) to extend completion date from 6-7-37 to 12-7-37.

NEW—WLBG, Incorporated, Petersburg, Va.—Construction permit for a new relay broadcast station to be operated on **38900, 39100, 39300, 39500 kc.,** 50 watts.

W9XSF—WAVE, Incorporated, Louisville, Ky.—License to cover construction permit (B2-PRE-100) for a new relay broadcast station.

Third Zone

WPTF—WPTF Radio Co., Raleigh, N. C.—Extension of special
680 experimental authorization to operate with 5 KW power from sunset at KPO to 11 p. m., EST, using directional antenna after sunset, for period 8-1-37 to 2-1-38.

KWKH—International Broadcasting Corp., Shreveport, La.—Ex-
850 tension of special experimental authorization to operate on **1100 kc.,** unlimited time, with directional antenna at night, for period 8-1-37 to 2-1-38.

WWL—Loyola University, New Orleans, La.—Extension of spe-
850 cial experimental authorization to operate unlimited time for the period 8-1-37 to 2-1-38.

KFDM—Sabine Broadcasting Co., Inc., Beaumont, Tex.—Volun-
1100 tary assignment of license from Sabine Broadcasting Co., Inc., to Beaumont Broadcasting Corp.

WJRD—James R. Doss, Jr., Tuscaloosa, Ala.—Construction
1200 permit to install a new transmitter and increase power from 100 watts to 250 watts.

WDSU—WDSU, Inc., New Orleans, La.—Construction permit to
1250 install a new transmitter, increase power from 1 KW to 5 KW, and make changes in antenna system. Amended to change transmitter site from Belle Chase Highway, Gretna, La., to site to be determined, New Orleans, La.

NEW—Harwell V. Shepard, Denton, Tex.—Construction permit
1420 for a new station to be operated on **1420 kc.,** 100 watts, daytime.

KGFI—Eagle Broadcasting Co., Inc., Brownsville, Tex.—Modifica-
1500 tion of construction permit (B3-P-1056) for new equipment and antenna and move of station, requesting changes in authorized equipment, approval of vertical antenna, studio site at Brownsville, Tex., and transmitter on State Highway No. 96, Brownsville, Tex.

NEW—WDSU, Inc., New Orleans, La.—Construction permit for
1500 a new station to be operated on **1500 kc.,** 100 watts night, 250 watts day, unlimited time. Amended to change transmitter site from 214 Royal Street, New Orleans, La., to site to be determined, New Orleans. La.

NEW—Howard W. Davis and W. W. McAllister, d/b as Walmac Co., San Antonio, Tex.—Construction permit for a new high frequency broadcast station to be operated on **31600, 35600, 38600, 41000 kc.,** 50 watts.

NEW—Savannah Broadcasting Co., Savannah, Ga.—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.,** 10 watts.

NEW—Florida Capitol Broadcasters, Inc., Tallahassee, Fla.—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.,** 40 watts.

Fourth Zone

WDAF—The Kansas City Star Co., Kansas City, Mo.—Modification
610 of construction permit (B4-P-1418) for new transmitter and antenna and move of transmitter, requesting extension of completion date from 7-10-37 to 8-10-37.

KFAB—KFAB Broadcasting Co., Lincoln, Nebr.—Extension of
770 special experimental authorization to operate synchronously with WBBM from local sunset at Lincoln, Nebr., to midnight, CST, from 8-1-37 to 2-1-38.

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Extension
770 of special experimental authorization to operate synchronously with KFAB from local sunset (KFAB local sunset) to midnight, for period 8-1-37 to 2-1-38.

NEW—Four Lakes Broadcasting Co., Madison, Wis.—Construction
830 permit for a new station to be operated on **830 kc.,** 100 watts, daytime.

NEW—Martin R. O'Brien, Aurora, Ill.—Construction permit for
1250 a new station to be operated on **1240 kc.,** 250 watts, daytime. Amended to change frequency from **1240 kc.** to **1250 kc.**

KFJM—University of North Dakota, Grand Forks, N. Dak.—
1410 Authority to install new automatic frequency control equipment.

KATE—Albert Lea Broadcasting Co., Inc., Albert Lea, Minn.—
1420 Modification of construction permit (B4-P-883) as modified for a new station, requesting changes in authorized equipment, approval of vertical antenna, and approval of transmitter and studio sites at 330 South Broadway, Albert Lea, Minn.

WATB—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—License to cover construction permit (B4-PRY-31) for a new relay broadcast station.

NEW—WDAY, Inc., Fargo, N. Dak.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.,** 2 watts.

NEW—Radio Station KFH Co., Wichita, Kans.—Construction permit for a new relay broadcast station to be operated on **38900, 39100, 39300, 39500 kc.,** 2 watts.

Fifth Zone

KHQ—Louis Wasmer, Inc., Spokane, Wash.—License to cover construction
590 permit (B5-P-925) as modified, for changes in equipment, increase in power and move of transmitter.

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Authority to determine
590 operating power by direct measurement of antenna.

NEW—Larry Rhine, San Francisco, Cal.—Construction permit for
980 a new station to be operated on **980 kc.,** 250 watts, daytime.

KJBS—Julius Brunton & Sons Co., San Francisco, Cal.—Authority
1070 to install new automatic frequency control equipment.

KGGM—New Mexico Broadcasting Co., Albuquerque, New Mex.—
1230 Authority to install new automatic frequency control equipment.

KIT—Carl E. Haymond, Yakima, Wash.—Modification of construction
1310 permit (B5-P-1115) for a new transmitter and vertical antenna, change in frequency, increase in power and move of transmitter, requesting approval of transmitter site at Yakima County, Washington.

NEW—Roberts-MacNab So. (Arthur L. Roberts, R. B. MacNab &
1310 A. J. Breitbach, General Manager), Livingston, Mont.—Construction permit for a new station to be operated on **1310 kc.,** 100 watts night, 250 watts day, unlimited time.

NEW—Gila Broadcasting Co., Safford, Ariz.—Construction permit
1420 for a new station to be operated on **1420 kc.,** 100 watts night, 250 watts day, unlimited time.

W7XAC—Symons Broadcasting Co., Spokane, Wash.—License to cover construction permit (B5-PRE-70) for a new relay broadcast station.

NEW—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.,** 40 watts.

Puerto Rican Zone

WNEL—Juan Piza, San Juan, Puerto Rico—Construction permit
1290 to make changes in antenna and change frequency from **1290 kc.** to **590 kc.**

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

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STATUS OF RADIO COURT DOCKET

The following radio cases are now pending on the docket of the United States Court of Appeals for the District of Columbia:

Case No. 6762—Paul R. Heitmeyer, Cheyenne, vs. FCC.

No. 6772—Eastland Company vs. FCC.

No. 6773—Congress Square Hotel Company vs. FCC.

No. 6852—Great Western Broadcasting Assn., Inc., Logan, Utah, vs. FCC.

No. 6853—Great Western Broadcasting Assn., Inc., Provo, Utah, vs. FCC.

No. 6854—Intermountain Broadcasting Corporation vs. FCC.

No. 6866—Pulitzer Publishing Company vs. FCC.

No. 6869—Missouri Broadcasting Company vs. FCC.

No. 6906—Red River Broadcasting Company, Inc., vs. FCC.

No. 6911—Continental Radio Company vs. FCC.

No. 6931—Tri-State Broadcasting Company, Inc., vs. FCC.

No. 6990—Saginaw Broadcasting Company vs. FCC.

In the District Court of the United States for the District of Columbia:

Case No. 64232—Black River Valley Broadcasters, Inc., vs. Anning S. Prall et al.

NEW STATION RECOMMENDED

Chase S. Osborn, Jr., applied to the Federal Communications Commission for a construction permit for the erection of a new station at Fresno, Cal., to use 1440 kilocycles, 500 watts and unlimited time on the air.

Examiner John P. Bramhall in Report No. I-439 recommended that the application be granted "on condition that an antenna site be selected which meets with the approval of the Commission." He found that "need for additional service in the area proposed to be served has been established." The Examiner found that the granting of the application would not cause any interference with any existing station.

DENIAL RECOMMENDED FOR NEW STATION

The Waterloo Times-Tribune Publishing Company applied to the Federal Communications Commission for a construction permit for the erection of a new station at Waterloo, Iowa, to use 1370 kilocycles, 100 watts and daytime operation.

Examiner George H. Hill in Report No. I-441 recommended that the application be denied. He found, among other things, that "the financial showing of the applicant is unsatisfactory." The Examiner found also that "it does not appear that there is any substantial need for the proposed station."

RECOMMENDS NEW STATION

Elmira Star-Gazette, Inc., applied to the Federal Communications Commission for a construction permit for the erection of a new broadcasting station at Elmira, N. Y., to use 1200 kilocycles, 250 watts and daytime operation.

Examiner Robert L. Irwin in Report No. I-438 recommended that the application be granted. The Examiner states that "there is need for the daytime service proposed to be rendered in the area by the applicant." He states also that the operation of the proposed station would not result in objectionable interference "to the recognized good service area of any existing station."

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them:

No. 3151. Allegedly engaged in a conspiracy to represent falsely the quality and value of certain pianos sold in interstate commerce, **W. W. Kimball Co.,** 306 South Wabash Ave., **Chicago,** and **Victor G. Williams,** trading as **Williams Music Store,** 30 East Broad St., **Columbus, Ohio,** are respondents in a complaint. The Kimball company manufactures pianos, and Williams is a retailer and sales agent for Kimball products in the Columbus area.

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The Kimball company's sales manager, Ben F. Duvall, and one of its employees, George H. Kranz, also are named in the complaint, which charges use of unfair methods of competition in violation of Section 5 of the Federal Trade Commission Act.

In newspaper advertisements, the respondents allegedly represent that they have for sale repossessed pianos on which purchasers had been unable to finish payment; that to return the pianos to the factory would be very expensive, and that they will sell them at sacrifice prices for the unpaid balances due.

In answer to inquiries concerning the pianos so advertised, Williams, the complaint charges, transports them from his place of business to persons making inquiry, each piano exhibited having a purported regular retail price stamped on a tag affixed to the instrument.

No. 3152. General Motors Corporation and **General Motors Sales Corporation, of Detroit,** are charged with unfair competition and practices tending to create monopoly in the sale of automobile parts, accessories and supplies, in a complaint. The complaint alleges violation both of Section 5 of the Federal Trade Commission Act prohibiting unfair competition and of Section 3 of the Clayton Act forbidding exclusive dealing contracts.

Principal unfair practices alleged are the use of intimidation, oppression and coercion to compel dealers handling General Motors cars, against their will. to purchase parts, accessories and supplies for use on such cars only from General Motors subsidiaries or affiliates.

These practices are alleged to have been effected by six General Motors subsidiaries for three years prior to October, 1936, and by General Motors Sales Corporation subsequent to that time, the Sales Corporation having acquired the assets of the dissolved subsidiaries, Chevrolet Motor Car Co., Buick Motor Car Co., Pontiac Motor Car Co., Olds Motor Works, Cadillac Motor Car Co., and General Motors Parts Corporation.

No. 3153. Mutual Rosenbloom Corporation, 498 Seventh Ave., **New York,** a garment manufacturer, is charged with unfair competition in the sale of women's dresses in a complaint.

Representations of the respondent company are alleged to have deceived buyers into believing that certain of its dresses are made of silk, when such is not a fact and to have created the impression among buyers that when they order dresses from the respondent company specifying that such garments be made of silk jersey they actually receive dresses so manufactured, when in fact they receive merchandise made from material other than silk, according to the complaint.

No. 3154. Charging a conspiracy to fix prices, control sources of supply and channels of distribution in window glass, and to bring about a system of discriminatory prices, a complaint has been issued against a group of manufacturers and distributors said to dominate the window glass industry in the United States.

The Window Glass Manufacturers Association, 19 West 44th St., **New York,** and **The National Glass Distributors Association,** 2217 Tribune Tower, **Chicago,** and their officers, directors and executive committeemen also are named respondents.

Violation of both the Federal Trade Commission Act and the Robinson-Patman Anti-Price Discrimination Act is alleged in the complaint.

Manufacturers named as respondents, who constitute the membership of the **Window Glass Manufacturers Association,** are **Pittsburgh Plate Glass Co.** and **American Window Glass Co., Pittsburgh; Libbey-Owens-Ford Glass Co., Toledo, Ohio; Harding Glass Co., Fort Smith, Ark.; Adamston Flat Glass Co.** and **Rolland Glass Co., Clarksburg, W. Va.; Scohy Sheet Glass Co., Sistersville, W. Va.,** and **Blackford Window Glass Co., Vincennes, Ind.**

The Fourco Glass Co., Clarksburg, W. Va., is joined as a respondent and is said to be the owner of Harding Glass Co. and the exclusive selling agent for the Harding, Adamston, Rolland Scohy and Blackford companies.

The complaint alleges that the respondent manufacturers own practically all the factories making window glass in the United States and produce most of the window glass sold and distributed.

Distributors specifically named as respondents, and who are described as representative members of the **National Glass Distributors Association,** are **Postlewait Glass Co., Kansas City, Mo.; Patek Bros., Inc., Milwaukee; Schrenk & Co., Hoboken, N. J.; Bennett Glass Co., Salt Lake City; Pritchard Paint & Glass Co., Charlotte, N. C.; Hires Turner Glass Co., Philadelphia; Toledo Plate & Window Glass Co., Toledo, Ohio; W. P. Fuller & Co., San Francisco,** and **Binswanger & Co., Richmond, Va.**

The complaint also is directed against all other members of the distributors' association, numbering about 150, who are alleged to constitute a group so large and influential as to be able, by themselves and in cooperation with manufacturers, to control and influence the window glass industry in the country.

No. 3155. A complaint has been issued alleging unfair methods of competition on the part of **Jules Chain Stores Corporation,** 315 Fourth Ave., **New York,** operating the **Liberal Credit Department Store** at 415 Seventh St., N. W., **Washington, D. C.**

Engaged in the sale of wearing apparel for men, women and children, the respondent company, in newspaper advertisements and handbills, allegedly offered free gifts, such as blankets and silverware, to customers purchasing a specified amount of merchandise.

The complaint charges that such advertisements are false and misleading in that the gifts advertised are not free, their cost being included in the price to be paid by purchasers of the amounts of merchandise specified.

No. 3156. Golden Peacock, Inc., Paris, Tenn., engaged in the sale and distribution of toilet preparations, is charged in a complaint with the use of certain false and misleading representations in advertising two of its products, Golden Peacock Bleach Cream and Miracream.

Among representations made by the respondent company in radio broadcasts, newspapers and other advertising matter, and which the complaint charges are false, are that Golden Peacock Bleach Cream contains costly, refined ingredients imported from France and Spain which revitalize the skin and change it to a child-like whiteness and texture, and that it is a new discovery developed after many years of experimentation by eminent doctors and skin specialists.

The complaint further charges that use of either of the preparations will not, as allegedly advertised, remove deep-seated skin discolorations and blemishes over-night or in any other period of time; and will not bleach the skin white and keep it so in all cases, or nourish, revitalize and rejuvenate the skin.

No. 3157. Hay & Peabody Cement Vault Co., 201-05 Arlington St., **Watertown, Mass.,** in a complaint is charged with unfair methods of competition in the sale of its products.

The respondent company is alleged to have advertised its burial vaults as insuring positive protection for all time and as being absolutely water-proof, sweat-proof, vermin-proof, and air-tight, when, according to the complaint, these are not the facts.

The respondent company is also alleged to have represented that while wood decays and metal rusts and disintegrates, concrete improves with age, and the longer a cement vault remains in the ground the better and stronger it becomes because moisture and other underground conditions further solidify cement. The complaint charges that these results do not take place in all cases, and that the respondent company's vault will, and often does, disintegrate and permit both air and water to enter, under burial conditions.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 01693. Raymond Stotter, trading as The Raymond Press, 313 Madison Ave., New York, in selling a book designated "Beauty Unmasked", agreed to cease representing that the book reveals secrets that have brought astounding beauty to many men and women, and that the information it contains will enable a person to learn how to change his facial features and to remove scars, signs of age and skin blemishes.

No. 01694. B. C. Burden, trading as Lincoln Engineering School, Lincoln, Nebr., will stop advertising that his correspondence courses of instruction in radio and electrical engineering are more than equivalent to any other courses now being offered and are sold for only a fraction of the cost of comparable courses; that graduates of his school are so trained as to be able to obtain hundreds of thousands of positions paying $125 to $350 a month; that the courses cover the complete electrical field, and graduates are equipped to compete successfully with college-trained men.

No. 01695. The Filbertone Co., Inc., 608 Hoyt St., Saginaw, Mich., agreed to cease representing that Filbertone Powder or Filbertone Pills, when used separately or in combination, will constitute an effective remedy for rheumatic aches and pains, nervousness, neuritis, indigestion, skin eruptions, and bladder or stomach troubles.

No. 01696. R. Flores, trading as Sana-Cutis Chemical Co., Joplin, Mo., will cease representing that Sana-Cutis is a competent remedy in the treatment of eczema, ringworm, athlete's foot, or dry, itching skin. The respondent further stipulated that he will not use the words "chemical company" in his trade name until he operates a chemical company, or the word "manufacturer" unless he manufactures the products he sells.

No. 01697. Wecker Laboratories, Inc., 3859 Broadway, New York, selling Klearol Acne Lotion, agreed to stop representing that the product will banish pimples and acne and clear up the skin, and that it contains costly ingredients.

No. 01698. Donald S. Kenyon, 2608 Nicollet Ave., Minneapolis, trading as Kondon Manufacturing Co., will cease representing that Kondon's Nasal Jelly will stop a head cold, or is other than a palliative treatment for the pains and discomfitures of head colds, or that it will protect against chest colds, and bring immediate relief in all cases.

No. 01699. Use of certain false and misleading representations in advertising poultry remedies will be discontinued under a stipulation entered into by **S. R. Johnson, D. V. M.,** 2030 Broadway, **Kansas City, Mo.,** trading as **Johnson Laboratories.**

The respondent's products are designated generally as Johnson's Poultry Remedies, but have individual brand names.

Among the representations to be discontinued are that Kamala Nicotine Tablets will remove tapeworms or all species of roundworms; that Iriquin or Mercolated Tablets will restore poultry to the best of health, stop coccidiosis, and prevent intestinal disorders; that Avispray or Ivacol will prevent roup, colds, brooder pneumonia or respiratory infections, and that Mercolated Tablets or Mixed Bacterin (Avian) will constitute a competent treatment for chicken cholera, fowl typhoid, or other bacterial diseases of the digestive system.

No. 01700. Bristol-Myers Co., International Building, Rockefeller Center, New York, agreed to stop representing that its hair tonic, Vitalis, retards falling hair, unless limited to indicate excessive falling hair; that the product, combined with a massage treatment, brings new life and looks to the hair by giving it a chance to grow at the roots and scalp, and that it contains oils that hair requires for health.

No. 01702. Forty-second Street Sales Co., 820 North Michigan Ave., Chicago, stipulated that it will discontinue representing that Forty-second Street Super Cleansing Cream will condition and reduce the size of the pores and prevent dryness of the skin or prevent wrinkles; that Forty-second Street Tissue Cream is deeply penetrative, will refine skin texture, and is an effective treatment for helping banish signs of age, and that Forty-second Street Hand Cream penetrates the pores almost instantly and will enrich the skin.

No. 01703. R. S. Agnew, trading as The Genuaid Co., Clarion, Pa., will discontinue advertising that Genuaids will remove the cause of minor aches and pains and rheumatism, and that by its use a person can guard against colds, indigestion, fatigue and high blood pressure.

No. 01704. Cosmos Chemical Corporation, 81 Washington St., Boston, selling Sanovan, a deodorant, stipulates that it will stop advertising that this product will permanently rid any place of any odor. In its stipulation, the respondent company admits that although the preparation is a deodorant while being used, it will not protect against recurrence if the source of the odor is not removed. The respondent company will not represent Sanovan as being the only deodorant capable of completely eliminating odors.

No. 01705. Atkins Chemical Co., Inc., 44 East 63rd St., New York, engaged in the sale of Bonnox, stipulated that it will cease representing that the preparation is a competent treatment for kidney, bladder or prostate disorders; that it will prevent any ailment from developing into more dangerous stages, and that it is a competent home treatment for nervousness, neuralgia and other ailments.

No. 01706. Laura Phillips, 4532 Murdock Ave., New York, in the sale of Laura's Rapid Tonic and Hair Formula, agrees to desist from the representation that 18 treatments will grow new hair; that use of these preparations will stimulate dormant roots and stop falling hair, unless, in connection with the latter assertion, the representation is limited to the stopping of excessive loss of hair. The respondent will cease asserting that Laura's Realization Face Cream will eliminate wrinkles, make the skin firm, smooth and white, or do away with sallow complexion.

No. 01707. John F. Coleman, trading as Typists' Information Service, Smithboro, N. Y., selling a folio of instruction designated "Typing Tips for Typists", will discontinue asserting in advertising that all details explaining how typists may earn $15 to $20 a week are furnished by him upon receipt of a stamp. Coleman admitted that upon receipt of a stamp he merely furnishes information concerning the booklet he sells. He also agreed to cease representing by publication of advertisements in "Help Wanted" columns or otherwise that he has employment to offer, and to stop making unmodified claims of earnings in excess of the average earnings of purchasers of his folio of instruction.

No. 1708. Dr. J. F. True & Co., Inc., Auburn, Me., agrees to quit advertising that Dr. True's Elixir is useful in treating the ordinary ailments of children, and that it safeguards health, gives children double protection and contains no harmful ingredients.

No. 01709. Chas. H. Phillips Chemical Co., 170 Varick St., New York, agrees to stop advertising that Phillips' Milk of Magnesia Texture Cream helps to correct certain ugly skin blemishes and that this preparation and Phillips' Milk of Magnesia Cleansing Cream help to neutralize the fatty acid accumulations on the skin, unless, in this latter representation, the language is qualified to mean excess fatty acid accumulations. The respondent company stipulates that it will not advertise Phillips' Milk of Magnesia Tooth Paste as providing the best way yet discovered or as science's latest discovery for cleaning teeth. The respondent company will also cease asserting that its tooth paste contains more milk of magnesia than any other tooth paste, unless such representation is true at the time it is made. The respondent company admits in its stipulation that there is no evidence that its dentifrice contains more milk of magnesia than any other tooth paste.

No. 01710. A. Carolus Becker, 22 Hale Ave., Brooklyn, is engaged in the sale of pamphlets, variously designated, containing information relative to astrology and numerology. He stipulated that he will cease representing that any booklet sold by him will enable the purchaser to become a medium, or to construct his own horoscope or arrive at his own astrological predictions; that any of his booklets covers the subjects of numerology thoroughly, or contains information on astrology or forecasts and enables the purchaser to determine his vocation, financial prospects and psychic powers.

No. 01711. J. M. Simmons, trading as J. M. Simmons & Co., 19 West Jackson Boulevard, Chicago, also dealing in pamphlets on the subjects of astrology and numerology, entered into a stipulation substantially the same as that signed by A. Carolus Becker.

No. 01712. The Methusa Co., 10427 St. Clair Ave., Cleveland, agrees to cease stating that its preparation Methusa will enable the user to get rid of nervousness, rheumatism, arthritis and certain other ailments of different degrees of seriousness, unless the assertion is specifically limited to temporary, palliative relief from symptoms. Other representations to be discontinued are that through the use of Methusa the weight of years and age are removed, and that this product will completely recondition the human system. The term "Manufacturing Chemists" or any other term implying that the respondent company manufactures Methusa or any other preparation, will no longer be used, according to the stipulation.

No. 01713. W. J. Latimer, trading as The Midwest Art Co., 514 North Prior Ave., St. Paul, Minn., selling pictures of motion picture stars, in connection with which a missing word contest is conducted, will cease representing that it is possible for a person supplying the missing word to win $1000 without expenditure of "one red cent", and that in event of a tie for any one prize, there will be as many prizes reserved as there are participants tied.

No. 01714. Bristol-Myers Co., International Building, Rockefeller Center, New York, in the sale of Ipana tooth paste, will cease advertising that this preparation and massaging will correct any unhealthy gum condition; that Ipana and the use of a tooth brush will restore to the gums the stimulation they need to remain firm and healthy; that modern dental science or the country's dentists urge or approve the use of Ipana and massaging in the care of teeth and gums, and that Ipana and massaging will prevent one from becoming a "dental cripple".

No. 01715. United Milk Crate Corporation, trading as The Lifetime Portrait Society, 1041 Evans St., Cincinnati, selling pictures enlarged and processed by a method designated as "Por-Ce-Lite Process", will stop advertising that three motion picture studios have ordered pictures of their stars treated by this process, and that the bonus offered by the respondent will pay sales agents $140 extra a month. It is further stipulated that the respondent company will cease using the words "Society" and "Lifetime" in its trade name or otherwise, and will discontinue representing that portraits treated by its process will never fade, warp or soil, and will last for generations.

No. 01716. Alfred J., Paul, and Arthur Smith, trading as Johnson Smith & Co., 6615 E. Jefferson Ave., Detroit, entered into a stipulation to cease the following representations: That their book of instruction in piano playing, entitled "The Vamping Tutor", will enable one to play the piano without lessons or personal instruction, and without any knowledge of music, and to play by ear the accompaniment to any song; and that their book on hypnotism enables one to strengthen his will power, banish fear and worry, and overcome bad habits. The respondents also will stop advertising that Japanese rose bushes grown from seed they sell will bloom "all the year round" or every 10 weeks, winter or summer.

No. 01717. H. M. Cheney, 1218 Adams St., Toledo, trading as Cheney Medicine Co. and as F. J. Cheney Co., stipulates that, in the sale of Hall's Nasal Catarrh Medicine, he will stop asserting that it is a competent treatment for sinusitis or an effective remedy for the symptons of sinus troubles, unless this latter assertion is limited to relief of headaches occurring in cases where an excessive amount of nasal congestion prevents the proper drainage of the sinus cavities.

No. 01718. Herman Nagel, 633 Plymouth Court, Chicago, engaged in selling Formula B, a so-called vitality restorer, will quit asserting that use of its tablets will restore vitality and bring back one's youth, and that this preparation consists mainly of extracts of tropical herbs which have been used for centuries for their vivifying effects.

No. 01719. The Cream of Wheat Corporation, 730 Stimson Building, Minneapolis, agrees to stop representing that by eating Cream of Wheat a person may increase resistance to disease, unless this assertion is limited to the cereal's value as a nourishing food. The respondent company will also cease advertising that Cream of Wheat has been especially created to help youngsters escape contagion, and that a child burns up as much or more energy than a full-grown athlete unless a comparison is made between an active child and an adult and in proportion to weight.

No. 01720. Bristol-Myers Co., International Building, Rockefeller Center, New York, will cease representing that its preparation, Sal Hepatica, is used in cases of constipation to prevent more serious physical conditions or trouble, and that it is a competent treatment for headaches, indigestion, and certain other ailments, unless this claim is limited to such conditions when due to hyperacidity or constipation. The respondent company agrees to cease asserting that Sal Hepatica will clease the system thoroughly, unless this is limited or qualified to indicate cleansing of the intestinal tract, and that Sal Hepatica will correct or counteract acid conditions, unless this is qualified or limited to indicate gastric hyperacidity. In its stipulation, the respondent company admitted that, according to scientific opinion furnished the Commission, Sal Hepatica is an effervescent salt which, when taken in small doses, will act as a laxative, and in larger doses as a cathartic, and that therefore it can be relied upon neither as a competent treatment for colds, headaches, indigestion, upset stomach, or unnatural fatigue, nor as a preventive of more serious physical conditions in cases of constipation.

No. 01721. Louis J. Schuck, 155-65 One Hundred Sixteenth Drive, Jamaica, N. Y., selling certain designated medical preparations, stipulates that he will cease representing, inferentially or otherwise, that any of his preparations or any of the ingredients thereof, are imported from Indo-China or any other country, unless this is true. He will also cease asserting that Kandu Tabs will be of benefit to one in need of "pep" or that either Kandu Tabs or a specified tonic or a combination of both will stir up, wake up or strengthen weak or tired glands.

No. 01722. B. W. Rucker, trading as DeSala Enterprises and Vincent DeSala, Buechel, Ky., in the sale of a book entitled "This Power Called Hypnotism", will stop representing that persons studying this book will gain dynamic power and become masterful, successful and happy, and that its price formerly was $10 or any other price different from that at which it was regularly sold.

No. 01723. C. E. Richards, 404 Morase St., Lewistown, Mont., selling Nu Way Method, agrees to desist from the representations that his prescription, called a system cleaner, will clean the system, break up a case of typhoid, remove gall-stones and has other accomplishments, or that it has any therapeutic value except as a laxative and that there is no danger of spreading tuberculosis when the respondent's treatment is used. The respondent will also cease asserting that Indian Root Treatment treats the body by means of medicated air, or that he, through the use of his preparations, can do more for a person than can a Doctor of Medicine.

No. 01724. Spear Brand Mills, Inc., Kansas City, Mo., selling Spear Brand Chick Feed, will discontinue advertising that this product is capable of producing healthier, sturdier chicks quicker and at less cost than any other feed on the market and that it contains all the vitamins and minerals necessary for rapid, healthy and sustained growth.

No. 01725. E. B. Graham, trading as Golden West Co., Knoxville, Tenn.; "Golden West Compound", for stomach, kidney, blood and liver disorders, indigestion and rheumatic pains.

No. 01726. Western Chemicals, Inc., Vance Building, Seattle, Wash.; "Alcoban", for alcoholism.

No. 01727. E. L. Morris, trading as Nuway Products, Frankford, Del.; "Vim Tabs", a stimulant for glands or nerves.

No. 01728. W. F. Young, Inc., 111 Lyman St., Springfield, Mass.; "Absorbine, Jr.", for inducing sleep.

No. 01729. Chemm, Incorporated, 245 Fifth Ave., New York, agrees to stop representing that Chemm is a balanced food drink. Other allegations to be discontinued are that Chemm develops healthful beauty, causes children to drink more milk and supplies all required amounts of Vitamins A, B and D.

Nos. 01730-01733. A dealer in machines to stamp impressions on coins and a distributor of book matches and other printed material have entered into stipulations to discontinue certain false and misleading advertising practices in the sale of their products.

The respondents are **H. W. Boetticher,** 124 East Larned St., **Detroit,** trading as **Blue Dot Stamp Co.,** and **Bannen Printing Co.,** 110 North Second St., **Rockford, Ill.,** known also as **All-Trades Printing Service.**

Both respondents agree to stop making representations that opportunities exist for prospective salesmen to earn amounts in excess of those actually earned by their regular salespersons under normal conditions.

No. 01731. W. M. Akin Medicine Co., 108 N. Governor St., Evansville, Ind.; "Dr. R. A. Armistead's Ague Tonic", for colds and influenza.

No. 01734. Omar Baking Co., Omaha, Nebr., a subsidiary of National Baking Co., Omaha, also named as a respondent, will quit advertising that Omar Bread is balanced as a diet is balanced, is capable of furnishing tremendous over-generosity of calcium and is a daring contribution to the science of bread-making. The respondent company will also stop asserting that calcium is the sole requisite for strong, hard bones and sound, white teeth, and that lack of it is the cause of malnutrition.

No. 01735. Northwestern Yeast Co., 1750 N. Ashland Ave., Chicago, stipulates that it will desist from representing that the typical every-day diet is sadly deficient in Vitamin B, and that the use of the respondent company's yeast foam tablets will restore a person's digestive and eliminative system to normal, healthy function, provided the latter claim is limited to such conditions when due to a deficiency of Vitamin B complex. The respondent company will no longer advertise that its yeast preparation is capable of correcting skin blemishes, and that its Animal-Poultry Yeast Foam when fed to dogs, has a capacity to help a dog get all the nourishment available from his food, or when fed to chickens, can cause coccidiosis or other intestinal diseases to disappear.

No. 01736. Charles Keller, trading as Keller Co., Mechanicsburg, Ohio; "Bukots", for weakness and irritation of the bladder.

No. 01737. Margaret Vorhees Doyle, trading as the Estate of C. A. Vorhees, M. D., 426 Chelten Ave., Philadelphia; "Bumstead's Worm Syrup", for worms in either children or adults. This respondent also will discontinue representing that the manufacturer of this preparation is a practicing physician or that the originator of the formula is now alive.

No. 1956. Trading as **United States Marble & Granite Co., Asa L. Wooten, Oneco, Fla.,** has entered into a stipulation to discontinue representations in advertising matter implying that he manufactures the tombstones and monuments he sells in interstate commerce.

According to the stipulation, the products sold by Wooten are manufactured at plants which he does not own or operate, although his advertising matter contained assertions such as "Sell Direct From Factory To You" and "From Stone Quarry To Monument Factory Direct To You."

No. 1994. Wayne County Produce Co., Green Point, Long Island, N. Y., agrees to stop using a so-called gift offer of a skillet having an alleged value of $1.25 or other purported value, when in fact such designated value is greatly in excess of the price at which the article is regularly sold. The respondent company manufactures bottled, canned and packed food products, including cider, vinegar, jelly, preserves and apple sauce.

No. 1995. Fragrant Perfumers, Inc., 40 East 19th St., New York, engaged in assembling perfumes and in the sale thereof as well as of other toilet articles, stipulates that it will stop the use on labels of exaggerated or misleading representations concerning the value of a perfume or the price at which it is sold or intended to be sold. Fragrant Perfumers, Inc., also stipulates that it will quit using the word "France" in connection with its sale of this perfume so as to imply that it is made in France, when such is not a fact.

No. 1996. Reliable Stores Corporation, 1 South Howard St., Baltimore, distributor of furniture, house furnishings, jewelry and related commodities, and operating retail stores in different States, including the National Furniture Co., 7th and H Sts., N. W., Washington, agrees to cease use in advertising matter of the words "free" or "gift" alone or in connection with each other or with other words as descriptive of certain articles represented to be given with the purchase of other merchandise, when in fact the price of the so-called "free" or "gift" merchandise is included in the price asked for the goods sold. The corporation also will stop employing the words "free" or "gift" in any wav implying that the articles to which such words refer are in fact gifts or are given free or as a gratuity to the buyer of other merchandise, when such is not a fact.

No. 2004. B. Altman & Co., 5th Ave. and 34th St., **New York,** department store, has entered into a stipulation to discontinue certain unfair representations in the sale of women's blouses.

Certain blouses were designated as "Diagonal Crepe Shirts" and "Diagonal Crepes", when in fact, according to the stipulation, they were not composed of silk but of materials other than silk.

No. 2420. American Grain Distillers, Inc., 634 Lafayette Building, **Detroit,** has been ordered to cease and desist from representing that it is a distiller of alcoholic beverages, when such is not a fact. The order does not apply as to gins produced through a rectification process in which alcohol purchased by the respondent company is redistilled over juniper berries and other aromatics.

Findings are that the company formerly engaged in the liquor business solely as a wholesaler and rectifier, and that it is now insolvent, but still maintains its corporate existence and the Commission is not assured that upon a reorganization the name might not be resumed in the absence of a prohibitive order.

No. 2706. J. G. McDonald Chocolate Co., Salt Lake City, Utah, has been ordered to cease and desist from selling and distributing to dealers, candy so packed and assembled that sales to the public mav be made by means of a lottery, gaming device or gift enterprise.

The order also prohibits packing in the same assortment pieces of candy of uniform size and shape having centers of a different color, together with larger pieces of candy to be given as prizes to purchasers procuring pieces of candy with centers of a particular color.

Nos. 2708-2837-2848. Cease and desist orders have been issued requiring three candy companies to discontinue selling and distributing to dealers, candy so packed and assembled that sales to the public may be made by means of a lottery, gaming device or gift enterprise.

The respondent companies are **Shupe-Williams Candy Co.,** 2605 Wall Ave., **Ogden, Utah; Ostler Candy Co.,** 143 South State St., and **Glade Candy Co.,** 232 South Fifth East St., both of **Salt Lake City.**

The orders also prohibit the Shupe-Williams and Ostler companies from packing in the same assortment pieces of candy of uniform size and shape having centers of a different color, together with larger pieces of candy or a small package of candy or other merchandise, to be given as prizes to purchasers procuring pieces of candy with centers of a particular color.

Nos. 2704-2697-2699-2705. Under orders to cease and desist, four candy companies are required to discontinue selling and distributing to dealers candv so packed and assembled that sales to the public may be made by means of a lottery, gaming device or gift enterprise.

The respondent companies are **Williams-Crahan Co., Woody Candy Co.,** and **Fine-Reding Candy Manufacturing Co., Inc.,** all of **Oklahoma City, Okla.,** and **Startup Candy Co., Provo, Utah.**

The orders also prohibit the Williams-Crahan and Startup companies from packing in the same assortment pieces of candy of uniform size and shape having centers of a different color, together with larger pieces of candy or small packages of candy, to be given as prizes to purchasers procuring pieces of candy with centers of a particular color.

No. 3114. Prohibiting certain unfair competitive methods in the sale of an herb tea and an orange pekoe tea, an order to cease and desist has been issued against **Germania Tea Co.,** 608 First Ave., North, **Minneapolis,** and **Consolidated Drug Trade Products, Inc.,** 544 South Wells St., **Chicago.**

The respondent companies are directed to stop representing that Germania Herb Tea performs any functions in a reducing program other than those of a laxative or purgative, and that Germania Orange Pekoe Tea performs any function or has any value in treating obesity, or in a reducing program, other than in the caffeine supplied through its consumption.

FTC CLOSES TWO CASES

No. 1846. The Federal Trade Commission has issued an order vacating and setting aside an order to cease and desist issued in September, 1933, against **Magnecoil Co., Inc., Salt Lake City,** manufacturer of blankets and other appliances with electrical connections, for use in treating certain diseases.

The Commission directed resumption of testimony on the charges of the complaint in this proceeding. The former order to cease and desist prohibited certain misrepresentations concerning the therapeutic value of the respondent company's product.

No. 1856. The Commission has also closed its case against **J. V. Linehan** and **C. A. Weldt,** trading as **Lion Manufacturing Co., Chicago,** for the reason that the respondents have discontinued the unfair methods of competition alleged in the complaint.

The respondents were charged with misrepresentation of certain blankets they sold in interstate commerce, and with use of a lottery scheme in promoting the sale of such blankets. The Commission closed the case without prejudice to its right to reopen it should the facts warrant.

FEDERAL COMMUNICATIONS COMMISSION ACTION

There was no meeting of the Broadcast Division of the Commission this week. The next broadcast meeting is scheduled for June 29.

The Commission granted the petition to withdraw from the Commission files the petition of WLWL for reconsideration of the action of the Broadcast Division of November 24, 1936, in granting the application for the transfer of control of WOV.

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, June 28:

Monday, June 28

FURTHER HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—El Paso Broadcasting Co., El Paso, Tex.—C. P., **940 kc.,** 1 KW, unlimited time.

NEW—World Publishing Co., Tulsa, Okla.—C. P., **940 kc.,** 1 KW, 5 KW LS, unlimited time.

KGKL—KGKL, Inc., San Angelo, Tex.—C. P., **940 kc.,** 1 KW, 5 KW LS, unlimited time. Present assignment: **1370 kc.,** 100 watts, 250 watts LS, unlimited.

NEW—The Tribune Co., Tampa, Fla.—C. P., **940 kc.,** 1 KW, 5 KW LS, unlimited time.

NEW—Earl Weir, St. Petersburg, Fla.—C. P., **1370 kc.,** 100 watts, unlimited time.

HEARING BEFORE AN EXAMINER

(Broadcast)

KCMO—KCMO Broadcasting Co., Kansas City, Mo.—C. P., **1450 kc.,** 1 KW, unlimited time. Present assignment: **1370 kc.,** 100 watts, unlimited.

KRE—Central California Broadcasters, Inc., Berkeley, Calif.—C. P., **1440 kc.,** 500 watts, 1 KW LS, unlimited. Present assignment: **1370 kc.,** 100 watts, 250 watts LS, unlimited.

Tuesday, June 29

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—WSMB, Inc., New Orleans, La.—C. P., **1500 kc.,** 100 watts, 250 watts LS, unlimited.

NEW—WDSU, Inc., New Orleans, La.—C. P., **1500 kc.,** 100 watts, 250 watts LS, unlimited.

Wednesday, June 30

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Zenith Radio Corp., Chicago, Ill.—C. P., **42000-56000, 60000-86000 kc.,** 1 KW, 1 KW LS, unlimited time in accordance with Rule 983 (a).

NEW—Dr. William States Jacobs Broadcasting Co., Houston, Tex.—C. P., **1220 kc.,** 1 KW, unlimited time (using directional antenna at night).

WRBC—Birmingham Broadcasting Co., Inc., Birmingham, Ala.—C. P., **930 kc.,** 1 KW, 5 KW LS, unlimited time. Present assignment: **930 kc.,** 1 KW, unlimited.

NEW—The Birmingham News Co., Birmingham, Ala.—C. P., **590 kc.,** 1 KW, unlimited time.

Thursday, July 1

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. 1-382:

NEW—Peninsula Newspapers, Inc., Palo Alto, Calif.—C. P., **1160 kc.,** 250 watts, daytime.

Examiner's Report No. 1-393:

KARK—Arkansas Radio & Equipment Co., Little Rock, Ark.—Modification of C. P., **890 kc.,** 1 KW, unlimited time. Present assignment: **890 kc.,** 500 watts, 1 KW LS, unlimited.

Examiner's Report No. 1-394:

NEW—Arthur H. Croghan, Minneapolis, Minn.—C. P., **1310 kc.,** 100 watts, daytime.

Examiner's Report No. 1-396:

NEW—F. M. Gleason, d/b as North Georgia Broadcasting Co., Rossville, Ga.—C. P., **1200 kc.,** 100 watts, daytime.

Examiner's Report No. 1-398:

NEW—Stanley Reid and Charles Withnell Boegel, Jr., d/b as The Rapids Broadcasting Co., Cedar Rapids, Iowa.—C. P., **1310 kc.,** 100 watts, unlimited time.

Examiner's Report No. 1-399:

KSFO—The Associated Broadcasters, Inc., San Francisco, Calif.—Voluntary assignment of license to Columbia Broadcasting System of Calif.; **560 kc.,** 1 KW, unlimited.

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Fall River Herald News Publishing Co., Fall River, Mass.—C. P., **1210 kc.,** 100 watts, 250 watts LS, unlimited.

Friday, July 2

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Centennial Broadcasting Corp., Dallas, Tex.—C. P., **1500 kc.,** 100 watts, daytime.

NEW—William F. Maag, Jr., Youngstown, Ohio.—C. P., **1420 kc.,** 100 watts, daytime.

NEW—The Colonial Network, Inc., Providence, R. I.—C. P., **720 kc.,** 1 KW, limited time.

NEW—Geraldine Alberghane, Pawtucket, R. I.—C. P., **720 kc.,** 1 KW, daytime.

KDAL—Red River Broadcasting Co., Inc., Duluth, Minn.—Renewal of license, **1500 kc.,** 100 watts, unlimited time.

WSMK—WSMK, Inc., Dayton, Ohio.—C. P., **1380 kc.,** 250 watts, 500 watts LS, unlimited. Present assignment: **1380 kc.,** 200 watts, simultaneous day with KQV, specified hours night.

APPLICATIONS RECEIVED

First Zone

WAAB—The Yankee Network, Inc., Boston, Mass.—Modification
1410 of license to change power from 500 watts, 1 KW day, to 1 KW day and night.

WJSV—Columbia Broadcasting System, Inc., Washington, D. C.—
1460 Construction permit to install a new transmitter; increase power from 10 KW to 50 KW; install a new directional antenna for day and night use; and move transmitter from Mt. Vernon Highway, near Potomac Yards, 1½ miles north of center of Alexandria, Va., to .4 miles due east of Wheaton four corners, Wheaton, Md.

WMFL—National Broadcasting Co., Inc., Bound Brook, N. J.—Construction permit for replacement of transmitter, reduce power from 10000 watts to 500 watts.

WMFL—National Broadcasting Co., Inc., Bound Brook, N. J.—License to cover above.

Second Zone

WLW—The Crosley Radio Corp., Cincinnati, Ohio.—Extension of
700 special experimental authorization to operate with power of 500 KW day and 500 KW night using directional antenna, for period from 8-1-37 to 2-1-38.

WLW—The Crosley Radio Corp., Cincinnati, Ohio.—License to
700 cover construction permit (B2-P-1557) for changes in equipment.

WTAR—WTAR Radio Corp., Norfolk, Va.—License to cover con-
780 struction permit (B2-P-1074) for increase in power, new directional antenna, and move of transmitter.

NEW—George B. Storer, Pontiac, Mich.—Construction permit for
800 new station to be operated on **680 kc.,** 1 KW power, daytime operation. Amended to change requested frequency from **680 kc.** to **800 kc.,** and transmitter and studio sites from site to be determined, Detroit, Mich., to site to be determined, Pontiac, Mich.

WQAN—The Scranton Times (co-partnership), E. J. Lynett, Wm.
880 R. Lynett, Elizabeth R. Lynett and Edward J. Lynett, Jr., Scranton, Pa.—Modification of license to increase power from 500 watts to 500 watts night, 1 KW day.

WCHV—Community Broadcasting Corp., Charlottesville, Va.—
1420 Modification of license to change hours of operation from unlimited day, share WEED night, to unlimited time. Contingent upon the granting of WEED's application for change in frequency.

Third Zone

WSM—The National Life and Accident Insurance Co., Nashville,
650 Tenn.—License to use old Western Electric Transmitter as an auxiliary, at old location, 1501 Weston Ave., Nashville, Tenn., 5 KW power.

WCOC—Mississippi Broadcasting Co., Inc., Meridian, Miss.—
880 Modification of construction permit (B3-P-1434) for changes in equipment, requesting extension of completion date from 7-10-37 to 9-10-37.

KRGV—KRGV, Incorporated, Weslaco, Texas.—License to cover
1260 construction permit (B3-P-1190) for changes in equipment and increase in power.

WAML—New Laurel Radio Station, Inc., Laurel, Miss.—Con-
1310 struction permit to make changes in equipment and increase power from 100 watts to 100 watts night, 250 watts day.

NEW—William C. Smith, Bogalusa, La.—Construction permit for
1310 a new station to be operated on **1470 kc.,** 100 watts, daytime (7 a. m. to 7 p. m.). Amended: To change frequency from **1470 kc.** to **1310 kc.** and hours of operation from daytime (7 a. m. to 7 p. m.) to unlimited time.

KFJZ—Fort Worth Broadcasters, Inc., Fort Worth, Texas.—
1370 Authority to transfer control of corporation from R. S. Bishop to Ruth G. Roosevelt, 313 shares common stock.

NEW—M. M. Valentine, Laredo, Texas.—Construction permit for
1500 a new station to be operated on **1310 kc.,** 100 watts night, 250 watts day, unlimited time. Amended: To change requested frequency from **1310 kc.** to **1500 kc.**

NEW—Lamar Life Insurance Co., Jackson, Miss.—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.,** 50 watts.

NEW—A. H. Belo Corporation, Dallas, Texas.—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.,** 75 watts.

Fourth Zone

WILL—University of Illinois, Urbana, Ill.—Construction permit
580 to make changes in transmitting equipment and increase power from 1 KW to 5 KW.

Fifth Zone

KEHE—Hearst Radio, Inc., Los Angeles, Calif.—License to cover
780 construction permit (B5-P-1759) for an auxiliary transmitter at KEHE's present site.

NEW—Hollenbeck Heights Christian Church, Los Angeles, Calif.—
1170 Construction permit to erect a new station to be operated on **1170 kc.,** 100 watts power, limited time.

KOB—Albuquerque Broadcasting Co., Albuquerque, New Mexico.—
1180 License to cover construction permit (B5-P-1492) as modified, for a new transmitter.

KOB—Albuquerque Broadcasting Co., Albuquerque, New Mexico.—
1180 Authority to determine operating power by direct measurement of antenna.

KTMS—News Press Publishing Co., Santa Barbara, Calif.—Modi-
1220 fication of construction permit (B5-P-982) to make changes in authorized equipment, approval of vertical antenna and approval of transmitter site at near Goleta, California. Amended: To install directional antenna for day and night use.

NEW—Anna Jay Levine, Palm Springs, Calif.—Construction per-
1370 mit for a new station to be operated on **1370 kc.,** 100 watts night, 250 watts day, unlimited time. Amended: To change transmitter site from Riverside Co. to Palm Canyon Drive, near Morongo Road, Palm Springs, California, and studio site from Palm Canyon Drive and Tahquitz Road to Palm Canyon Drive near Morongo Road, Palm Springs, California.

NEW—KLZ Broadcasting Co., Denver, Colo.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.,** 1 watt.

The National Association of Broadcasters

NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.

JAMES W. BALDWIN, Managing Director

NAB REPORTS ★ ★ ★ ★ ★

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JULY 1, 1937

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FIFTEENTH ANNUAL MEMBERSHIP MEETING NOW HISTORY

The Fifteenth Annual Convention of the NAB held at Chicago, Illinois, June 20-23, witnessed the largest number of registrations in the history of the Association. There were 568 registrations this year as compared with 549 last year.

PROCEEDINGS WILL BE PRINTED

The proceedings of the Fifteenth Annual Convention of the NAB will be published in NAB Reports as soon as the official transcript is available.

Officers and Directors for Ensuing Year

The following constitute the Officers and Directors of the Association for the current year:

President—John Elmer, WCBM, Baltimore, Maryland.

First Vice President—John J. Gillin, Jr., WOW, Omaha, Nebr.

Second Vice President—William J. Scripps, WWJ, Detroit, Mich.

Treasurer—Harold Hough, WBAP, Fort Worth, Texas.

Managing Director—James W. Baldwin, Washington, D. C.

Directors

Edward A. Allen, WLVA, Lynchburg, Va.
Ralph R. Brunton, KJBS, San Francisco, Calif.
*Harry C. Butcher, WJSV, Washington, D. C.
Arthur B. Church, KMBC, Kansas City, Mo.
Edwin W. Craig, WSM, Nashville, Tenn.
*Gene T. Dyer, WGES, Chicago, Ill.
*Herbert Hollister, KANS, Wichita, Kans.
J. O. Maland, WHO, Des Moines, Iowa
*C. W. Myers, KOIN, Portland, Ore.
Eugene P. O'Fallon, KFEL, Denver, Colo.
John F. Patt, WGAR, Cleveland, Ohio
*Frank M. Russell, WRC-WMAL, Washington, D. C.
*Theodore C. Streibert, WOR, New York, N. Y.
T. W. Symons, Jr., KFPY, Spokane, Wash.
L. B. Wilson, WCKY, Cincinnati, Ohio

PRESIDENT ELMER WILL SPEND ONE DAY EACH WEEK AT HEADQUARTERS

The new President of NAB, John Elmer, announced this week that he will spend one day each week at NAB headquarters. Mr. Elmer plans to be available to members between the hours of 10 and 4 each Thursday at 960 National Press Bldg., Washington, D. C. The President extends a cordial invitation to all members to visit their headquarters office.

A WORD OF APPRECIATION

I want every member to know of the deep, warm gratitude which I feel for the confidence expressed in my election to the presidency of NAB. I assume the duties of the office with every intention to serve fully the best interests of our organization—and with a consciousness of the responsibility. No motive of mine in any action shall ever be selfish. To our whole membership I address my thanks and this promise.—John Elmer.

SYKES SAYS SILENCE CRITICS WITH SERVICE

"The best answer to make to those who are not satisfied with our American system of broadcasting is to render such a wonderful public service that these critics may, in the course of time, be silenced," said Judge Eugene

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* Elected this year.

O. Sykes, Chairman of the Broadcast Division of the Federal Communications Commission, in an address before the Fifteenth Annual Convention of the NAB held in Chicago, June 20-23.

The full text of Judge Sykes' address is printed in this REPORT. Every member who heard it will want to read it and every member who did not attend the Convention owes it to the industry as well as himself to read it.

RESOLUTIONS ADOPTED AT NAB CONVENTION

The following resolutions were adopted by the Convention:

Resolution No. 1

RESOLVED, That the National Association of Broadcasters sincerely thanks Hon. Judge Eugene Octave Sykes, Chairman of the Broadcast Division, Federal Communications Commission, for the helpful address delivered by him at its fifteenth annual convention, and that the membership is confident that his message will aid greatly in enabling broadcasting stations to carry out the responsibilities placed upon them by the Federal Communications Commission.

Resolution No. 2

RESOLVED, That the National Association of Broadcasters hereby extends its appreciation to Mr. Glenn Snyder, Mr. H. Leslie Atlass, Mr. Ralph L. Atlass, Mr. H. C. Crowell, Mr. Gene T. Dyer, Mr. W. E. Hutchinson, Mr. Quin A. Ryan, Mr. F. A. Stanford, Mr. Niles Trammel and Mr. Clinton R. White of the Local Convention Committee for their services in helping to make the fifteenth annual convention of the National Association of Broadcasters a success.

Resolution No. 3

RESOLVED, That the National Association of Broadcasters hereby extends its hearty thanks to the management of the Sherman Hotel, and to Mr. Wm. P. Hennessy, Director of Conventions, Chicago Association of Commerce, for their splendid service in making the fifteenth annual convention of this Association an outstanding success; also to the management of the Sherman Hotel and other hotels for their courtesies in accommodating so many of our guests.

Resolution No. 4

RESOLVED, That the official acts of the Managing Director since the fourteenth annual convention be and the same are hereby approved.

Resolution No. 5

RESOLVED, That the National Association of Broadcasters thank Mr. Arthur Pryor, Jr., of Batton, Barton, Durstine & Osborn, Inc., of New York City, and Mr. Marvin Oreck of Oreck's, Inc., Duluth, Minnesota, for their helpful participation in this fifteenth annual convention of the National Association of Broadcasters.

Resolution No. 6

WHEREAS, the Federal Radio Education Committee, acting through a select committee, has agreed that certain specific projects should be carefully studied,

WHEREAS, at a cost aggregating approximately $250,000.00, certain foundations have agreed to contribute approximately $167,000.00, it is resolved that all broadcasting stations should be invited to contribute a total of approximately $83,000.00 over a period of two years as the broadcasters' share of the expense of these investigations. Resolved further that the Board of Directors devise a formula whereby the contributions of each broadcaster will be on an equitable basis.

Resolution No. 7

RESOLVED, That the National Association of Broadcasters encourage the prosecution of the United States suit against the American Society of Composers, Authors, and Publishers.

Resolution No. 8

RESOLVED, That the National Association of Broadcasters, as an organization, use all legitimate means to further the passage of the Duffy Copyright Bill, and urge its membership to encourage members of the Congress from their districts to support this bill.

Resolution No. 9

RESOLVED, That the NAB reiterate its position as favoring the issuance of radio station licenses for a term of at least three years.

Resolution No. 10

RESOLVED, That the Board of Directors of the NAB be directed and are instructed to carry on negotiations with copyright owners to the end that a per-piece or measured service plan be obtained.

Resolution No. 11

RESOLVED, That the NAB approves of the action taken by the Board of Directors in respect to the organization of the NAB BUREAU OF COPYRIGHTS, INC., and the transferring of the property and activities of the Bureau of Copyrights to the new organization and urges the wholehearted support to that organization of all our members.

Resolution No. 12

WHEREAS, there has been introduced into the Congress of the United States a bill known as the Celler Bill, which would authorize the construction, maintenance, and operation of a government broadcasting station,

Whereas, the existing system of broadcasting in the United States makes available to the various departments of the government ample time for broadcasting either domestic or foreign programs,

Whereas, the existing system of broadcasting in the United States affords to the departments of the government the greatest possible radio audiences,

Whereas, the operation of a broadcasting station by the Office of Education is opposed by all existing Federal and State laws respecting education,

Whereas, due to its official status, there would be great danger of utterances over such a station giving offense to friendly nations, and creating unnecessary international incidents,

Whereas, the enactment of the bill would result in a useless and extravagant expenditure of public funds,

Now, therefore, be it resolved, That the National Association of Broadcasters express its opposition to the passage of this bill, and instruct its Board of Directors to use all legitimate means to cause its defeat, and urge the members of the National Association of Broadcasters to encourage their members in Congress to oppose the passage of this bill.

RESOLUTIONS REFERRED TO NAB BOARD OF DIRECTORS

The following resolutions were referred to the Board of Directors:

A. Whereas, we believe it is for the best interests of the National Association of Broadcasters, as a trade organization, to promote the broadcasting industry of the United States at all times in the best possible manner,

Therefore, be it resolved, that a Director of the Advertising Bureau of NAB be employed by the National Association of Broadcasters, to work under the supervision and direction of the managing director, to advance the art of radio broadcasting in the minds of the people and to portray a true picture of the value of the radio industry, in its present form, to the United States.

B. Whereas, the Copyright Act of 1909 was enacted at a time when Radio Broadcasting was unknown and in the application of such act to Radio Broadcasting as it exists today, numerous injustices have been complained of by both user and owner of copyrighted material, and

Whereas, the diversity of state legislation affecting copyrights and other problems of the broadcasting industry makes it advisable to coordinate information on these subjects for the benefit of all,

Therefore, be it resolved, That a committee composed of one member of the National Association of Broadcasters from each state be appointed and that each such member be pledged to respond to committee call, each such committee member to serve without compensation but with traveling and hotel expenses to be set and paid by the National Association of Broadcasters when such committee members are traveling pursuant to official call, and it shall be the duty of each such committee member to gather and furnish information on questions of copyrights and other problems of broadcasters, and that the activities of this committee shall be coordinated by suitable counsel engaged for that purpose.

C. Whereas, at the 1936 meeting of the National Association of Broadcasters, the following recommendation was adopted:

"Whereas, as the radio broadcasting industry continues to grow in size, it becomes more and more apparent that if broadcasters are to handle their state, regional and national programs intelligently, they must be organized in state, regional and national units, as such organizations will serve to keep the rank and file better informed and give the numerous broadcasters more of a voice in the affairs of the industry.

"Now therefore be it resolved, the Board of Directors of the NAB be and are hereby instructed to bend every effort during the year 1936-1937 to foster such organizations as chapters of the NAB."

And whereas, one year has elapsed since that date and no effective action has been taken to carry out the purposes of that resolution, and

Whereas, the problems of radio are greater and more numerous than ever before, and

Whereas, the Radio Broadcasting Industry is threatened with unjust legislation, racketeering, taxes and program difficulties both locally and nationally, and

Whereas, the need for the Radio Broadcasting Industry to reorganize in keeping with the suggestions contained in the resolution adopted unanimously at the convention one year ago is greater today than ever,

Now therefore be it resolved, that it is the sense of this Convention that the National Association of Broadcasters be recognized in such a manner and to such an extent as to encourage the growth and functioning of local and state-wide chapters.

Be it further resolved, that to expedite such reorganization, it is hereby ordered that a reorganization committee consisting of seven members be and is hereby appointed in the following manner:

The delegates present at this convention from each of the five radio regions as set up under the old Radio Act shall elect one of their number to represent their region on this Committee. These five to in turn elect two additional members from among the delegates present, one of whom must be the President of the National Association of Broadcasters and the other when elected shall serve as Chairman of this Committee.

Be it further resolved, that to finance this work a fund of $5000 be set aside to defray the actual expenses of this Committee and its work, and the Committee is hereby instructed to proceed at the earliest possible moment to work out the details of a reorganization plan in keeping with the following suggestions:

1. Local chapters are to be organized or chartered wherever a sufficient number of radio stations are grouped geographically in such a manner as to make a local chapter feasible. Example, northern California, southern California, Oregon, western Washington and eastern Washington.

2. Local chapters to be chartered only by the National Association of Broadcasters and each local chapter to be allowed one director in the National Association for each five stations or major fraction thereof plus one delegate for each station member, which delegate shall have all the rights and powers of a director save the right to vote and introduce motions.

3. The National organization to be divided into five or more regional organizations, which organizations shall be made up of the regular directors and delegates to the national organization from chapters in that particular region. These directors and delegates to have the same rights and powers in the regional organization as in the National Association.

4. Each Regional Organization to be presided over by a Regional Director, who shall be elected from and by the directors from that particular region present at the Annual Meeting of the National Association each year.

5. The Executive Committee of the National Association shall have charge of the affairs of the National Association in the same manner and to the same extent as does the present board of directors, and shall consist of the Regional Directors plus the President-elect and the Past President of the National Association.

Be it further resolved, that as soon as the committee has prepared such a plan in sufficient detail the committee shall submit it to the membership by mail and when a majority have approved it by mail, then the committee is hereby empowered to put said plan into operation to the end that the National Association of Broadcasters may be able to function under such plan of reorganization when it meets in annual convention in 1938.

(Voted that the Board of Directors appoint a committee to study the proposal and submit recommendations in the form of amendments to the constitution, if the committee deem it necessary.)

D. Be it resolved, by the Executive Board of the National Association of Broadcasters, that we express interest in the purpose of the American Foundation for the Blind to commemorate the fiftieth anniversary of the first meeting of Helen Keller and her teacher, the late Mrs. Anne Sullivan Macy, on March 3rd, 1887, and that we endorse the nationwide celebration to be conducted during the remainder of this year and the first part of 1938, as a tribute to these two great Americans.

E. Whereas, considerable progress has been made during the last few years by the radio engineering profession, and a great deal of data has been obtained concerning the laws governing radio propagation, interference, receiver selectivity, and the operating characteristics and efficiency of radiators, and

Whereas, the Federal Communications Commission through its engineering department has demonstrated its progressiveness and aided the broadcast industry greatly by its actions in holding hearings, and otherwise, in accumulating advanced engineering information and correlating the same, and

Whereas, the "Preliminary Engineering Report on Allocations" made public by the Commission's Broadcast Division on January 14, 1937, meets with the general approval of the engineering profession, and

Whereas, the National Association of Broadcasters approves this report because it is based on sound and basic engineering principles, and

Whereas, there is a definite need in the broadcast industry for such improvements as will be possible by the adoption of these principles in the Commission's regulations,

Now, be it therefore resolved by the National Association of Broadcasters:

The Federal Communications Commission is hereby petitioned by the National Association of Broadcasters to accept the report and to incorporate into its regulations the basic principles of said report.

(Referred to the Board of Directors with instructions that this resolution be given consideration before the Havana Conference.)

F. Whereas, the present broadcast frequency band, 550-1500 kilocycles, is now occupied by an almost maximum number of stations, and

Whereas, there is at present no satisfactory allocation agreement between the United States and other North American countries, and

Whereas, in the present situation interference exists on some broadcast channels,

Now, therefore, be it resolved by the National Association of Broadcasters:

That the Federal Communications Commission be requested to use caution in granting applications or in making changes in allocations in the frequency band 1510-1600 kilocycles, or in other new bands that may be used for broadcasting, in order to prevent action which would interfere with a satisfactory solution of the problem of North American allocation pending the Pan American Conference called for November, 1937.

G. The Sales Managers Division of the Commercial Committee in meeting in Chicago, January 18 and 19, 1937, respectfully direct to the attention of the Commercial Section of the NAB that considerable confusion exists in the broadcasting industry with respect to whether announcements or spots should be combined with program units of time of five minutes or longer in the matter of figuring discounts.

It is our recommendation that announcements or spots of less than five minutes' duration should not be combined with units of five minutes or longer in the matter of figuring discounts.

We propose that announcements or spots of less than five minutes' duration should be combined in figuring discounts and that units of time of five minutes or longer should be combined in figuring discounts.

H. The Sales Managers Division of the Commercial Committee of NAB registered its approval of the purpose of the resolution passed by the NAB in convention at Cincinnati in 1934, which proposed a standardized sale of units of time for sale and quantity discounts.

Since that time considerable progress has been made by the broadcasting industry and there is now a definite attitude on the part of the broadcasters, as well as an expressed desire by many advertising agencies, to standardize even more definitely the matter of units for sale and quantity discounts.

Therefore, the Sales Managers Division in meeting in Chicago, January 18 and 19, 1937, respectfully submits to the Commercial Section of NAB for early consideration the following units of time for sale and quantity discounts:

a. Units of time for sale	b. Quantity discounts
1 hr.	13 times—5%
½ hr.	26 times—10%
¼ hr.	52 times—15%
5 min.	100 times—20%
	300 times—25%

Regarding announcements, we believe that further consideration should be given toward standardization. We further believe that all rate cards should be printed to show the actual rate or cost after application of the above quantity discounts.

RECENT DEVELOPMENTS ON COPYRIGHT LEGISLATION

Since the May 20 issue of the NAB Reports listing developments on state copyright legislation the Tennessee music copyright bill became law upon its approval by the Governor May 21, and the states of Florida, Michigan and Wisconsin have enacted laws affecting music copyright pools. These states, together with Montana, Washington, and Nebraska, make a total of seven states which have enacted music copyright legislation during the present year. The Florida bill, which is similar to the Nebraska law, was approved by the Governor, June 9. The Michigan bill, patterned after the Montana law, has passed the House and Senate and is awaiting approval by the Governor. In Wisconsin the Governor, on June 16, signed a bill imposing a 25% gross receipts tax on music brokers and requiring all investigators of public renditions of music to register with the Secretary of State and pay a $20.00 license fee. A joint resolution of the Wisconsin State Senate and House memorializing the Federal Congress to enact legislation prohibiting racketeering on copyrighted music received the Governor's approval June 2.

Only five state legislatures, namely Illinois, Michigan, New Hampshire, New Jersey and Wisconsin, are still in regular session, and the Minnesota and Ohio legislatures are presently convened for special sessions.

In Washington, D. C., due to extended hearings on patent bills, the Senate Patents Committee does not expect to reach the copyright bills of Senators Duffy, Sheppard and Guffey before the latter part of July.

MORE POWER RECOMMENDED FOR WABY

Broadcasting station WABY, Albany, N. Y., operating on 1370 kilocycles, unlimited time, applied to the Federal Communications Commission to increase its power from 100 watts to 100 watts night and 250 watts day.

Examiner Robert L. Irwin in Report No. I-446 recommended that the application be granted. He found that "there is a need for the additional daytime service proposed to be rendered in the area by the applicant." The Examiner found also that the granting of the application would not cause any interference with other stations and it would be in the public interest.

RECOMMENDS NEW STATION

The Schuykill Broadcasting Company and the Pottsville News and Radio Corporation both applied to the Federal Communications Commission for a construction permit for a new station at Pottsville, Pa. Both applied for 580 kilocycles, 250 watts power and daytime operation. The question was whether a station should be erected at Pottsville and if so to whom the permit should be granted.

Examiner Melvin H. Dalberg in Report No. I-442 recommended that the application be granted to the Schuykill Company and therefore that the other application be denied. The Examiner found that there is a need for additional service at Pottsville. He says:

"It is believed, however, that the applicant Schuylkill Broadcasting Company is, on the whole, better qualified to hold this construction permit than the applicant

Pottsville News and Radio Corporation in view of the fact that the individuals constituting this proposed permittee are more closely allied with and are more familiar with the broadcasting needs of the people in the area sought to be served. It is also felt that by comparison this applicant is better qualified financially to continue the operation of the station over a substantial period of time, should the same not result in an economic success in the early period of its operation."

DISMISSAL WITH PREJUDICE RECOMMENDED

Phillip Jackson applied to the Federal Communications Commission for a construction permit for the erection of a new station at Brunswick, Ga., to use 1420 kilocycles, 100 watts, daytime operation.

Examiner John P. Bramhall in Report No. I-445 recommended that the application be dismissed with prejudice. When the hearing was called no one appeared representing the applicant.

RECOMMENDS NEW STATION DENIAL

William M. Ottaway applied to the Federal Communications Commission for a construction permit for a new station at Port Huron, Mich., to use 1370 kilocycles, 250 watts and daytime operation.

Examiner John P. Bramhall in Report No. I-444 recommended that the application be denied. It is stated that the Port Huron Broadcasting Company has an application pending before the Commission for a construction permit requesting the same facilities as requested in this application. The Port Huron Company's application has been heard and the Examiner submitted a report recommending that it be granted.

NEW WASHINGTON STATION RECOMMENDED

The Twin City Broadcasting Corporation applied to the Federal Communications Commission for a construction permit for the erection of a new broadcast station at Longview, Wash., to use 780 kilocycles, 250 watts and daytime operation.

Examiner R. H. Hyde in Report No. I-443 recommended that the application be granted "subject to the condition that the site for construction of the transmitter be approved by the Commission before construction is begun." The Examiner states that "while the evidence discloses that there is program reception service available in the applicant's area from stations located in other cities, there appears to be a need for reception and transmission service adapted to the requirements of local interests."

RECOMMENDS NEW STATION

W. E. Whitmore applied to the Federal Communications Commission for a construction permit for the erection of a new station at Hobbs, N. M., to use 1500 kilocycles, 100 watts and daytime operation.

Examiner Melvin H. Dalberg in Report No. I-449 recommended that the application be granted. He found that there is need for the local service proposed to be rendered by the new station and the operation of the station would not cause any objectionable interference with any existing stations and that the proposed station would serve public interest.

DISMISSAL RECOMMENDED

C. S. Gooch operating as the Amarillo Broadcasting Company applied to the Federal Communications Commission for a construction permit for a new station at Amarillo, Texas, to use 1500 kilocycles, 100 watts, unlimited time on the air.

Examiner Melvin H. Dalberg in Report No. I-447 recommended that the application be dismissed without prejudice. When the hearing was called counsel for the applicant appeared requesting that he be allowed to withdraw the application without prejudice.

RECOMMENDS APPLICATION DISMISSAL

John D. Fields, Inc., applied to the Federal Communications Commission for a construction permit for the erection of a new broadcasting station at Las Vegas, Nevada, to use 1370 kilocycles, 100 watts and daytime operation.

Examiner P. W. Seward in Report No. I-450 recommended that the application be dismissed with prejudice. Following the hearing the applicant filed a motion asking for a dismissal of his application.

NEW STATION RECOMMENDED

The Columbia Radio Company, Inc., applied to the Federal Communications Commission for a construction permit for a new station at Columbia, S. C., to use 1200 kilocycles, 100 watts, unlimited time. Also the Carolina Advertising Corporation applied for a construction permit at the same place to use 1370 kilocycles, 100 watts and 250 watts LS, and unlimited time on the air.

Examiner George H. Hill in Report No. I-448 recommended that the application of the Advertising Company be granted and that of Columbia Radio be denied. There is a definite need for additional radio service at Columbia, the Examiner found. Granting of the application of the Columbia Radio Company, said the Examiner, would result in objectionable interference while no substantial interference would result from the granting of the advertising company's application.

RECOMMENDS DENYING KROY CHANGES

Broadcasting station KROY, Sacramento, Cal., applied to the Federal Communications Commission to change its frequency from 1210 to 1340 kilocycles, to increase its power from 100 watts to 250 watts and 1,000 watts LS, and to increase its time from daytime operation to unlimited time on the air.

Examiner Tyler Berry in Report No. I-451 recommended that the application for changes be denied. In suggesting the denial of the application the Examiner stated that:

"The operation of the station on the proposed assignment would provide an increased useful service for daytime operation and furnish a new and useful service at night, to the area to be served; however, such operation would cause objectionable interference to and a curtailment of the service of an existing station in an area now free of interference and which area does not enjoy equal radio broadcasting facilities with the area proposed to be served; and the increased service proposed would not exceed in importance to the Sacramento area the value of the service curtailed to the Butte area, and the applicant presents no special circumstances which would require that his application be granted to the detriment of an existing station. A grant would, therefore, result in an unfair distribution of radio facilities as contemplated by the Communications Act of 1934."

WSMB POWER INCREASE RECOMMENDED

Broadcasting station WSMB, New Orleans, La., operating on 1320 kilocycles, unlimited time, applied to the Federal Communications Commission to increase its power from 1,000 watts to 1,000 watts night and 5,000 watts LS.

Examiner P. W. Seward in Report No. I-455 recommended that the power increase be granted "subject to the final approval by the Engineering Department of the Commission of the proposed transmitter site." The Examiner found that a need exists for additional daytime radio service in the area proposed to be served.

RECOMMENDS TIME CHANGES FOR KFUO

Broadcasting station KSD, St. Louis, Mo., operating 1,000 watts and 5,000 watts LS sharing time with KFUO applied to the Federal Communications Commission for unlimited time on the air. Also KFUO, Clayton, Mo., operating on 550 kilocycles, now sharing time with KSD, applied for a license renewal and one half time.

Examiner P. W. Seward, in Report No. I-452, made the following recommendations:

"1. That the application of Station KSD for unlimited time operation on the frequency of 550 kilocycles be denied;

"2. That the application of Station KSD for renewal of license be granted, subject to the hours hereinafter designated for the use of Station KFUO;

"3. That the application of Station KFUO for one-half time operation on the frequency 550 kilocycles be granted; and

"4. That the application of Station KFUO for renewal of license be granted authorizing the use of the following hours: Monday to Saturday, inclusive, 7:00 a. m. to 10:30 a. m.; 12:30 p. m. to 2:00 p. m.; 3:00 p. m. to 5:45 p. m.; and 8:00 p. m. to 9:00 p. m. Sunday, 8:30 a. m. to 12:30 p. m.; 3:00 p. m. to 5:00 p. m.; and 8:00 p. m. to 9:30 p. m."

DENIAL RECOMMENDED FOR OWNERSHIP CHANGE

Broadcasting station KOOS, Marshfield, Ore., owned by the Pacific Radio Corporation, applied to the Federal Communications Commission for a voluntary assignment of its license to KOOS, Inc. The station operates on 1,200 kilocycles, 250 watts, daytime.

Examiner P. W. Seward, in Report No. I-453, recommended that the application be denied. He states that the granting of the application "would be in violation of Sections 301 and 310 of the Communications Act of 1934" and it would not be in the public interest.

DENIAL RECOMMENDED FOR NEW STATION

T. E. Kirksey applied to the Federal Communications Commission for a construction permit for the erection of a new station at Waco, Texas, to use 930 kilocycles, 250 watts and 500 watts, LS, unlimited time.

Examiner Tyler Berry, in Report No. I-454, recommended that the application be denied. He states that "there is no satisfactory evidence in the record which would indicate that the applicant has any well defined plans for the construction and operation of the proposed station or that he may reasonably expect any local commercial support for the station." Also the Examiner states that the operation of the proposed new station would cause objectionable interference.

ADDRESS OF JUDGE EUGENE O. SYKES, CHAIRMAN BROADCAST DIVISION OF THE FEDERAL COMMUNICATIONS COMMISSION, BEFORE THE FIFTEENTH NAB CONVENTION

Mr. President, Members of the Association, Ladies and Gentlemen:

I deem it an honor and a privilege to address you upon this occasion. I congratulate and rejoice with you upon the successful work your Association has done during the past year. I also am happy over the prosperous year you have enjoyed as broadcasters.

I wish to talk to you this morning about the duty and responsibility of the broadcaster. In legislating upon this subject, our Government, contrary to that of most of the countries of the world, decided to license persons to render this service rather than for governmental ownership and operation.

The entire theory of the Radio Act and its successor, the Communications Act, is that broadcasting licensees are made trustees of the Federal Government to render a public service to the communities their stations serve; that this license is a privilege granted by the Government for just such time as this service is rendered and in no way constitutes a vested right to the use of a frequency. For instance, quoting a part of Section 301 of the Act:

> "It is the purpose of the Act * * * to maintain the control of the United States over all the channels of interstate and foreign radio transmission; and to provide for the use of such channels, but not the ownership thereof, by persons for limited periods of time, under licenses granted by Federal authority, and no such license shall be construed to create any right, beyond the terms, conditions, and periods of the license."

And in this connection may I also call to your attention Section 304 of this Act which reads as follows:

> "No station license shall be granted by the Commission until the applicant therefor shall have signed a waiver of any claim to the use of any particular frequency or of the ether as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise."

Section 307(a) provides that:

> "The Commission, if public convenience, interest or necessity will be served thereby, subject to the limitations of this Act, shall grant to any applicant therefor a station license provided for by this Act."

Section 309 is an important section and I quote it in full:

> "If upon examination of any application for a station license or for the renewal or modification of a station license the Commission shall determine that public interest, convenience, or necessity would be served by the granting thereof, it shall authorize the issuance, renewal, or modification thereof in accordance with said finding. In the event the Commission upon examination of any such application does not reach such decision with respect thereto, it shall notify the applicant thereof, shall fix and give notice of a time and place for hearing thereon, and shall afford such applicant an opportunity to be heard under such rules and regulations as it may prescribe.
>
> "(b) Such station licenses as the Commission may grant shall be in such general form as it may prescribe, but each license shall contain, in addition to other provisions, a statement of the following conditions to which such license shall be subject.
>
> "(1) The station license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized therein.
>
> "(2) Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of this Act.
>
> "(3) Every license issued under this Act shall be subject in terms to the right of use or control conferred by section 606 hereof."

Section 606 of the Act, referred to in the last paragraph, is the War Emergency section providing for the taking over of these facilities by the President if he deems wise during the period of war.

The criterion set up in this law for the issuance and for renewal of licenses, is "if public convenience, interest or necessity will be served thereby," or as stated in another section of the Act if "the Commission shall determine that public interest, convenience or necessity would be served by the granting thereof." In the one phrase, the word "convenience" is placed first, while in the other the word "interest." However, they mean the same thing.

While another section of the Act expressly states that a broadcasting station is not a common carrier yet, by the terms of the Act above quoted, and by its very nature, it is a business clothed with a public interest.

The Commission, having determined that you are a proper party to serve the public of your community and having granted you this gracious privilege in the form of a license, this duty then devolves upon you to render the best public service to your community that you can. You assume, by the acceptance of this license, a great responsibility of public service. How then is the best way in which you can fulfill this duty and responsibility? You are thereby accorded a wonderful opportunity for service which necessarily carries with it a grave responsibility. You are invited to enter the homes and firesides of your listening public for practically sixteen hours a day. These programs reach the men, women and children of the entire nation. They reach those who are now steering the destinies of our communities, state and nation, and those who are being trained to assume these reigns of government when the present actors pass from the stage. These thoughts should ever be present with you and your programs should be so built that our younger generations who have the privilege of listening to the radio should be improved and be better equipped for their responsibility to be so soon assumed by them.

While under our plan of broadcasting the stations must be self-supporting by their sale of time, yet you must bear in mind that this is but an incident and that your main object and purpose is one of public service. In fact, the better service you render the more popular becomes your station and the larger becomes your listening audience, hence the easier for you to obtain the necessary advertisement.

You are still a young industry and Federal regulation thereof is still young, yet within this period of a little over ten years we have seen a wonderful growth in the industry and have had wonderful improvements not only from a technical nature but also in the programs and the character of public service being rendered. Yet, like all young industries, there is room for greater improvement not only in our regulation of this art and industry but in the nature and character of the programs of the stations. The best answer to make to those who are not satisfied with our American system of broadcasting is to render such a wonderful public service that these critics may, in the course of time, be silenced. The needs of our various communities differ. Therefore, what will be a public service in one community might not be in another. You should carefully familiarize yourself with your communities and see what local service you may render them and since your programs are going into these homes you must consider good taste. Certainly when broadcasting a dinner program it should not be interspersed with advertising announcements which would tend to destroy the appetites of this audience. You must be just and fair to everyone in your community and your editorial policy should be one to bring about closer cooperation and not to stir up strife therein. You should build up and not tear down.

I now desire to congratulate you upon the great and unique public service you rendered during the flood on the Ohio and Mississippi Rivers last February. The broadcast stations were a source of inestimable assistance in preventing loss of life and property and by keeping the public posted on the exact stage of the flood. Broadcast stations offer a very excellent means of acquainting the public almost instantly with any message the relief authorities may desire to disseminate. Many stations coordinated emergency units, procured supplies, directed relief activities, and raised many thousands of dollars through appeals to the public for the Red Cross. While broadcast stations were not alone in rendering this valuable service, they did their share and must be complimented highly for the efficient manner in which this service was rendered. Our engineers are now studying plans for the better cooperation of all radio facilities and relief organizations in times of emergencies. I feel sure we can always count on the broadcasters cooperating fully and to do their share. Service of this character is indeed public service of the highest order and which service I am sure was appreciated by our entire citizens.

Another public service in which progress is being made is that of the Committee on Federal Radio Education headed by Dr. J. W. Studebaker, Commissioner of Education, and composed of an equal number of broadcasters and educators. I shall not go into the details of the work of this committee and its numerous sub-committees, as I imagine Mr. Baldwin, your very able Managing-Director will make some report of it to you at some of your meetings. I understand, however, that two of the large foundations are very much interested and are willing to materially help in financing the work of this committee. I believe a successful conclusion of the labors of this committee will be of the greatest benefits to both radio and education.

At this point I should like to briefly refer to some of the matters in which we are all interested which have developed since your last meeting a year ago.

Last October we had the informal engineering hearing in which the industry cooperated very fully with the Commission and gave us a complete picture of the engineering, social, and economic phases of broadcasting. The testimony taken at this hearing covered some 1741 pages and in addition there were numerous exhibits. The presentations were indeed interesting although some of the more technical phases will have to be analyzed by our engineers. I wish to take this opportunity to extend further our appreciation to the industry for its splendid cooperation in giving the Commission such a comprehensive picture which will enable it to determine if any changes in the existing policies or rules of the Commission should be made in order that broadcast stations may improve their service to the listening public.

Our engineers have made a preliminary report on the hearing to which we are giving careful consideration. There are certain other data we have asked the engineers to supply before we make any changes in the existing policies. The general feeling is that our engineers have done an excellent job on reporting the testimony of this hearing and their conclusions appear to be very favorably received in the industry. I can assure you also that we are not contemplating any drastic reallocation of broadcast facilities, but we will make whatever changes in policies and regulations that are deemed advisable step by step so that all interested parties may be given full opportunity to be heard on any changes that may adversely affect their interests.

Last September 15th, the Broadcast Division promulgated regulations governing all classes of broadcast stations except the regular stations with which we are all familiar. It may surprise you to learn that of the 1108 broadcast stations licensed by the Broadcast Division, 408 are other than regular broadcast stations. Of this number, by far the greatest number are relay stations used in transmitting programs from points where wire facilities are not available. On June 15th, the Broadcast Division repealed the rule requiring 2-day notice for the operation of relay stations. This requirement had been imposed so that the Commission could authorize operation that would not cause interference on the then very limited number of frequencies, but now more frequencies are available and this provision is not considered necessary. It is believed that the repeal of this rule will be to the advantage of broadcasters in building special-event programs.

Two other classes of stations governed by these regulations are television and facsimile stations. The new regulations made available three frequencies exclusively for facsimile stations and carry a provision that such stations may be licensed on any of the several experimental frequencies. The new rules also provide that facsimile broadcasting can be carried on after midnight on regular broadcast stations, under the condition that a program of development of facsimile broadcasting is presented to warrant such operation. The Broadcast Division is very interested to know whether the general public wants a facsimile broadcast service and if such a service can be supplied at this time.

International broadcast stations, of which there are only a few—12 in number—occupy a unique position in the broadcast structure in that the signals from these stations are transmitted throughout the world. By selecting proper frequencies and employing directional antennas, it is possible to render service in practically any foreign country. While the government has authorized the operation of this class of stations since 1925, in the last several years there has not been a general expansion either in technical advancements or international program service by the licensees of these stations. In the past two years other countries of the world have developed this service which has resulted in stations in European countries rendering better service in South America countries than is received from the United States stations.

The Commission recently authorized the Engineering Department to investigate the international station problem with the view of making a report to the Commission on means of improving our stations so that their service will compare favorably with that of other countries of the world. We shall be pleased to have the report from our engineers and I feel sure that the broadcasters will accept their responsibility in rendering an international service comparable with the national service now rendered by regular broadcast stations.

Next November there is to be held at Havana, Cuba, an Inter-American radio conference for the purpose of discussing allocation of radio facilities between countries of North and South America. We have several very important problems as respects allocation of regular broadcast stations as well as international stations. Between the North American countries, as you know, we have a very unsatisfactory arrangement at this time resulting in mutual interference, as well as unsatisfactory exchange of program service. It is expected at this conference that these pressing problems will be discussed at length looking to an agreeable solution. The frequency assignment of international stations will also be a problem because certain countries have crowded so many stations rendering a national service on frequencies available that the international service is being materially impaired. It is hoped that an arrangement can be made for a better allocation of these frequencies to provide for an exchange of programs to promote better understanding among the republics of the American Continents.

At the international Conference at Cairo, Egypt, which is to be held next February, will be taken up the matter of international broadcast stations since their service and interference is world-wide in range. We have always taken the attitude that these frequencies offer an opportunity to contribute materially to the development of closer acquaintanceship among the countries of the world, and they should be used exclusively to render an international service.

In conclusion, Mr. President, may I say that your Association deserves our congratulation upon the efficient and splendid way it has met and cared for problems that confront it and its members and I wish for you and it a continuation of this splendid work.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3158. Trading as **Rightway Institute, Joseph Rosenfeld,** 815 South Hill St., **Los Angeles,** is charged in a complaint with using certain unfair methods of competition in the sale of books and pamphlets, which he allegedly advertises as describing an effective and competent method of curing or relieving indigestion, heart-burn, excess gas in the stomach, and other intestinal and stomach conditions.

According to the complaint, the method the respondent recommends consists principally of a series of body movements, which allegedly will not have any effect in overcoming the factors causing gas either in the stomach or in the intestines. Use of such method, it is alleged, will not afford permanent aid and is not in all cases a reliable procedure for the relief of the ailments and conditions mentioned in the respondent's health literature.

Nos. 3159-3160. Two **New York** department store companies have been served with complaints charging false and misleading representations in the sale of certain merchandise. The respondent companies allegedly used advertising designations containing the word "silk" as descriptive of products not made of silk.

The respondent companies are **Abraham & Straus, Inc.,** Fulton and Hoyt Sts., **Brooklyn,** and **Oppenheim, Collins & Co., Inc.,** 33 West 34th St., **New York.**

The Brooklyn store is said to have advertised certain pillows as silk or as heavy silk, and certain items of wearing apparel for women as "Seraceta Taffeta," "Pure Dye, Pure Silk Prints," "Imported Silks," "Washable Crepes," "Muffler Silks" and "Silk Jerseys." The pillows and apparel so advertised were not composed of silk, but of other materials, according to the complaint.

Oppenheim, Collins & Co., Inc., allegedly advertised evening wraps as "Silk Crepe," and other wearing apparel for women as "Made of Quality Silks," "Taffeta," "Crepe," "Luxurious Silks" and "Dark Satins Sprinkled with White Dots." The complaint charges that these products were not composed of silk, but of other materials.

No. 3161. Alleging monopolistic practices in the golf ball industry through a uniform price fixing policy on the part of leading manufacturers in concert with large and influential retailers, a complaint has been issued against the **Golf Ball Manufacturers' Association,** the **Professional Golfers' Association of America,** their officers, and various members of each group.

Violation of both the Federal Trade Commission and Robinson-Patman acts is alleged.

Principal members of the manufacturers' association named respondents are **A. G. Spalding & Bros., New York; John Wanamaker, Inc., Philadelphia; L. A. Young Golf Co., Detroit; Worthington Ball Co., Elyria, Ohio; Wilson Sporting Goods Co., Chicago; U. S. Rubber Products Co. and Dunlop Tire & Rubber Co., both of New York, and Acushnet Process Corporation, New Bedford, Mass.** These manufacturers are said to own and control practically all factories producing golf balls in the United States.

No. 3162. Alleging use of certain unfair methods of competition, a complaint has been issued against **National Silver Co.,** 61 West 23rd St., **New York,** engaged in the sale of silver-plated ware under brand names such as "King Edward", "Devotion", "Condor" and "Martha Washington". **Samuel E. Bernstein** and **Philip J.**

Bernstein, president and vice-president, respectively, of the company, also are named respondents.

By means of price lists, newspaper and magazine advertisements and radio broadcasts, the respondents allegedly announce retail prices which are greatly in excess of the normal or reasonable retail prices or values of their products, and are in excess of the prices at which such products are regularly and actually sold at retail.

Prior to or concurrently with the publication of these advertisements showing high and fictitious retail values, the respondents, the complaint charges, solicit the cooperation of retail dealers in the sale of their wares to the public at prices greatly reduced from those advertised. Typical of the representations allegedly made by the respondents to retail dealers was the assertion that "Millions who have seen 'King Edward' nationally advertised at $50 will come in throngs to buy at ½ price."

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 01732. Frank Cremona, trading as Valley Soap & Chemical Co., Turtle Creek, Pa., agreed to stop representing that Valox Bleacher cleans and disinfects in the same operation, is effective as a treatment for aching feet and is a germ killer.

No. 01738. Gate City Manufacturing Co., trading as Foot Health Products, 11 East 12th St., Kansas City, Mo., in the sale of Air-O-Matic Eze Arches, will cease representations that they give relief in all cases from metatarsal pains, burning callouses, bunions, flat feet, weak and fallen arches, and swollen ankles. The respondent also will stop asserting that its product is offered at a special price for a limited time only, unless orders at such price are refused at the end of a time determined.

No. 01739. Woonsocket Nash Co., trading as Blue Moon Products Co., Woonsocket, R. I., will stop representing that its lubricant, Blue Moon Miracle Lube, will enable an automobile to be operated on less oil or gasoline, or with increased power, speed and smoothness, regardless of the mechanical condition of the motor; that it affords perfect protection against friction, wear, sticky valves, and scores of other motor troubles due to faulty lubrication, or that it affords any protection at all, unless this claim is expressly limited to those certain conditions where it is of some value.

No. 01781. J. W. Eiss, 509 Fifth Ave., New York, selling "Crucifix Wondrous Luck Ring", agrees to stop asserting that this article is a jewel or set with a jewel, and to cease representing, by inference or otherwise, that the ring will bring to the wearer good luck or happiness.

No. 01782. Eugene and Max Sonkin, Chicago, engaged in the sale of Formula 120 and Formula 120 Special Tablets, will cease advertising that these preparations are safe or harmless, that they are an effective remedy or competent treatment for weakness, debility and nervousness, and will help restore the normal functions of the nerves, blood or various glands. The respondents trade as Perso Products Co. and as Personal Products Co.

No. 01783. James C. Bailey, trading as James C. Bailey & Co., 600 Blue Island Ave., Chicago, stipulated that in advertising Herb-Lax Tea he will stop representing it as a competent remedy in the treatment of stomach, bladder, liver and kidney troubles, sick headache and constipation, and that it reaches the very root of practically all human ailments.

No. 01784. Isabelle Rothschild, operating as The Belle Co., Santa Monica, Calif., stipulates that no longer will she advertise that motion picture actresses use her Bella Foundation Cream, the respondent admitting in her stipulation that this article is not used by such actresses to any appreciable extent. Other representations to be discontinued are that the product's regular retail price is greater than that at which it is actually sold or that the current price is a special offer for a short time only. The respondent agrees not to represent to prospective salesmen that there is a possibility of earning amounts in excess of those actually earned by her regular salespersons under normal conditions.

No. 01785. Tom Boom, 3923 West 6th St., Los Angeles, trading as National Press Syndicate, in the sale of his "press clipping and picture manual," agrees to stop advertising that purchasers can earn "big money" weekly by clipping and preparing material. Other allegations to be discontinued are that to be a successful feature writer, or writer of trade journal items or a newspaper clipper, one needs no special ability, training, previous experience or "connections" and that a "press card" issued to purchasers of the clipping and picture manual, is the "Open Sesame" for gaining admission to places otherwise closed to the general public. The respondent agrees to stop using the words, "Press Syndicate," as a part of his trade name.

No. 01786. Frank Lotreck, 711 North Grove Ave., Oak Park, Ill., agreed to discontinue representing that Pedix Bunion Plaster is an effective remedy for bunions, unless this claim is limited specifically to relief from the pain thereof; that it stops bunion pain almost instantly or at all, and that wonderful results "surely" are awaiting prospective users of the product.

No. 01787. Bradley's Laboratory, Inc., Matoaka, W. Va., in the sale of Hy-Phen Tablets, will cease representing that they relieve all types of pain and headache, are safe in all instances, and constitute a competent treatment for colds. The respondent also agreed to desist from the use of the word "Laboratory" in its trade name and the word "Manufacturers" on its letterheads, or from otherwise representing that it owns or operates a laboratory or manufactures Hy-Phen Tablets.

No. 1997. Tressol Laboratories, 87 Pine St., Maplewood, N. J., in selling Tressol shampoo, agrees to stop using on labels, cartons or in advertising matter, representations to the effect that the product contains no soap, when in fact it does have ingredients which, in combination, are recognized to be soap; that shampoos which contain alcohol are drying to the hair, scalp and hair roots, when, according to the stipulation, such shampoos, necessarily being diluted with sufficient water, do not have such drying effect; that the respondent's preparation is a blend of oils or contains oil, when this is not true, and that use of the product as a hair shampoo will promote the growth of hair, when such is not a fact.

Nos. 1999-2000-2002. Under stipulations entered into, an individual, a partnership and a corporation selling their products in interstate commerce will discontinue certain unfair representations in such sale.

The respondents are **Louis J. Orlando,** trading as **American Bank Equipment Co.,** 5737 Vine St., **Philadelphia; Ezra, David** and **Menno Neuhauser,** trading as **Neuhauser Chick Hatcheries** and as **Neuhauser Hatchery, Napoleon, Ohio;** and **Buschs Kredit Jewelers,** 35 West 14th St., **New York City.**

The respondent engaged in repairing check cancelling machines, and in their sale, agrees to cease selling his products as new, or without disclosing the fact that they are second-hand, repaired or reconditioned machines. He also stipulates that he will desist from use on printed matter of the words "Makers of," or any other words of similar meaning implying that he manufactures the products he sells or owns and controls the factory in which they are made, when this is not a fact.

The Neuhauser firm in the sale of chicks, agrees to cease representations to the effect that: Every "Good Luck" flock is raised on open ranges containing acres of fresh-sodded slopes sowed in alfalfa and clover; more than 5,000,000 of such chicks are shipped each year; David Neuhauser personally supervises the blood-testing of 250,000 or any other number of chicks during a year or other period of time; this blood-testing has been carried on for 9 years, or the copartners see to it that the flocks of chicks they sell get the feeding program consisting of the Purina Embryo Feeding Program as a supplement to their own feeding system, when such are not the facts.

Buschs Kredit Jewelers, in the sale of certain radio receiving sets, will quit using the words "all-wave" as descriptive of such sets, when the products are not capable of reception of the entire meter range of broadcasts and commercial transmission. The corporation also will desist from representing or implying in its advertising matter that users of its radio sets can receive European and other foreign stations easily or at will, and with satisfactory volume, and from representing the merits and value of its products in such way as to conceal the difficulties and deficiencies of short-wave reception, inherent in the present state of the art but unknown to the purchasing public.

No. 2001. A. Joncaire, Inc., 145 South St., Boston, agrees to discontinue use in its advertising matter of the phrase "Blended in France," alone or in connection with other words, implying that its perfumes are compounded in France and imported as finished products into the United States, when such is not a fact. The respondent corporation also agrees to desist from representing that it is the American representative or distributor of a perfumer in France, when such is not a fact, and from using on its stationery or in any other way the purported address "338 Rue St. Honore, Paris," when in fact the company has no such Paris address. The word "Importers" will no longer be used on the corporation's stationery or otherwise, according to the stipulation.

Nos. 1998-2003-2006-2007. Three companies in **New York City** and one in **St. Louis** have entered into stipulations to stop certain false and misleading representations concerning the composition of wearing apparel which they sell in interstate commerce.

The **New York** companies signing the stipulations are **Van Raalte Co., Inc.,** 295 Fifth Ave., manufacturer of women's wearing apparel; and two department stores, **Best & Co., Inc.,** 5th Ave. at 35th St., and **Franklin Simon & Co.,** 5th Ave. at 38th St.

These three companies agree to cease using one or more of such words as "crepe," "silk" or "satin," either alone or in connection with any other words, so as to imply that the wearing apparel so designated is composed of silk, when such is not a fact.

According to the stipulations, **Van Raalte Co., Inc.,** labeled certain garments for women as "satin riquette"; **Best & Co., Inc.,** represented robes and pajamas as being made of "crepe", and **Franklin Simon & Co.** referred to women's blouses as "silk crepe", when, in fact, the products so described in newspaper advertisements or on labels were composed of materials other than silk.

May Department Stores, Inc., St. Louis, operating branch stores in several cities, agrees that in the sale of furs and fur garments it will discontinue describing such products in any manner other than by use of the correct name of the fur as the last word of the description, and that such correct name shall be printed in type not less conspicuous than that in which the accompanying descriptive words are printed. The stipulation provides that when any dye or blend is used to simulate another fur, the true name of the fur shall be preceded immediately by the word "dyed" or "blended", compounded with the name of the simulated fur, as, for example, "Seal-dyed Muskrat" or "Seal-dyed Rabbit."

No. 2005. American Memorial Co., 2135 Piedmont Road, **Atlanta,** has entered into a stipulation to discontinue certain representations in the sale of marble monuments.

The respondent company agrees to cease representing in its advertising that its monuments are everlasting, or of the highest or finest quality; that they are the world's best genuine marble, or that, because such marble is allegedly pure, hard and solid, it will never fade, crack or disintegrate, when such are not the facts.

Nos. 2008-2014, inc. Seven companies manufacturing automobiles have entered into stipulations to cease using certain false and misleading representations in advertising in connection with the sale of passenger cars to the purchasing public.

The stipulations were signed by **Hudson Motor Car Co., Graham-Paige Motors Corporation, The Studebaker Corporation** and the **Studebaker Sales Corporation of America, Chrysler Corporation, Nash-Kelvinator Corporation, Packard Motor Car Co.,** and **Auburn Automobile Co.** The Chrysler stipulation was also signed by its subsidiaries, **Chrysler Sales Corporation** and **DeSoto, Dodge Brothers** and **Plymouth corporations.**

Certain advertisements of the companies, according to the stipulations, contained the picture of a car equipped with accessories, and featured in large, conspicuous type a purported selling price which actually was less than the price of the car complete with accessories as pictorially represented. Elsewhere in the advertisements, and appearing in much smaller type, were such words as "and up", "all prices list at factory", "f.o.b. Detroit", and "equipment extra."

According to the stipulations, the companies stated that they have already discontinued the use of such advertising.

Nos. 2440-2520. Orders closing its cases against **Apex Distilling Co., Inc., East St. Louis, Ill.,** and **California Vineyards Co., Chicago,** have been entered by the Federal Trade Commission.

The case against the Apex company, which was charged with unfair use of the word "Distilling" in its corporate name, was closed for the reason that the record in the case contains no evidence that the company engaged in interstate commerce in connection with the sale of alcoholic beverages.

In the other proceeding, the subject matter of the complaint against California Vineyards Co. was found to be covered by Federal Alcohol Administration regulations relating to labeling and advertising of wine. The respondent company was charged with advertising artificially carbonated fermented apple juice as champagne, and with representing that it owned and operated a vineyard, when such were not the facts.

No. 2411. James Clark Distilling Corporation and **D. and B. Products Corporation,** 26 Exchange Place, **Jersey City, N. J.,** have been ordered to cease and desist from representing that they are distillers of alcoholic beverages, when such is not a fact. Both companies are affiliates of Distillers and Brewers Corporation of America, a holding company. The Clark company sells its products through the agency of the D. and B. company.

The respondent companies are ordered to discontinue representing, through use of the word "Distilling" in the corporate name of the Clark company, or in advertising, on labels, or otherwise, that the Clark company distills whiskies, gins or other spirituous beverages, that it manufactures such products through the process of distillation, or that it owns or operates a distillery, until it does own or operate such a place.

Nos. 3108-3109. Orders have been entered directing **Unique Novelties, Inc.,** a dealer in candy and chewing gum, and **Winthrop Novelty Co., Inc.,** a candy dealer, both of 35-37 Claver Place, **Brooklyn,** to cease and desist from selling to dealers candy or chewing gum so packed and assembled that sales to the general public may be made by means of a lottery.

The Unique company also is ordered to discontinue furnishing dealers with display cards, either separately or with assortments of candy or chewing gum, bearing legends informing purchasers that such products are being sold to the public by lot or chance.

FTC DISMISSES CASE

No. 2792. The Federal Trade Commission has dismissed a complaint charging **Dr. Robert G. Jackson, of Buffalo, N. Y.,** trading under the name **Jackson Publishing Co.,** with unfair competition in the sale of a book allegedly used in promoting the sale of health foods. Dismissal was ordered after the Commission had heard argument by counsel for the Commission and the respondent.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning, Monday, July 5:

Tuesday, July 6

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Arthur Lucas, Savannah, Ga.—C. P., **1310 kc.,** 100 watts, unlimited time.

WDNC—Durham Radio Corp., Durham, N. C.—C. P., **600 kc.,** 1 KW, unlimited time. Present assignment: **1500 kc.,** 100 watts, unlimited time.

WBNS—WBNS, Inc., Columbus, Ohio.—C. P., **1430 kc.,** 1 KW, 5 KW LS, unlimited time. Present assignment: **1430 kc.,** 500 watts, 1 KW LS, unlimited.

Wednesday, July 7

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—E. B. McChristy, Brownwood, Tex.—C. P., **630 kc.,** 250 watts, daytime.

NEW—Galesburg Broadcasting Co., Galesburg, Ill.—C. P., **1500 kc.,** 250 watts, daytime.

Thursday, July 8

HEARING BEFORE AN EXAMINER

(Broadcast)

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—C. P., **1360 kc.,** 1 KW, unlimited time. Present assignment: **1500 kc.,** 100 watts, 250 watts LS, unlimited.

WBAX—John H. Stenger, Jr., Wilkes-Barre, Pa.—Modification of license, **1210 kc.,** 100 watts, unlimited time. Present assignment: **1210 kc.,** 100 watts, specified hours.

WKOK—Sunbury Broadcasting Corp., Sunbury, Pa.—Modification of license, **1210 kc.,** 100 watts, unlimited time. Present assignment: **1210 kc.,** 100 watts, specified hours.

Friday, July 9

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Great Lakes Broadcasting Corp., Cleveland, Ohio (Brooklyn Twp.).—C. P., **1270 kc.,** 1 KW, 5 KW LS, unlimited time.

NEW—Athens Times, Inc., Athens, Ga.—C. P., **1210 kc.,** 100 watts, 250 watts LS, unlimited.

The Commission, sitting en banc, Commissioner Stewart dissenting on June 29, entered its final order as indicated herein in the following cases:

Docket No. 1780—United States Broadcasting Corporation, Brooklyn, New York. WARD. 1400 kc., 500 watts, sharing time with WVFW, WLTH, and WBBC. Construction permit to move transmitter. Application denied.

Docket No. 2039—United States Broadcasting Corporation, Brooklyn, New York. Renewal of license. Application denied.

Docket No. 3924—United States Broadcasting Corporation, Brooklyn, New York. Voluntary assignment of license to Kings Broadcasting Corporation. Application denied.

Docket No. 1882—Brooklyn Broadcasting Corporation, Brooklyn, New York. WBBC. 1400 kc., 500 watts, sharing time with WARD, WLTH, and WVFW. Modification of license (requests facilities of WARD, WVFW, and WLTH). Application for modification of license granted * in part, in so far as it requests facilities of stations WARD and WLTH, and denied in so far as it requests facilities of station WVFW.

Docket No. 2013—Brooklyn Broadcasting Corporation, Brooklyn, New York. Renewal of license. Application granted.

Docket No. 2014—Brooklyn Broadcasting Corporation, Brooklyn, New York. Renewal of auxiliary transmitter license. Application granted.

Docket No. 1967—Voice of Brooklyn, Inc., Brooklyn, New York. WLTH. 1400 kc., 500 watts, sharing time with WARD, WVFW, and WBBC. Renewal of license. Application denied.

Docket No. 3923—Voice of Brooklyn, Inc., Brooklyn, New York. Voluntary assignment of license to Kings Broadcasting Corporation. Application denied.

Docket No. 1968—Paramount Broadcasting Corporation, Brooklyn, New York. WVFW. 1400 kc., 500 watts, sharing time with WARD, WLTH, and WBBC. Renewal of license. Application granted.

Docket No. 3837—Paramount Broadcasting Corporation, Brooklyn, New York. Construction permit to make changes in equipment. Application granted.

Docket No. 2259—Brooklyn Daily Eagle Broadcasting Company, Inc., Brooklyn, N. Y. (New). Construction permit (requests facilities of WBBC, WLTH, WARD, and WVFW). Application denied.

Docket No. 2343—Debs Memorial Radio Fund, Inc., New York City. WEVD. 1300 kc., 1 KW, sharing time with WBBR, WFAB, and WHAZ. Modification of license (requests facilities of WBBC, WLTH, WARD, and WVFW). Application denied.

The order as herein entered shall be effective at 3:00 a. m., Eastern Standard Time, September 15, 1937.

The Commission will issue and publish at a subsequent date an opinion setting forth a statement of the facts appearing of record and the grounds for the decision herein reached.

By Order of the Commission:

The licensee herein shall file specifications of the antenna and ground system within two months after the effective date of this order, and after approval of such data, an additional two months will be allowed within which to complete installation.

If, for any reason, such information cannot be submitted within the time allowed, an informal request for extension of time must be submitted stating the necessity therefor.

APPLICATIONS GRANTED

KOCA—Oil Capital Broadcasting Assn., Kilgore, Tex.—Granted C. P. for changes in equipment and increase in day power from 100 watts to 250 watts.

WJRD—James R. Doss, Jr., Tuscaloosa, Ala.—Granted C. P. to install new equipment and increase day power to 250 watts.

KOVC—KOVC, Inc., Valley City, N. Dak.—Granted C. P. for changes in equipment and increase in power for daytime use from 100 to 250 watts.

KOB—Albuquerque Broadcasting Co., Albuquerque, N. Mex.—Granted license to cover C. P. as modified; **1180 kc.,** 10 KW night and day, simultaneous day KEX, share night KEX. Also granted authority to determine operating power by direct measurement of antenna input.

WLW—The Crosley Radio Corp., Cincinnati, Ohio.—Granted license to cover C. P., **700 kc.,** 50 KW, unlimited time.

WJNO—Hazlewood, Inc., West Palm Beach, Fla.—Granted license to cover C. P., **1200 kc.,** 100 watts night, 250 watts day, unlimited time.

KVOR—Out West Broadcasting Co., Colorado Springs, Colo.—Granted license to cover C. P., **1270 kc.,** 1 KW, unlimited time.

WHIP—Hammond-Calumet Broadcasting Corp., Hammond, Ind.—Granted modification of C. P. for approval of transmitter at 137th and Pochman Ave.; authority to install new equipment, and make changes in directional antenna system.

WCOC—Mississippi Broadcasting Co., Inc., Meridian, Miss.—Granted modification of C. P. to move station locally, install new antenna system and increase nighttime power to 1 KW.

WDAF—Kansas City Star Co., Kansas City, Mo.—Granted modification of C. P. extending completion date to 8-10-37.

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Granted license to cover C. P. as modified, **590 kc.,** 1 KW night, 5 KW day, unlimited. Also granted authority to determine operating power by direct measurement of antenna input.

KEHE—Hearst Radio, Inc., Los Angeles, Calif.—Granted license to cover C. P. for auxiliary transmitter, **780 kc.,** 1 KW, for emergency purposes only.

WDAH—Tri-State Broadcasting Co., Inc., El Paso, Tex.—Granted modification of license to move transmitter to location of KTSM's transmitter at Mills and Ogden Sts., El Paso; increase day power to 250 watts and use KTSM's transmitter.

KJBS—Julius Burnton & Sons Co., San Francisco.—Granted authority to install new automatic frequency control equipment.

KGCM—New Mexico Broadcasting Co., Albuquerque, N. Mex.—Granted authority to install new automatic frequency control equipment.

WHDF—Upper Michigan Broadcasting Co., Calumet, Mich.—Granted renewal of license for the period 7-1-37 to 1-1-38; **1370 kc.,** 100 watts night, 250 watts day, specified hours.

WBBZ—Estate of Chas. Lewis Carrell, Adelaide Lillian Carrell, Rep., Ponca City, Okla.—Granted renewal of license on a temporary basis, subject to cancellation without advance notice or hearing at any time by the Commission, pending disposition of estate of C. L. Carrell, deceased.

KMAC—W. W. McAllister, San Antonio, Tex.—Granted 3 months' extension of present license, **1370 kc.,** 100 watts night, 250 watts day, shares equally with KONO.

KGKY—Hillard Company, Inc., Scottsbluff, Nebr.—Granted 1 month's extension of present license, **1500 kc.,** 100 watts night, 250 watts day, unlimited.

WGRC—Northside Broadcasting Corp., New Albany, Ind.—Granted 2 months' extension of present license, **1370 kc.,** 250 watts, 6 a. m. to LS.

WRDO—WRDO, Inc., Augusta, Maine.—Granted 2 months' extension of present license, **1370 kc.,** 100 watts night-day, unlimited.

WKBV—Knox Radio Corp., Richmond, Ind.—Granted renewal of license on a temporary basis and designated renewal application for hearing.

WMSD—Muscle Shoals Broadcasting Corp., Sheffield, Ala.—Granted renewal of license for the regular period, **1420 kc.,** 100 watts night-day, unlimited time.

WWSW—Walker & Downing Radio Corp., Pittsburgh, Pa.—Granted 1 month's extension of present license, **1500 kc.,** 100 watts night, 250 watts day, unlimited time.

WJNO—Present Stockholders of Hazlewood, Inc., Palm Beach, Fla.—Granted authority to transfer control of Hazlewood, Inc., from present stockholders to Jay O'Brien.

KHUB—Anna Atkinson, as Executrix of the last will of F. W. Atkinson, deceased, Watsonville, Calif.—Granted involuntary assignment of license of KHUB to Anna Atkinson, Executrix.

KFJM—University of North Dakota, Grand Forks, N. Dak.—Granted authority to install new automatic frequency control equipment.

KGIW—Leonard E. Wilson, La Junta, Colo.—Granted 2 months' extension of present license.

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* Subject to compliance with Rule 131.

KEEN—KVL, Inc., Seattle, Wash.—Granted 2 months' extension of present license.

WGTM—H. W. Wilson and Ben Farmer, Wilson, N. C.—Granted modification of C. P. to move studio locally, and make changes in composite equipment.

NEW—Lamar Life Ins. Co., Mobile, Jackson, Miss.—Granted C. P. for new relay station, **1622, 2058, 2150** and **2790 kc.**, 50 watts.

NEW—WLBG, Inc., Mobile, Petersburg, Va.—Granted C. P. for new experimental relay station, frequencies **38900, 39100, 39300** and **39500 kc.**, 50 watts.

W9XSO—WDAY, Inc., Mobile, Fargo, N. Dak.—Granted C. P. for experimental relay station, frequencies **31100, 34600, 37600** and **40600 kc.**, 2 watts.

NEW—City Broadcasting Corp., Mobile, New Haven, Conn.—Granted C. P. for new experimental relay station, frequencies **31100, 34600, 37600** and **40600 kc.**, 10 watts.

NEW—The Ardmoreite Publishing Co., Inc., Mobile, Ardmore, Okla.—Granted C. P. for relay experimental station, frequencies **33100, 34600, 37600** and **40600 kc.**, 2 watts.

NEW—WCAU Broadcasting Co., Philadelphia, Pa.—Granted C. P. for high frequency experimental station, frequencies **31600, 35600, 38600** and **41000 kc.**, 100 watts.

NEW—Allen T. Simmons, Tallmadge, Ohio.—Granted C. P. for new high frequency experimental station, frequencies **31600, 35600, 38600** and **41000 kc.**, 100 watts.

W2XAF—General Electric Co., Schenectady, N. Y.—Granted C. P. to make changes in equipment, increase power to 100 KW, install directional array for beam transmissions to South America and Europe.

W8XNC—Allen T. Simmons, Mobile (Akron, Ohio.).—Granted license to cover C. P. for relay broadcast station, frequencies **31100, 34600, 37600** and **40600 kc.**, 100 watts.

W9XSF—WAVE Inc., Mobile, Louisville, Ky.—Granted license to cover C. P. for new relay broadcast station, frequencies **31100, 34600, 37600** and **40600 kc.**, 2 watts.

WAAG—Julio M. Conesa, Mobile, Ponce, P. R.—Granted license to cover C. P., frequencies **1622, 2058, 2150** and **2790 kc.**, 75 watts.

WAHB—The Journal Company (The Milwaukee Journal), Mobile, Milwaukee, Wis.—Granted modification of C. P. and license covering same, authorizing changes in equipment.

W8XKI—The Crosley Radio Corp., Mobile, Cincinnati, Ohio.—Granted modification of C. P. extending completion date to 12-7-37.

KALO—Intermountain Broadcasting Corp., Mobile, Salt Lake City.—Granted modification of C. P. extending completion date to 6-29-37.

W3XL—National Broadcasting Co., Inc., Bound Brook, N. J.—Granted modification of license to add A1 and A2 emission, and frequencies **31100, 31600, 34600, 35600, 37600, 38600, 40600, 41000, 86000-400000, 401000 kc. and above.**

NEW—A. H. Belo Corp., Mobile (Dallas, Tex.).—Granted C. P. for new relay station, frequencies **1622, 2058, 2150** and **2790 kc.**, 75 watts.

NEW—Savannah Broadcasting Co., Mobile, Savannah, Ga.—Granted C. P. for new relay station, frequencies **1622, 2058, 2150** and **2790 kc.**, 10 watts.

NEW—Intermountain Broadcasting Corp., Mobile, Salt Lake City.—Granted C. P. for new experimental relay station, frequencies **33100, 34600, 37600** and **40600 kc.**, 40 watts.

NEW—Radio Station KFH Co., Mobile, Wichita, Kans.—Granted C. P. for new experimental relay station, frequencies **38900, 39100, 39300** and **39500 kc.**, 2 watts.

W2XDG—National Broadcasting Co., Inc., New York City.—Granted C. P. and license authorizing move of transmitter locally to 30 Rockefeller Plaza; make changes in equipment and decrease power to 150 watts.

WMFL—National Broadcasting Co., Inc., Bound Brook, N. J.—Granted C. P. and license authorizing changes in equipment, reduction of power to 500 watts, and addition of A1 and A2 emission.

SET FOR HEARING

NEW—WDSU, Inc., New Orleans, La.—C. P., already in hearing docket, amended to request **1500 kc.**, 100 watts night, 250 watts day, unlimited time, exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

NEW—N. B. Egeland, Roland, Iowa.—C. P. for new station amended to read: **1500 kc.**, 100 watts night, 250 watts day, specified hours: Daily except Sundays, 7:30 to 9:30 a. m., 11 a. m. to 2 p. m., 6 to 8 p. m.; Sundays, 11 a. m. to 12:30 p. m., 2 to 4 and 7 to 9 p. m.

NEW—Colonial Broadcasting Co., Morristown, N. J.—C. P. for new station, **620 kc.**, 1 KW, unlimited time, using directional antenna for day and night use.

NEW—Burlington Broadcasting Co., Burlington, Iowa.—C. P. for new station, **1310 kc.**, 100 watts, unlimited time, the exact transmitter and studio sites to be determined with Commission's approval.

NEW—Sam Klaver and Nathan Belzer, d/b as The Great Western Broadcasting Co., Omaha, Nebr.—C. P. amended 5-1-37 for change in name; **1420 kc.**, 100 watts, unlimited time, exact transmitter site to be determined with Commission's approval.

NEW—Southern Minnesota Broadcasting Co., Rochester, Minn.—C. P. for new station to operate on **920 kc.**, 1 KW night, 5 KW day, unlimited time, and install directional antenna system for nighttime operation.

NEW—Evening News Press, Inc., Port Angeles, Wash.—C. P. for new station to operate on **1400 kc.**, 250 watts, unlimited, exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

NEW—Keystone Broadcasting Co., New Castle, Pa.—C. P. for new station to operate on **1250 kc.**, 250 watts, daytime only, exact transmitter and studio sites to be determined subject to Commission approval.

NEW—D. E. Kendrick, Louisville, Ky.—C. P. for new station, **1210 kc.**, 100 watts night, 250 watts day, unlimited time, exact transmitter and studio sites to be determined with Commission's approval.

NEW—Sherman V. Coultas, Milton Edge and Hobart Stephenson, Jacksonville, Ill.—C. P. for new station, **1310 kc.**, 100 watts, unlimited time, exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

WHEF—Attala Broadcasting Corp., Kosciusko, Miss.—C. P. to move station to Jackson, Miss., transmitter at Terry Road, and studio at corner Griffith and Lamar Sts.; install vertical radiator; **1500 kc.**, 100 watts night, 250 watts day, unlimited time.

KWOS—Tribune Printing Co., Jefferson City, Mo.—C. P. for changes in equipment; increase power and time of operation from 100 watts, daytime only, to 100 watts night, 250 watts day, unlimited time; **1310 kc.**

WDZ—WDZ Broadcasting Co., Tuscola, Ill.—C. P. to move station to site to be determined in Decatur, Ill.

WXYZ—King-Trendle Broadcasting Corp., Detroit, Mich.—C. P. to install new equipment, increase power to 5 KW; **1240 kc.**, unlimited time (to be heard before the Broadcast Division).

WGRC—Northside Broadcasting Corp., New Albany, Ind.—C. P. to install directional antenna system for nighttime use; change frequency from **1370 kc.** to **880 kc.**; increase time of operation from daytime to unlimited.

WAIR—C. G. Hill, Geo. D. Walker and Susan H. Walker, Winston-Salem, N. C.—C. P. to install new equipment and increase day power to 1 KW.

WBNX—WBNX Broadcasting Co., Inc., New York City.—C. P., already in hearing docket, amended to request move of transmitter locally to near Secaucus, N. J.; install new equipment and directional antenna system for day and night operation; increase power to 5 KW (to be heard before the Broadcast Division).

WKAR—Michigan State College, E. Lansing, Mich.—C. P. to move transmitter site to College Farms (locally); install new equipment and vertical radiator; increase day power to 5 KW.

WLAP—American Broadcasting Corp. of Kentucky, Lexington, Ky.—C. P. to move transmitter to intersection Russell Cave Pike and Ironworks Pike, near Lexington; install new equipment and vertical radiator; change frequency from **1420 kc.** to **610 kc.**; increase power to 500 watts night, 1 KW day.

WRBL—WRBL Radio Station, Inc., Columbus, Ga.—Amended modification of C. P. (already in hearing docket) to request move of transmitter to site to be determined with Commission's approval (locally); install new equipment; change frequency to **1330 kc.**; increase power to 1 KW, unlimited time.

KPOF—Pillar of Fire, near Denver, Colo.—Modification of license to increase power from 500 watts to 1 KW.

David G. Adams, d/b as Adams Recording Studio, San Diego, Calif. Authority to supply electrical transcriptions to Stations XEBG and XEMO, Tia Juana, Mexico, to be delivered by private carrier.

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Special experimental authority amended to request simultaneous operation day-WBRB and share WGNY and WGBB, share evenings with WBRB, WGNY and WGBB for the period ending 12-1-37.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KALB, Alexandria, La.; KCMO, Kansas City, Mo.; KFGQ, Boone, Ia.; KGGC, San Francisco; KGKB, Tyler, Tex.; KLUF, Galveston, Tex.; KNEL, Brady, Tex.; KNOW Austin, Tex.; KONO, San Antonio, Tex.; KOTN, Pine Bluff, Ark.; KOVC, Valley City, N. Dak.; KRBC, Abilene, Tex.; KRXO, Everett, Wash. KRNR, Roseburg, Ore.; KSLM, Salem, Ore.; KUMA, Yuma, Ariz.; KXL, Portland, Ore.; WAGM, Presque Isle, Me.; WATL, Atlanta, Ga.; WCHV, Charlottesville, Va.; WDAS and auxiliary, Philadelphia; WDWS, Champaign, Ill.; WEED, Rocky Mount, N. C. WFOR, Hattiesburg, Miss.; WHBB, Selma, Ala.; WHEF, Kosciusko, Miss.; WILM, Wilmington, Del.; WJBO, Baton Rouge, La.; WKEU, Griffin, Ga.; WLAP, Lexington, Ky.; WLLH, Lowell, Mass.; WMAS, Springfield, Mass.; WMBC, Detroit, Mich.; WMBH, Joplin, Mo.; WMBR, Jacksonville, Fla.; WMEX, Boston, Mass.; WMFD, Wilmington, N. C.; WHFO, Decatur, Ala.; WMIN, St. Paul, Minn.; WNBF, Binghamton, N. Y.; WNLC, New London, Conn.; WOPI, Bristol, Tenn.; WPAD, Paducah, Ky.; WPAR, Parkersburg, W. Va.; WPAY, Portsmouth, Ohio ; WRAK, Williamsport, Pa.; WRDW, Augusta, Ga.; WRGA, Rome, Ga.; WRJN, Racine, Wis.; WSAU, Wausau, Wisc.; WSVS, Buffalo, N. Y.; WSYB, Rutland, Vt.; WTMV, E. St. Louis, Ill.; WWRL, Woodside, L. I., New York; KFRO, Longview, Tex.; KUJ, Walla Walla, Wash.; KCMC, Texarkana, Tex.; KIUN, Pecos, Tex.; KIUP, Durango, Colo.; KPQ, Wenatchee, Wash.; KTEM, Temple, Tex.; WABY, Albany, N. Y.; WGPC, Albany, Ga.; WOC, Davenport, Ia.

The following stations were granted renewal of licenses for the period ending Dec. 1, 1937:

KPDN, Pampa, Tex.; WJTN, Jamestown, N. Y.; KPMC, Bakersfield, Cal.; KVSO, Ardmore, Okla.; WCPO, Cincinnati, Ohio; WSAJ, Grove City, Pa.; WTAL, Tallahassee, Fla.; WDAH, El Paso, Tex.

KDAL—Red River Broadcasting Co., Inc., Duluth, Minn.—Granted renewal of license on a temporary basis subject to whatever action may be taken by the Commission upon the pending application for renewal.

WMBQ—Metropolitan Broadcasting Corp., Brooklyn, N. Y.—Granted renewal of license on a temporary basis subject to whatever action may be taken by the Commission upon the pending application for renewal.

The following stations were granted renewal of licenses on a temporary basis only, pending receipt and/or action on applications for renewal:

KGFI, Corpus Christi, Tex.; KMET, Palestine, Tex.; KRMC, Jamestown, N. D.; WJBK, Detroit; WMFJ, Daytona Beach, Fla.; WPRP, Ponce, P. R.

KGBU—Alaska Radio & Service Co., Inc., Ketchikan, Alaska—Present license extended on a temporary basis for the period July 1 to August 1, 1937, pending receipt and/or action on renewal application.

W8XWJ—The Evening News Assn., Detroit, Mich.—Granted renewal of high frequency broadcast experimental station license, for the period ending April 1, 1938, on an experimental basis only, subject to change without prior notice or hearing.

SPECIAL AUTHORIZATIONS

WBZ—Westinghouse Electric and Manufacturing Co., Boston, Mass.—Granted special temporary authority to operate a 1-KW crystal controlled transmitter, tolerance of 50 cycles, on **1020 kc.**, in vicinity of Millis, Mass., during daytime hours, for period July 1 to 31, 1937, in order to make tests for a possible new transmitter site.

KLPM—John B. Cooley, Minot, N. Dak.—Granted special temporary authority to operate from 2:30 to 5 p. m. CST, Sunday, July 4 (Provided KGCU remains silent), in order to broadcast International Peace Celebration featuring Canadian Premiers as speakers.

WHDF—Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authority to operate from 9:45 to 10:20 a. m., CST, July 6, 7, 8, 9, 10, 12 and 13, in order to conduct cooking school of the air.

KQV—KQV Broadcasting Co., Pittsburgh, Pa.—Granted special temporary authority to operate simultaneously with WSMK from 10 p. m. to 12 midnight, EST, Wed, June 30, for the purpose of broadcasting night baseball game.

WMBG—Havens & Martin Inc., Richmond, Va.—Granted extension of special temporary authority to operate from 5:30 to 7 p. m., EST, on Sundays, from July 1, to 31, incl., provided WBBL remains silent, in order to broadcast special programs.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to operate on **560 kc.** with 1 KW at night for the period July 1 to 31, inclusive, pending filing of and action on license application to cover C. P. for this authority.

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Granted extension of special temporary authority to operate with power of 50 watts from local sunset (July, 7:45 p. m.) to 11 p. m., EST, Tuesdays, Thursdays, Saturdays and Sundays for period, July 1 to 31, in compliance with Rule 131 on modification of license.

KGGF—Powell and Platz, Coffeyville, Kans.—Granted special temporary authority to operate from 7:15 to 9:15 p. m., CST, July 1, 6, 8, 13, 15, 20, 22, 27, 29, 1937, and from 8:15 to 9:15 p. m., CST, July 7, 14, 21, 28, 1937, in order that WNAD may remain silent during University summer vacation.

WNAD—Univ. of Okla., Norman, Okla.—To remain silent on above dates in order to observe summer vacation.

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted special temporary authority to operate from 8:30 to 9 a. m., EST, Morning News Roundup; 9 to 9:30 a. m., EST, Morning Musicale; 9:30 to 9:45 a. m., EST, Band Music; 9:45 to 10 a. m., EST, Organ program; 2 to 2:15 p. m., EST, Transradio newscast; 2:15 to 2:30 p. m., EST, Organ recital; 2:30 to 2:45 p. m., EST, Five Familiar Tunes; 2:45 to 3 p. m., EST, Sons of the Pioneers musical program, for period July 1 to 30, 1937, incl. (provided WSVS remains silent).

WMBQ—Joseph Husid, Receiver for Metropolitan Broadcasting Corp., Brooklyn, N. Y.—Granted extension of special temporary authority for Joseph Husid, Receiver, for Metropolitan Broadcasting Corp., to operate station for the period July 1 to 31, 1937, pending action on any applications affecting WMBQ.

WCAX—Burlington Daily News, Inc., Burlington, Vt.—Granted extension of special temporary authority to operate daily except Sunday, 2 to 4:30 p. m., EST, and daily except Friday, Saturday, Sunday, 7 to 9 p. m., EST, for the period July 1 to 31, 1937, in order to broadcast sponsored northern league baseball games.

WCBD—WCBD, Inc., Chicago, Ill.—Granted extension of special temporary authority to use the transmitter of station WMBI for the period July 2 to 31, pending repair to WCBD's transmitter which was destroyed by fire.

WMFR—Radio Station WMFR, Inc., High Point, N. C.—Granted special temporary authority to operate from 9:30 to 10 p. m., EST, Friday, July 2, in order to broadcast a program for the N. C. Dept. of Conservation and Development, featuring address by Governor Hoey.

WAXB-WAXC—Alford J. Williams, c/o Gulf Oil Corp., Pittsburgh, Pa.—Granted extension of special temporary authority to operate RCA Type H aircraft transmitter, 5 watts, on board plane NC-1050 owned by A. J. Williams, and RCA Type AVT-7 transmitter, portable on ground, on frequencies **1646, 2090, 2190, 2830 kc.**, as relay broadcast stations for period July 3 to August 1, 1937, for testing and transmission of program communication service between plane and portable transmitter on ground in connection with flight demonstrations and junior aviator activities at various locations over U. S.

WWJ—The Evening News Assn., Detroit, Mich.—Granted extension of special temporary authority to operate for the period beginning July 3 and ending August 1, 1937, with an increase in night power to 5 KW, to overcome interference.

KOAC—Oregon State Agr. College, Corvallis, Ore.—Granted special temporary authority to remain silent on July 5, in order to observe National Holiday and holiday in Oregon Inst. of Higher Education.

WKAR—Mich. State College, E. Lansing, Mich.—Granted extension of special temporary authority to rebroadcast Naval Observatory time signals over WKAR, provided station complies with requirements of Naval Observatory station, for period August 1, 1937, to February 1, 1938.

KHUB—Mrs. Anna Atkinson, Executrix of estate of F. W. Atkinson, deceased, Watsonville, Calif.—Granted extension of special temporary authority to Mrs. Anna Atkinson, executrix of estate of F. W. Atkinson, deceased, to operate station KHUB for period July 5 to August 5, 1937, pending action on formal application for involuntary transfer of license.

WSAY—Brown Radio Service & Lab., Rochester, N. Y.—Granted special temporary authority to operate from local sunset (August sunset, 7:15 p. m.) to 7:30 p. m., EST, August 6, 13, 20, 27; and from local sunset (September, 6:15 p. m.) to 7:30 p. m., EST, September 3, 1937, in order to broadcast Anti-Communistic talk.

WHIO—Miami Valley Broadcasting Corp., Dayton, Ohio—Granted special temporary authority to operate with currents in the antenna towers different from those specified in license for period not to exceed 30 days, provided the unattenuated field at one mile in the direction of KOIL shall not be in excess of 99 millivolts per meter.

WIBG—Seaboard Radio Broadcasting Corp., Glenside, Pa.—Granted special temporary authority to operate a 100-watt test transmitter on **970 kc.**, between hours of 12 midnight and 6 a. m., EST, for period not to exceed 30 days, in order to determine additional field strength measurements and transmitter locations. However, such operation not permitted during those hours prescribed for Commission monitoring schedule.

EFFECTIVE DATE EXTENDED

NEW—Ex. Rep. 1-305: The Pottsville Broadcasting Co., Pottsville, Pa.—Effective date of order extended from June 29 to July 6, 1937.

MISCELLANEOUS

WLBL—Radio Station WLBL, Stevens Point, Wis.—Granted 30-day authority to operate station at new location, pending filing and action on formal application for approval of new location.

WBRC—Birmingham Broadcasting Co., Inc., Birmingham, Ala.—The application for authority to operate on **930 kc.**, 1 KW, 5 KW LS, unlimited time, was granted without a hearing on February 16, 1937; the Commission reconsidered its action of February 16 and designated the application for hearing on protest of the Birmingham News Co. On June 24, the Birmingham News Co. filed a request to withdraw said protest, and the protest is accordingly dismissed.

KLZ—KLZ Broadcasting Co., Denver, Colo.—Granted petition to intervene upon the application of Eugene P. O'Fallon, Inc., station KFEL, Docket No. 4578, for a C. P. to use **920 kc.**, 1 KW, unlimited time. Dismissed opposition of the applicant.

NEW—Harry Schwartz, Tulsa, Okla.—Granted petition of Harry Schwartz to waive provisions of Rule 104.6 (b) and accept his appearance in Docket No. 4586, application for new station at Tulsa, on **1310 kc.**, 250 watts, daytime.

NEW—Wm. E. Walker and Merrill F. Chapin, d/b as Walker & Chapin, Oshkosh, Wis.—Granted petition of Walker & Chapin to accept their appearance in Docket No. 4588, application for new station at Oshkosh, **1010 kc.**, 250 watts, unlimited time.

NEW—John Stewart Bryan, Petersburg, Va.—Granted petition for continuance of the consolidated hearing upon the applications of Havens & Martin, Inc. (Docket No. 4562), Petersburg Newspaper Corp. (Docket No. 4487), and John Stewart Bryan (Docket No. 4506), for construction permit to erect new broadcast station in Petersburg to operate on **1210 kc.**, 100 watts night, 250 watts LS. Hearing now scheduled for July 12, 1937, to be postponed until Fall.

KLS—Warner Brothers, Oakland, Calif.—Granted petition to intervene at hearing of application of Richard Field Lewis for a new station at Oakland, Calif., using **1160 kc.**, 1 KW, daytime (Docket No. 4584).

KJBS—Julius Brunton & Sons Co., San Francisco, Calif.—Granted petition to intervene at hearing of application of Richard Field Lewis for new station at Oakland, Calif., using **1160 kc.**, 1 KW, daytime (Docket No. 4584).

KRE—Central California Broadcasters, Inc., Berkeley, Calif.—Granted petition to intervene at hearing on application of Richard Field Lewis for new station at Oakland, Calif., using **1160 kc.**, 1 KW, daytime (Docket No. 4584).

NEW—Genesee Radio Corp., Flint, Mich.—Granted petition to accept the notice of appearance and statements of facts to be proved in connection with its application for a C. P. for new station on **1500 kc.**, 100 watts, 250 watts LS, specified hours (Docket No. 4587).

NEW—Capitol Broadcasting Co., Inc., Raleigh, N. C.—Granted petition for postponement of hearing of application of Radio Station WFNC (partnership of C. Frank Walker and Waldo W. Primm) for construction permit for new station in Fayetteville, N. C., to operate on **1210 kc.**, 250 watts, daytime (Docket No. 4583). Hearing now scheduled for July 12, 1937, new date to be fixed for a consolidated hearing upon the application of Radio Station WFNC and the Capitol Broadcasting Co., Inc. (Docket No. 4529).

WBRE—Louis G. Baltimore, Wilkes-Barre, Pa.—Granted petition for continuance of hearing on application for modification of construction permit to increase daytime power from 100 watts to 250 watts until LS. Hearing now scheduled for July 15, 1937, to be continued for a reasonable time subsequent to completion of construction (Docket No. 4592).

NEW—L. L. Correll, Sr., et al., Lincoln, Nebr.—Denied petition for further hearing and intervention on application of Central States Broadcasting Co., Council Bluffs, Iowa, for C. P. for new station on **1500 kc.**, 100 watts, unlimited time (Docket No. 4179). Petitioner has application before Commission for C. P. for new station at Lincoln, Nebr., to operate on **1450 kc.**, 250 watts day, 1 KW LS, unlimited time.

WFBR—Baltimore Radio Show, Inc., Baltimore, Md.—Denied petition for partial grant of application to authorize the use of 1 KW night, 5 KW LS, and for consideration of the application under Rule 104.7.

NEW—A. L. Chilton, Dallas, Tex.—Granted petition to intervene in the hearing of the application of Centennial Broadcasting Corp. for new station at Dallas, Tex., to use **1500 kc.**, 100 watts, daytime (Docket No. 4551).

National Broadcasting Co., Inc., New York, N. Y.—Denied petition praying that the Commission reconsider and grant application for authority to operate by remote control the experimental relay broadcast stations, W2XF, W2XK, and W8XB.

KROW—Educational Broadcasting Corp., Oakland, Calif.—Granted petition to intervene in the hearing on the application of Richard Field Lewis for new station at Oakland to use **1160 kc.**, 1 KW, daytime (Docket No. 4584).

NEW—Voice of Detroit, Inc., Detroit, Mich.—Granted motion for continuance of hearing on application for new station to operate on **1120 kc.**, 500 watts night, 1 KW LS, unlimited time (Docket No. 3998). Hearing now scheduled for September 9, 1937, postponed to new date subsequent to October 15, 1937, to be fixed at convenience of the Docket.

NEW—Saginaw Broadcasting Co., Saginaw, Mich.—Granted petition to intervene in the hearing of the application of Genessee Broadcasting Co. for new station at Flint, Mich., to operate on **1200 kc.**, 100 watts night, 250 watts day, specified hours (Docket No. 4587).

KTUL—Tulsa Broadcasting Co., Tulsa, Okla.—Granted petition to intervene in the hearing on the application of United Broadcasting Co., Tulsa, Okla., for new station on **1550 kc.**, 1 KW, unlimited time (Docket No. 4606).

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—Granted petition for continuance of hearing on application of WKBN for modification of construction permit to use **570 kc.**, 500 watts, unlimited time (Docket No. 4593). Hearing scheduled for July 15, 1937, postponed to new date to be fixed at convenience of the Docket.

KFRU—KFRU, Inc., Columbia, Mo.—Granted petition to deny as in case of default application of T. B. McChristy for new station at Brownwood, Tex., to use **630 kc.**, 250 watts, daytime (Docket No. 4565). Denied petition of T. B. McChristy to waive provisions of Rule 105.25 and accept his appearance. Also his petition to withdraw his application without prejudice.

WDGY—Dr. Geo. W. Young, Minneapolis, Minn.—Granted petition for authority to make this announcement: "This is Station WDGY with studios in Minneapolis and St. Paul."

KJBS—Julius Brunton & Sons Co., San Francisco, Calif.—Denied petition for reconsideration and grant of application for modification of license (B5-ML-416) for change in frequency from **1070 kc.** to **1080 kc.**, and change in time of operation from limited to specified hours.

KOBH—Black Hills Broadcasting Co., Rapid City, S. D.—Denied petition asking Commission to reconsider and grant without hearing application for assignment of license of KOBH (B4-AL-162).

WCOC—Mississippi Broadcasting Co., Inc., Meridian, Miss.—Granted request to extend the working of Rule 132 for sixty days from June 5, 1937. Also granted authority to move station locally and install new antenna. Designated for hearing application for increase in night power.

WNRI—S. George Webb, Newport, R. I.—Denied motion to reopen the record in Dockets Nos. 3857, 3836 and 3971, for purpose of taking additional testimony. Docket No. 3857 is application of S. George Webb for modification of C. P. to extend completion of construction for new station at Newport, R. I., on **1200 kc.**, 100 watts night, 250 watts LS, unlimited time. (Docket No. 3971), The Hartford Times, Inc., for modification of C. P. to change hours of operation of WTHT, Hartford, Conn., from daytime to unlimited, and (Docket No. 3836), E. Anthony & Sons, Inc., for C. P. to erect new station at Pawtucket, R. I., operate on **1200 kc.**, 100 watts night, 250 watts day, unlimited time.

NEW—United Theaters, Inc., San Juan, P. R.—Granted petition for oral argument upon its exceptions to Examiners Report No. I-407, concerning the application of Juan Piza, San Juan, P. R., for C. P. for new station on **1500 kc.**, 100 watts night, 250 watts LS, unlimited time (Docket No. 4309). Accepted brief submitted by United Theaters, Inc., in support of its exceptions to said Examiner's Report.

KHSL—Golden Empire Broadcasting Co., Chico, Cal.—Inasmuch as Rule 131 has now been complied with, the Division directed that a modification of license be issued to change frequency and time to **1260 kc.**, unlimited time, using 250 watts power.

KVI—Puget Sound Broadcasting Co., Tacoma, Wash.—Retired to closed files application for C. P. covering authority to use Old Western Elec. transmitter as auxiliary, moving same to Tacoma and using 1 KW power, which was granted April 2, 1937. Applicant has requested relinquishment of this authority, and the application granted April 2, is retired to closed files.

NEW—State Capital Broadcasting Assn., Austin, Texas.—Denied petition to rehear and consolidate in final hearing the application of State Capital Broadcasting Assn., to establish a new station to operate on **1120 kc.**, 500 watts night, 1 KW LS, heard by an Examiner November 10, 1936, and the application of Baton Rouge Broadcastnig Co., Inc., Ex. Rep. No. 1-267.

NEW—Isadore Goldwasser, Anniston, Ala.—Denied petition requesting Commission to grant a rehearing on his application for C. P. to erect a new station to operate on **1420 kc.**, 100 watts, daytime. This application was denied by the Commission on April 27, 1937.

EXAMINERS' REPORTS RELEASED SINCE JUNE 15, 1937

NEW—Ex. Rep. 1-438: Elmira Star-Gazette Inc., Elmira, N. Y.—Examiner Robert L. Irwin recommended grant of C. P. for new station to operate on **1200 kc.**, 250 watts, daytime.

NEW—Ex. Rep. 1-439: Chase S. Osborn, Jr., Fresno, Cal.—Examiner John P. Bramhall recommended grant of C. P. for new station to operate on **1440 kc.**, 500 watts, unlimited time.

WPEN—Ex. Rep. 1-440: William Penn Broadcasting Co., Philadelphia, Pa.; and WRAX: WRAX Broadcasting Co., Philadelphia, Pa.—Examiner Tyler Berry recommended that application for authority to transfer control of Wm. Penn Broadcasting Co. and WRAX Broadcasting Co., from Clarence H. Taubel to John Iraci, be granted; that the application of WPEN for modification of license to increase power from 250 watts night, 500 watts day, to 1 KW day and night, employing directional antenna be granted; that the application of WPEN for modification of license to change time of operation from sharing with WRAX on **920 kc.**, 250 watts night, 500 watts day, to unlimited time on said frequency, and requesting facilities of WRAX, be granted; contingent upon the Commission granting application for transfer of control of WPEN-WRAX from Clarence H. Taubel to John Iraci; that if these recommendations be concurred in, that the application of WRAX to increase power to 1 KW be denied. However, if these recommendations are not concurred in by the Commission, then the Examiner recommended that the application of WPEN for modification of license to increase power to 1 KW, using directional antenna and sharing with WRAX, be granted; and that the application of WRAX for modification of license to increase power to 1 KW, employing directional antenna, sharing with WPEN, be granted.

NEW—Ex. Rep. 1-441: Waterloo Times-Tribune Publishing Co., Waterloo, Ia.—Examiner George H. Hill recommended denial of C. P. for new station to operate on **1370 kc.**, 100 watts, daytime.

NEW—Ex. Rep. 1-442: Schuylkill Broadcasting Co., Pottsville, Pa.; and NEW: Pottsville News and Radio Corporation, Pottsville, Pa.—Examiner Melvin H. Dalberg recommended grant of application of Schuylkill Broadcasting Co. for C. P. to operate on **580 kc.**, 250 watts, daytime hours, and denial of application of Pottsville News & Radio Corp. for these facilities.

NEW—Ex. Rep. 1-443—Twin City Broadcasting Corp., Longview, Wash.—Examiner R. H. Hyde recommended grant of C. P. for new station to operate on **780 kc.**, 250 watts, daytime hours.

NEW—Ex. Rep. 1-444: William W. Ottaway, Port Huron, Mich.—Examiner John P. Bramhall recommended denial of application for C. P. for new station to operate on **1370 kc.**, 250 watts, daytime.

NEW—Ex. Rep. 1-445: Phillip Jackson, Brunswick, Ga.—Examiner J. P. Bramhall recommended dismissal with prejudice, of application for C. P. for new station to operate on **1420 kc.**, 100 watts, daytime.

WABY—Ex. Rep. 1-446: Adirondack Broadcasting Co., Inc., Albany, N. Y.—Examiner Robert L. Irwin recommended grant of application to increase power from 100 watts to 100 watts night, 250 watts day, on **1370 kc.**, unlimited time.

NEW—Ex. Rep. 1-447: C. S. Gooch, d/b as Amarillo Broadcasting Co., Amarillo, Texas.—Examiner Melvin H. Dalberg recommended dismissal without prejudice, of application for C. P. to use **1500 kc.**, 100 watts, unlimited time.

NEW—Ex. Rep. 1-448: Columbia Radio Co., Inc., Columbia, S. C.—Examiner Geo. H. Hill recommended denial of application for C. P. to use **1200 kc.**, 100 watts, unlimited time; and

NEW—Carolina Advertising Corp., Columbia, S. C.—recommended grant of application of Carolina Advertising Corp., to use **1370 kc.**, 100 watts, 250 watts LS, unlimited time.

NEW—Ex. Rep. 1-449: W. E. Whitmore, Hobbs, N. Mex.—Examiner M. H. Dalberg recommended grant of C. P. for new station to operate on **1500 kc.**, 100 watts, daytime.

NEW—Ex. Rep. 1-450: John D. Fields, Inc., Las Vegas, Nevada.—Examiner P. W. Seward recommended dismissal with prejudice, of application for C. P. to use **1370 kc.**, 100 watts, unlimited time.

KROY—Ex. Rep. 1-451: Royal Miller, Sacramento, Cal.—Examiner Tyler Berry recommended denial of application for modification of C. P. to change frequency from **1210 kc.** to **1340 kc.**; power from 100 watts to 250 watts night, 1 KW LS, and hours of operation from daytime to unlimited.

KSD—Ex. Rep. 1-452: The Pulitzer Publishing Co., St. Louis, Mo.—Examiner P. W. Seward recommended grant of renewal of license subject to specified hours, and denial of application to operate unlimited time on **550 kc.**

KFUO—Evangelical Lutheran Synod of Missouri, etc., Clayton, Mo.—Examiner Seward recommended grant of application for one-half time operation on frequency of **550 kc.**, and grant of renewal of license authorizing specified hours.

RATIFICATIONS

WMBO—WMBO, Inc., Auburn, N. Y.—Granted extension of program test period for 30 days from June 12.

W9XES—Midland Broadcasting Co., Inc., Kansas City, Mo.—Granted authority to operate as licensed for period of 30 days beginning June 19 and ending no later than July 18, to relay broadcast on Saturday mornings series of question and answer broadcasts.

W9XPN—WDZ Broadcasting Co., Tuscola, Ill.—Granted authority to operate as licensed for 30 days beginning June 22, to relay broadcast various programs originating from Paterson Springs Park.

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Granted special temporary authority to operate with two 350 feet towers spaced 5/8 of a wave for the period June 21 and ending no later than July 20, while the 250 ft. tower is taken down and moved to the proper location in the new three element array as authorized by C. P.

KDB—Santa Barbara Broadcasters, Ltd., Santa Barbara, Cal.—Granted extension of special temporary authority to operate a 100 watt portable test transmitter between hours of 12 midnight and 6 a. m. PST, for period June 17 and ending no later than July 16, in order to make field intensity survey tests.

WHIO—Miami Valley Broadcasting Corp., Dayton, Ohio—Granted special temporary authority to operate from 12 midnight to 6 a. m., EST, for period not to exceed 30 days, in order to determine proper operating constants for the most efficient operation of directional antenna; provided unattenuated field intensity at one mile in the direction of KOIL shall not exceed 99 millivolts per meter.

KPRC—Houston Printing Corp., Houston, Tex.—Granted extension of special temporary authority to operate with power 5 KW night, for period June 23 to July 22, 1937.

WEST—Associated Broadcasters, Inc., Easton, Pa.—Granted extension of special temporary authority to operate simultaneously with WKBO from 10 to 11 a. m. and from 5 to 6 p. m., EST, for the period beginning June 23 and ending no later than July 22, incl., due to the adoption of Daylight Saving Time in Easton.

W9XPW—WDZ Broadcasting Co., Tuscola, Ill.—Granted special temporary authority to operate relay broadcast transmitter of station W9XPW on the frequencies **31100, 34600, 37600** and **40600 kc.,** using 30 watts, for period of 30 days from June 22 and ending no later than July 21, 1937.

WJAR—The Outlet Company, Providence, R. I.—Granted special temporary authority to operate 1 KW auxiliary transmitter as regular transmitter, for period not to exceed 30 days, pending installation of new 5 KW transmitter equipment as authorized by C. P.

W3XPF—Farnsworth Television, Inc. of Pa., Philadelphia—Granted extension of special temporary authority to conduct equipment tests of a 100 watt exciter unit for period June 21 to July 20, 1937.

WHBF—Rock Island Broadcasting Co., Rock Island, Ill.—Granted special temporary authority to operate a 50-watt site test transmitter in the Rock Island-Moline area during daylight hours on frequency **1520 kc.,** and during experimental period at night on frequency **1210 kc.,** for period not to exceed 10 days.

WDAF—The Kansas City Star Co., Kansas City, Mo.—Granted special temporary authority to reduce daytime operating power from 5 KW to 1 KW for period beginning June 21 and ending June 30, 1937.

KGFI—Eagle Broadcasting Co., Inc., Corpus Christi, Texas—Granted extension of special temporary authority to remain silent for the period June 26 to July 25, 1937, preparatory to removal to Brownsville as authorized in modification of C. P.

WQDM—Regan and Bostwick, St. Albans, Vt.—Granted special temporary authority to operate from 5 to 7:45 p. m., EST, June 26 and 30; from 2 to 6 p. m., EST, June 27 and July 4 and 18; and from 5 to 7:30 p. m., EST, July 3, 6, 8, 10, 14, 17, 20, 22 and 24, in order to broadcast sponsored baseball games.

WISN—Hearst Radio, Inc., Milwaukee, Wis.—Granted special temporary authority to rebroadcast over station WISN the conversation carried on between exp. stations W5XAR and W5XAS of the Western Radio Telg. Co., for a period of not more than 1 hour, between June 28 and July 3, 1937, flying weather permitting.

WKBB—Sanders Bros. Radio Station, E. Dubuque, Ill.—Granted special temporary authority to rebroadcast over station WKBB the conversation carried on between exp. stations W5XAR and W5XAS of Western Radio Telg. Co., for period not to exceed 1 hour between June 25 and June 30, flying weather permitting.

KTMS—News Press Publishing Co., Santa Barbara, Calif.—Granted modification of C. P. for approval of transmitter site near Goleta, Calif., changes in authorized equipment and installation of directional antenna system for day and nighttime operation.

NEW—Donald B. MacMillan, Mobile—Granted C. P. for exp. broadcast station.

Granted petition of Doughty & Welch Electric Co., Inc. (WSAR), to intervene in the proceeding on the application of Fall River Herald News Publishing Co., for C. P. for new station at Fall River, Mass., Docket 4552.

Granted petition of St. Petersburg Chamber of Commerce (WSUN) to intervene in the proceedings on the application of The Tribune Co. for C. P. for a new station at Tampa, Fla., Docket No. 3932, and dismissed the opposition of The Tribune Company to said petition.

Granted petition of the Monocacy Broadcasting Co., to accept petitioner's appearance in the proceedings upon its application for C. P. for a new station at Rockville, Md., Docket 3191.

Granted request of the St. Petersburg Chamber of Commerce for the issuance of a subpoena directing W. W. McEachern of St. Petersburg, to appear at the further hearing upon the application of Earl Weir for C. P. for new station at St. Petersburg, Fla., Docket 3868, and approved the issuance of such subpoena.

The Broadcast Division, upon its own motion, extended the effective date of its decision on the application of Ventura County Star, Inc., et al, Docket 3469, from June 22 to June 29, 1937.

Granted petition of Wescoast Broadcasting Co. (KPQ), to waive Rule 106.22 and to grant an order to take depositions in support of its application for C. P., Docket 4576.

Granted petition of Superior Broadcasting Service, Inc. (WCAZ), to intervene in the proceedings upon the application of Leon M. Eisfeld for C. P., for new station at Burlington, Iowa, Docket 4502.

Granted petition of WKBN Broadcasting Corp., to intervene in the proceedings on the application of Wm. F. Maag, Jr., for C. P. for new station at Youngstown, Ohio, Docket 4561.

Granted petition of Red River Valley Broadcasting Corp. (KRRV), to intervene in the proceedings on the application of KCMO Broadcasting Co. (KCMO), Kansas City, Mo., for C. P., Docket 4485.

Granted petition of Red River Valley Broadcasting Corp. (KRRV), to intervene in the proceedings on the application of L. L. Coryell, et al., Lincoln, Nebr., for C. P., Docket 4509.

Granted petition of The Edison Electric Illuminating Co., of Boston, to intervene in the proceedings on the application of the Birmingham News Co., for C. P. for new station at Birmingham, Ala., Docket 3975.

Denied the petition of E. E. Krebsbach, to accept his appearance, statement and affidavit and that he be allowed to participate in the hearing upon the application of KCMO Broadcasting Co., for C. P., Docket 4485.

Granted petition of Leon M. Eisfeld requesting continuance of hearing on his application for C. P. for a new station at Burlington, Iowa, Docket 4502, and directed that the new hearing date be fixed at the convenience of the docket.

Granted petition of Harry Schwartz for orders to take depositions at Tulsa, Sapulpa, and Sand Springs, Okla., in support of his application for a new station at Tulsa, Okla., Docket 4586.

Granted request of Utica WUTK, Inc., for continuance of hearing date upon its application for C. P. for a new station at Utica, N. Y., Docket 4566, and directed that a new hearing date be fixed at the convenience of the docket.

Granted petition of Cleveland Radio Broadcasting Corp., to intervene in the proceedings on the application of Great Lakes Broadcasting Corp. for construction permits for new station at Cleveland, Docket 4591.

Granted motion of Herbert Lee Blye requesting that hearing date on his application for C. P. for new station at Lima, Ohio, Docket 4575, be postponed, and directed that the new date for hearing be fixed at the convenience of the docket.

Granted motion of Jules J. Rubens requesting that date for hearing on his application for C. P. at Aurora, Ill., Docket 4579, be continued, and directed that the new date for hearing be fixed at convenience of the dockets.

Granted petition of R. B. Broyles Furniture Co. (WSGN), Birmingham, Ala., to intervene in the proceedings on the application of the Birmingham News Co. for C. P. for a new station at Birmingham, Ala., Docket 3975.

Granted petition of Earl Weir, St. Petersburg, Fla., requesting that hearing upon his application for C. P. for a new station at St. Petersburg, Docket 3868, be continued, and directed that the new hearing date be fixed at a date in September, 1937, at the convenience of the dockets.

Granted motion of the Centennial Broadcasting Corp., requesting that the hearing on its application for C. P. for new station at Dallas, Texas, Docket 4551 be continued from July 2 to 15, 1937.

Granted petition of Southern Broadcasting Corp., Bogolusa, La., to intervene in the proceedings on the application of WSMB, Inc., New Orleans, La., for C. P. Docket 4530.

Granted petition of the Houston Printing Corp., to intervene in the proceedings on the application of Dr. Wm. States Jacobs Broadcasting Co. for C. P. for new station at Houston, Texas. Docket 4269.

Granted petition of Southern Broadcasting Corp., Bogolusa, La., to intervene in the proceedings on the application of WDSU, Inc., New Orleans, La., for C. P., Docket 4574.

Granted petition of the Tribune Building Co. (KXL), to intervene in the proceedings on the application of Richard Field Lewis for C. P. for a new station at Oakland, Cal. Docket 4584.

Granted petition of WLAC, Nashville, and the Yankee Network, Inc. (WNAC and WAAB), Boston, Mass., requesting that oral argument on the application of The Northern Corp. (WMEX) for C. P., Docket 4171, now scheduled for July 1, be postponed until such time as oral argument is had on the application of the Mass. Broadcasting Corp. (WCOP) for C. P., Docket 3332. The Broadcast Division dismissed the opposition of the Mass. Broadcasting Corp. to said petition.

Denied petition of L. L. Coryell and Son in so far as it requests the reinstatement of the applications of L. L. Coryell and Son, Docket 4509, and Cornbelt Broadcasting Corp., Docket 4604, upon the hearing calendar for June 28, and dismissed the petition in so far as it requests that the hearing date on the application of KCMO Broadcasting Co., Docket 4485, be continued.

Denied the petition of KCMO Broadcasting Co. in so far as it requests the reinstatement of the applications of L. L. Coryell and Son, Docket 4509, and Cornbelt Broadcasting Corp., Docket 4604, upon the hearing calendar for June 28, 1937, and dismissed the petition in so far as it opposes a continuance of the hearing date on its application, Docket 4485.

Dismissed application of KIUL, Garden City Broadcasting Co., Garden City, Kans., for Voluntary Assignment of License to KIUL, Inc., and directed that an order be entered accordingly and forwarded to all interested parties.

Denied the motion of Power City Broadcasting Corporation to postpone the effective date of the order of the Broadcast Division entered on February 9, 1937, denying the application of Power City Broadcasting Corp., for C. P. to erect a new station at Niagara Falls, N. Y. Docket 3839.

APPLICATIONS RECEIVED

First Zone

WORL—Broadcasting Service Organization, Inc., Boston, Mass.—
920 License to cover construction permit (B1-P-1751) for changes in equipment.

WQDM—E. J. Regan and F. Arthur Bostwick, d/b as Regan &
1390 Bostwick, St. Albans, Vt.—Modification of license to change hours of operation from specified hours to daytime to local sunset at Cleveland, Ohio. Amended to request daytime only hours of operation.

W1XQ—Broadcasting Service Organization, Inc., Boston, Mass.—License to cover construction permit for high frequency relay broadcast station (B1-PRE-54).

Second Zone

WICA—C. A. Rowley, Ashtabula, Ohio.—Modification of construc-
940 tion permit (B2-P-756) for new station, requesting approval of vertical antenna, changes in transmitting equipment, and approval of transmitter site at 3 miles south of Ashtabula on Jefferson Road on R. Humphrey Farm, Ashtabula, and studio at 221 Center Street, Ashtabula, Ohio.

WJAC—WJAC, Inc., Johnstown, Pa.—Authority to install auto-
1310 matic frequency control apparatus.

WMBG—Havens & Martin, Inc., Richmond, Va.—License to cover
1350 construction permit (B2-P-338) as modified for changes in frequency, power, time, install new transmitter, and directional antenna for day and night, and move of transmitter.

WGAR—The WGAR Broadcasting Co., Cleveland, Ohio.—Con-
1450 struction permit for installation of new transmitter and increase in power from 500 watts, 1 KW day, to 5 KW day and night. Amended: equipment changes, installation of directional antenna for night use, and change requested power from 5 KW to 1 KW night, 5 KW day.

WJBK—James F. Hopkins, Inc., Detroit, Mich.—Construction per-
1510 mit to change frequency from **1500 kc.** to **1510 kc.**; increase power from 100 watts night, 250 watts day, to 1 KW day and night; install new equipment; move transmitter from 12897 Woodward Avenue, Highland Park, Mich., to site to be determined, antenna system to be determined.

NEW—Reading Broadcasting Co., Reading, Pa.—Construction permit for a new high frequency relay broadcasting station on **31100, 34600, 37600, 40600 kc.**, power 10 watts.

W3XGM—Reading Broadcasting Co., Reading, Pa.—License to cover construction permit (B2-MPRE-2) for high frequency relay broadcast station.

Third Zone

WGCM—WGCM, Inc., Mississippi City, Miss.—License to cover
1210 construction permit (B3-P-1445) for a new transmitter.

NEW—Ward Optical Co., Dr. T. B. Ward, Owner, Fayetteville,
1310 Ark.—Construction permit for a new station to be operated on **1310 kc.**, 100 watts, unlimited time. Amended to make changes in antenna.

KCMC—KCMC, Inc., Texarkana, Tex.—Authority to determine
1420 operating power by direct measurement of antenna.

NEW—W. C. Irvin, Amarillo, Tex.—Construction permit to erect
1500 a new broadcast station to be operated on **1500 kc.**, 100 watts night power and 250 watts day power, unlimited time.

WKAT—A. Frank Katzentine, Miami Beach, Fla.—Modification of
1500 construction permit (B3-P-1198) to make changes in authorized equipment, for approval of vertical antenna and approval of transmitter and studio sites at Dade Blvd. and Bay Road, Miami Beach, Fla.

KNEL—G. L. Burns, Brady, Tex.—License to cover construction
1500 permit (B3-P-1551) to make changes in equipment and increase power.

NEW—Sam Houston Broadcasting Assn., H. G. Webster, President,
1500 Huntsville, Tex.—Construction permit for a new station on **1500 kc.**, 100 watts, daytime.

Fourth Zone

NEW—John P. Harris, Hutchinson, Kans.—Construction permit
710 for a new station to be operated on **1200 kc.**, 100 watts night, 250 watts day, unlimited time. Amended to make changes in requested equipment; change frequency from **1200 kc.** to **710 kc.**, power from 100 watts night, 250 watts day, to 1 KW, and hours of operation from unlimited time to daytime.

KGLO—Mason City Globe Gazette Co., Mason City, Iowa.—
1210 Modification of construction permit (B4-P-1569) for changes in equipment and increase in power, further requesting changes in equipment.

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—
1360 Modification of construction permit (B4-P-1599) to extend commencement date from 6-16-37 to 10-1-37.

NEW—Carl Latenser, Atchison, Kans.—Construction permit for
1420 new station to be operated on **1420 kc.**, 100 watts power, daytime operation.

W9XQV—Rockford Broadcasters, Inc., Rockford, Ill.—Modification of construction permit (B4-PRE-77) for changes of equipment.

WAAR—Rockford Broadcasters, Inc., Rockford, Ill.—Modification of construction permit (B4-PRY-22) for changes in equipment, reduce power from 50 to 40 watts.

Fifth Zone

KSEI—Radio Service Corp., Pocatello, Idaho.—Modification of
900 license to change power from 250 watts night, 1 KW day, to 500 watts night and 1 KW day.

KTKC—Tulare-Kings Counties Radio Associates, Chas. A. Whit-
1190 more, President, Visalia, Calif.—Modification of construction permit (B5-P-816) as modified for a new station, requesting changes in authorized equipment and antenna.

NEW—Sims Broadcasting Co., Bartley T. Sims, Manager, Globe,
1210 Ariz.—Construction permit to erect a new broadcast station to be operated on **1210 kc.**, 100 watts night and 250 watts day power, unlimited hours of operation. Amended to give transmitter site as 1.1 miles south of the city of Globe, Ariz.

KFOX—Nichols & Warinner, Inc., Long Beach, Calif.—Modifica-
1250 tion of construction permit (B5-P-650) for new equipment, increase in power, requesting changes in equipment, approval of antenna and approval of transmitter site at 5½ miles northeast of Long Beach, Calif. Amended to make changes in requested equipment, change requested transmitter site from 5½ miles northeast Long Beach, Calif., to South St. and Bellflower Blvd., near Long Beach, Calif., and change studio site from 220 E. Anaheim St., Long Beach, Calif., to Carson St. and Lakewood Blvd., near Long Beach, Calif.

KIT—Carl E. Haymond, Yakima, Wash.—Modification of con-
1310 struction permit (B5-P-1115) for a new transmitter and vertical antenna; change in frequency; increase in power; and move of transmitter, requesting approval of transmitter site at Yakima County, Washington. Amended to give transmitter site as intersection Washington Avenue and Northern Pacific Right of Way, 1 mile south of city limits, Yakima, Wash.

KGIR—KGIR, Inc., Butte, Mont.—Authority to determine operat-
1340 ing power by direct measurement.

KOKO—The Southwest Broadcasting Co., La Junta, Colo.—License
1310 to cover construction permit (B5-P-1120) for a new station.

KFBK—McClatchy Broadcasting Co., Sacramento, Calif.—Con-
1490 struction permit to install a new transmitter and increase power from 5 KW to 10 KW.

NEW—The KLZ Broadcasting Company, Denver, Colo.—Construction permit for new high frequency broadcast station on **31600, 35600, 38600, 41000 kc.,** power 100 watts, unlimited time.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

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NAB PRESIDENT INVITES MEMBERS TO VISIT HIM AT HEADQUARTERS

John Elmer, new NAB President, as announced last week, will spend one day (Thursday) each week at NAB headquarters; and invites members to visit him there between the hours of 10 a. m. and 4 p. m.

FCC GRANTS ELEVEN NEW STATIONS

The Federal Communications Commission has granted construction permits for eleven new broadcasting stations as follows:

To the Community Broadcasting Company, Toledo, Ohio, new station to operate on 1200 kilocycles, 100 watts, daytime, effective August 3.

To the Telegraph Herald, Dubuque, Iowa, new station to operate on 1340 kilocycles, 500 watts, daytime, effective July 27.

To the Times Publishing Company, St. Cloud, Minn., new station to operate on 1420 kilocycles, 100 watts, unlimited time, effective August 3.

To George Harm, Fresno, Cal., new station to operate on 1310 kilocycles, 100 watts, unlimited time, effective August 10.

To Hildreth & Rogers Company, Lawrence, Mass., new station to operate on 680 kilocycles, 1,000 watts, daytime, effective August 10.

To Harold Thomas, Pittsfield, Mass., new station to operate on 1310 kilocycles, 100 watts night, 250 watts day, unlimited time, effective July 20.

To the Central Broadcasting Corporation, Centralia, Wash., new station to operate on 1440 kilocycles, 500 watts, unlimited time, effective July 20.

To Frank M. Stearns, Salisbury, Md., new station to operate on 1200 kilocycles, 250 watts, daytime, effective July 27.

To the Sioux City Broadcasting Company, Sioux City, Ia., new station to operate on 1420 kilocycles, 100 watts night and 250 watts LS unlimited time, effective August 17.

To State Capitol Broadcasting Association, Austin, Texas, new station to operate on 1120 kilocycles, 1,000 watts daytime, specified hours, effective August 17.

To the Red Lands Broadcasting Association, Lufkin, Texas, new station to operate on 1310 kilocycles, 100 watts, daytime, effective September 21.

ADDITIONAL TIME RECOMMENDED FOR WBLK

Broadcasting station WBLK, Clarksburg, W. Va., operating on 1370 kilocycles, with 100 watts power, daytime, applied to the Federal Communications Commission for unlimited time.

Examiner P. W. Seward in Report No. I-456 recommended that the additional time be granted. He found that the evidence showed a need for additional nighttime service in the area proposed to be served and that granting of the application would be in the public interest.

RECOMMENDS DENIAL TRANSFER OF LICENSE

Frank P. Doherty, of Radio Broadcasters, Inc., licensee of broadcasting station KRKD, Los Angeles, Cal., applied to the Federal Communications Commission to transfer the control of the corporation to J. F. Burke, Sr., and Loyal K. King. The station operates on 1120 kilocycles, 500 watts and 2,500 watts LS, sharing time with KFSG.

Examiner P. W. Seward in Report No. I-457 recommended that the application be denied. He found that "the granting of this application would be in violation of Sections 301 and 310 of the Communications Act of 1934, and would not be in the public interest."

WHITE INTRODUCES RADIO INVESTIGATION RESOLUTION

Senator White of Maine on Tuesday introduced a resolution (S. Res. 149) calling for an investigation of the broadcasting industry by the Senate Committee on Interstate Commerce. The resolution, which has been referred to the Senate Committee on Interstate Commerce, is as follows:

Whereas the Communications Act of 1934 declared it to be the purpose of Congress—

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(a) To maintain the control of the United States over all the channels of interstate and foreign radio transmission; to provide for the use of such channels, but not the ownership thereof, by persons for limited periods of time under licenses granted by Federal authority, and that no such licenses should be construed to create any right beyond the terms, conditions, and periods thereof;

(b) That no station license should be granted until the applicant therefor had signed a waiver of any claim to the use of any particular frequency or of the ether as against the regulatory power of the United States because of the previous use of such frequency;

(c) That there should be no transfer or assignment of a station license or the frequency authorized to be used without the consent in writing of the licensing authority, to the end that technical considerations, citizenship, character, the financial, and other qualifications of a transferee or assignee should be taken into account in determing whether a transferee or assignee possessed the statutory qualifications of a license holder and that his use of a frequency would be in the public interest;

(d) That the people of the different States and the communities thereof should have efficient and equitable radio service;

(e) That broadcasting licenses should not be for a longer term than 3 years, but with the right of the Commission to grant a renewal from time to time upon the same considerations which justified the original license;

(f) That the Commission should include in the license granted to a licensee engaged in foreign communication such of the terms, conditions, or restrictions which the President might impose with respect to cable licenses under the act relating to the landing and operating of submarine cables in the United States, approved May 27, 1921, as would make certain just and reasonable rates and service and that a licensee should not enjoy exclusive rights of operation;

(g) That all laws of the United States relating to unlawful restraints and monopolies and to combinations, contracts, and agreements in restraint of trade should be applicable to the manufacture and sale of and trade in radio apparatus and devices entering into or affecting interstate or foreign radio communication, and that should any licensee be guilty of any violation of such laws his license should be revoked;

(h) That a station license should be refused any person unlawfully monopolizing or attempting unlawfully to monopolize radio communication through control of the manufacture or sale of radio apparatus through exclusive traffic arrangements, or by any other means, or to any person having used unfair methods of competition;

(i) That there should be no combination between wire companies and radio companies if the purpose or effect thereof was to lessen competition in interstate or foreign communication; and

Whereas it has been charged among other things and is believed by many persons that rights in frequencies beyond the terms of licenses are being asserted by the holders thereof and recognized by the Federal Communications Commission; that licenses, though in form limited in time as provided by law, and the frequencies therein granted, are being treated by the holders and the users thereof and by the Commission as though granted for much longer terms than designated in the licenses; that the licensing authority has in effect recognized vested property rights of great value in licenses and in frequencies contrary to the letter and spirit of the law; that by various devices and means control of licenses and of frequencies have passed to others than the original licensee without the written approval of the Commission or with Commission approval given in disregard of congressional purpose; that persons and companies have been engaged in the acquisition and sale of broadcasting stations, licenses, and frequencies; that the licensing authority has permitted concentration of stations in some parts of the country and has failed to give equitable radio service to the people of the several States and the communities thereof; that with the approval of the Commission there has come about a monopolistic concentration of ownership or control of stations in the chain companies of the United States that through exclusive traffic arrangements and otherwise monopolistic control of the facilities of foreign communication by radio is being accomplished, and that the acts and attitude of the Commission are aiding and encouraging such monopoly; that the Commission in its decision of causes disregards its own rules and standards; that in the determination of matters before it the Commission has been affected and controlled by political and other influences not contemplated by statute and not entitled to consideration by a regulatory and quasi-judicial body; and that it has failed to observe and effectuate the purposes of the Congress and the laws enacted by it in the foregoing and other respects: Therefore be it

Resolved, That the Committee on Interstate Commerce is authorized and directed to make a thorough and complete investigation of the broadcasting industry in the United States and of broadcasting, and of the acts, rules, regulations, and policies of the Federal Communications Commission with respect to broadcasting and to report to the Senate the results thereof.

In particular, but not to the exclusion of other matters, the said committee is authorized and directed to make and to report to the Senate the results of an investigation and study of—

(1) The cases, if any, in which the Commission has departed from or has modified the application of its regulations and the engineering and other standards generally observed by it, together with the reasons for each such departure or modification;

(2) All acts by the Commission which recognize or seem to recognize the right of a licensee to a license or a frequency other than as specified in the terms, conditions, and time of the license;

(3) Whether the acts and decisions of the Commission in broadcasting cases have been influenced by matters not apparent in the public records;

(4) The geographical distribution of broadcasting facilities and whether there is an equitable distribution of broadcast service to all parts of the country; and if not, what steps should be taken to provide fair and equitable service throughout the United States;

(5) The extent to which broadcast stations have been concentrated in the larger communities of the country by transfer of stations from smaller communities to such centers or otherwise;

(6) The extent to which and the circumstances under which the ownership, control, management, or interest in more than a single broadcast station has passed into the hands of any person or group of persons;

(7) The circumstances surrounding and the considerations for the voluntary transfer of station licenses or construction permits;

(8) Instances of the transfer of minority interests in broadcasting-station licensees, and all transactions directly or indirectly affecting the control of such licensees, and whether said transfers have or have not been submitted to the Commission for approval and have received Commission approval or acquiescence;

(9) The sale price of any broadcasting station in any manner sold and transferred, together with a statement of the fair value of the physical assets and of other property, rights, contracts, and licenses involved in said sales, and in particular the value placed by the parties to the transaction upon the frequency licensed to be used;

(10) The sale of stock or other securities of any broadcasting stations, of any licensees, or of any person or persons directly or indirectly controlling such licensees, and the valuation put by the person transferring the same upon the station license or the frequency, the power or the hours of operation fixed in the station license, and the circumstances surrounding and the consideration for such sales and transfers and as to the participation in the negotiations for such sales and transfers by any person other than the seller and purchaser, the transferor and the transferee;

(11) The licensing of broadcast stations to persons other than the owners of the physical equipment, and in particular all cases involving the leasing of transmitting equipment;

(12) The surrender of control of facilities by licensees including all agreements to accept proffered programs with or without supervision by the licensee;

(13) All acts or assertions by broadcast station licensees which involve the claim to any right or interest beyond the terms, conditions, and periods of the license;

(14) Whether considerations have been paid or promised to any licensee or permittee for not interposing objection to an application for all or a part of his facilities or for other facilities which could not be granted without disregard for the Commission's rules or its standards except with the consent of such licensee or permittee;

(15) All cases in which persons whose applications for the renewal of a broadcasting license have been refused by the Commission, have received from persons licensed to use the facilities for which renewal of license has been refused, money or other consideration in excess of the value of the physical equipment taken off the air and sold to the new licensee;

(16) Cases in which the real parties in interest in any application for broadcast facilities have not been disclosed to the Commission;

(17) The extent to which holding or other intermediate companies or persons have been employed in the ownership or control of broadcast stations and the effect of such intermediate ownership or control upon the effective regulation of broadcasting;

(18) The investments by licensees in the stations authorized to be operated by them, including the investment in equipment and in other items of cost;

(19) The charges for the use of station facilities and the profit or loss resulting therefrom;

(20) The extent to which broadcast stations are used to build up other businesses or enterprises in which the station licensees or persons financially interested in the licensees are engaged; the extent to which the facilities of broadcast stations are refused or are granted conditionally to competitiors of such other businesses or enterprises, and the effect of the ownership and use of such radio facilities upon the businesses of those in competition with the businesses of those having the radio facilities;

(21) The extent to which broadcast stations are owned or controlled by or are affiliated with newspapers or other media of information or entertainment, and the effect of such ownership, control, or affiliation upon competing newspapers not possessing such facilities and upon the public interest;

(22) The development and present facts concerning broadcasting networks or chains, including the effects of chain association upon the licensee's control over his station;

(23) The effect of chain operations upon the financial results and status of chain-affiliated stations and independent stations, the ability of the chain-owned or affiliated station to render a local service, both sustaining and commercial and the duplication of broadcast programs; and the desirability of special regulations governing chains and stations engaged in chain broadcasting;

(24) The extent to which licensees of broadcast sta-

tions censor or refuse programs offered to them for transmission and the reasons for and the effects of such censorship or refusal;

(25) The extent to which, the basis upon which, and the times at which broadcast stations carry programs relating to public affairs, education, religion, labor, agriculture, charity, and public service generally;

(26) The extent to which and basis upon which broadcast stations carry programs offered by or on behalf of candidates for public office or programs relating to controversial subjects in the field of National, State, or local politics; and

(27) The extent to which, the basis upon which, the manner in which, and the times at which broadcast stations are used for commercial programs, including programs advertising products claimed to have medicinal or therapeutic value and programs relating to products or services, the sale or use of which may be illegal in any State in which the programs of the station carrying such programs may be received, the time given by the several classes of stations to commercial advertising or sales talk in the programs broadcast, and whether there should be control or regulation of advertising by radio and the character and extent thereof;

Said committee is further authorized and directed to make and report to the Senate the facts with respect to:

(1) Competition between wire companies in communication between the United States and foreign countries, between radio companies in such foreign communication, and between wire and radio companies in this field of foreign communication.

(2) Instances in which the Commission has granted licenses for transmission in foreign communication or has refused or withheld action upon applications for licenses and frequencies in this field of communication, and whether such action by the Commission or its nonaction, has been with the purpose or has had the effect of aiding one company in this branch of communications or of destroying or lessening competition between American companies in foreign communication.

(3) The extent to which companies engaged in radio communication between the United States and any foreign country have entered into exclusive traffic arrangements or other agreements with the purpose or effect of securing a monopoly in such communication or of lessening competition therein and the effect of such arrangements or agreements upon competing American companies.

Said committee is further authorized and directed to make a study of the policies and principles which should be declared and made effective in legislation providing for the regulation and control of the radio industry, of broadcasting, and of interstate and foreign communication by radio.

For the purposes of this resolution the committee, or any duly authorized subcommittee thereof, is authorized to hold such hearings, to sit and act at such times and places, either in the District of Columbia or elsewhere, during the sessions, recesses, and adjourned periods of the Senate in the Seventy-fifth Congress, to employ such experts, and clerical, stenographic, and other assistants, to require by subpena or otherwise the attendance of such witnesses and the production and impounding of such books, papers, and documents, to administer such oaths and to take such testimony and to make such expenditures as it deems advisable. The cost of stenographic services to report such hearings shall not be in excess of 25 cents per 100 words. The expenses of the committee, which shall not exceed   , shall be paid from the contingent fund of the Senate upon vouchers approved by the chairman.

COURT OF APPEALS DECIDES RADIO CASE

The United States Court of Appeals for the District of Columbia handed down decisions in two radio cases. Mr. Justice Stephens dissented. The opinions are as follows:

UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA.

Nos. 6772 and 6773.

EASTLAND COMPANY, A Corporation, APPELLANT,
v.
FEDERAL COMMUNICATIONS COMMISSION, PORTLAND BROADCASTING SYSTEM, INCORPORATED, INTERVENER.

CONGRESS SQUARE HOTEL COMPANY, A Corporation, APPELLANT,
v.
FEDERAL COMMUNICATIONS COMMISSION, PORTLAND BROADCASTING SYSTEM, INCORPORATED, INTERVENER.

Appeal from the Federal Communications Commission.

Decided June 28, 1937.

Paul M. Segal and *George S. Smith*, both of Washington, D. C., for appellants.

Arthur W. Scharfeld and *Philip G. Loucks,* both of Washington, D. C., for intervener.

Hampson Gary, George B. Porter, Fanney Neyman, and *F. W. Fletcher,* all of Washington, D. C., for appellees.

Before MARTIN, Chief Justice, and ROBB, VAN ORSDEL, GRONER, and STEPHENS, Associate Justices.

MARTIN, *Chief Justice:* These appeals are brought under sections 402 (b) and (c) of the Communications Act of 1934, 48 Stat. 1064, relating to the granting by the Federal Communications Commission of licenses for the construction and operation of radio broadcasting stations. The authority of this court in such cases is defined by subsection (e) of the Act, as follows:

"* * * that the review by the court shall be limited to questions of law, and that findings of fact by the commission, if supported by substantial evidence shall be conclusive unless it shall clearly appear that the findings of the commission are arbitrary or capricious. * * *"

The decision of the Commission in the cases now upon appeal relates to certain applications of the Portland Broadcastng System, Inc., hereinafter called the Portland System, the Eastland Company, and the Congress Square Hotel Company, as intervener, for licenses permitting the use of broadcasting frequency 640 kc. for limited time of operation.

In addition to these applications, ten others involving numerous requests and proposals relating to broadcasting frequency 640 kc., were heard and denied by the Commission concurrently with those herein appealed. No appeal, however, was taken in any of the other ten applications. The present hearing therefore is confined to the appeals wherein the Eastland Company and the Congress Square Hotel Company, respectively, are appellants, in both of which the Portland System is appellee.

On April 5, 1934, the Portland System, a Maine corporation, applied to the Commission for authorization to construct a new radio station at the city of Portland, Maine, for unlimited daytime operation upon frequency 640 kc., with 500 watts power, "call letters new".

On August 3, 1934, the Eastland Company, also a Maine corporation, applied to the Commission for authorization to construct a new radio station at the city of Portland, Maine, for unlimited daytime operation upon frequency 640 kc., power 100 watts, "call letters new".

At the time in question the Congress Square Hotel Company was the owner and licensee of an existing radio broadcasting station at Portland, Maine, known by the call letters WCSH, it being the only broadcasting station in Portland at that time. It operated upon frequency 940 kc., with power of 1 kw. nighttime, 2½ kw. daytime, and unlimited hours of operation. This station, which was owned by the Eastland Company, opposed the granting of the application of the Portland System for authority to construct a new broadcasting station at Portland, and it has appealed from the Commission's order granting such application. The appeal of station WCSH is based chiefly upon the ground that such a station would unjustly prejudice the broadcasting patronage of that station.

It may be noted that the contestants both apply for authorization to use frequency 640 kc. in the stations proposed by them. This is a clear channel under the Commission's Rule 72, that is a channel upon which only a single station is permitted to operate during night hours. During daylight hours, however, it is possible to allow duplication on such a frequency, inasmuch as (according to the theories of those learned in the art) the so-called sky-wave or ray, which is reflected in the upper atmosphere during the night hours, does not return to earth with sufficient intensity to cause interference. Such stations are designated by Rule 77 of the Commission as "limited time" stations. The frequency 640 kc. was regularly assigned by the Commission to broadcasting station KFI, located at Los Angeles, California, and accordingly the applications herein in question were for daytime operation only.

The Commission after hearing the present applications, granted that of the Portland System, denied that of the Eastland Company, and concurrently overruled the objection of the Congress Square Hotel Company. The present appeals were then taken.

The Brief of the appellants sets out four contentions in support of their appeals. The first of these reads as follows:

"1. The order and decision of the Broadcasting Division are invalid as having been made by a division of the Commission, the majority of which neither heard the evidence nor passed upon a report thereof."

Upon an examination of the record we are convinced that this contention must be overruled.

Under section 4 (a) of the Communications Act, *supra,* it is provided that the Federal Communications Commission shall be composed of seven commissioners. Under section 5 (a) it is provided that the Commission is authorized by its order to divide the members thereof into not more than three divisions each to consist of not less than three members, and that any commissioner may be assigned to and may serve upon such division as the Commission may direct; and in case of a vacancy in any division the chairman of the Commission may temporarily serve. By section 5 (b) it is provided that the Commission may assign or refer any of its work or functions to any of such divisions for action thereon. By section 5 (c) it is provided that each division so constituted shall have power and authority by a majority thereof to hear and determine as to any of the work or functions assigned to it for action by the Commission, and shall have all the jurisdiction and power conferred by law upon the Commission and be subject to the same duties and obligations, and that any decision made by such division in respect of any matter so assigned to it shall have the same force and effect as if made by the Commission.

Under Commission Order No. 1, passed July 17, 1934, Commissioners Gary, Brown, and Sykes were assigned for duty on the Broadcasting Division, and served as such when the applications involved in this case came on for hearing, to wit, from October 22 to November 2, 1934. On January 1, 1935, Commissioner Gary resigned, and was succeeded by Commissioner Prall. On March 9, 1935, Commissioner Brown was assigned to the Telegraph Division, and was succeeded as a member of the Broadcasting Division by Commissioner Case. The applications involved in this case were decided on May 1, 1936, by the Broadcasting Division composed of Commissioners Sykes, Case, and Prall.

The record discloses that oral testimony was introduced in the case beginning October 22, 1934 and that afterwards various depositions and publications were introduced as evidence in the case. Accordingly on May 1, 1936 the Division which entered the decision in the case was composed of commissioners who had not heard the oral testimony but nevertheless had been members of the Division for more than a year prior to the date of the decision, and during that time the stenographic reports of the oral testimony and copies of the written evidence were all in their possession and under consideration by them.

No question is raised by the appellants as to lack of notice, or opportunity to present evidence and file briefs or as to the manner in which the hearing itself was conducted. The appellants were accorded ample and timely notice and a full opportunity to be heard. The commissioners who entered the decision report that they had fully considered the evidence and the entire record of the case.

The contention of appellants is that they were entitled to have their case passed upon by the identical members of the Broadcasting Division who sat at the presentation of all of the evidence in the case, and that the procedure followed amounted to a denial of a lawful hearing and trial of the case, inasmuch as two members who joined in the decision did not hear the oral evidence when delivered by the witnesses in person.

In our opinion the partial change in the personnel of the Division which decided the case did not invalidate its decision, for it was nevertheless the decision of the Division which acted upon the evidence.

In section 4, subsection (j), of the Act, *supra,* it is provided that:

> "The Commission may conduct its proceedings in such manner as will best conduce to the proper dispatch of business and to the ends of justice. No commissioner shall participate in any hearing or proceeding in which he has a pecuniary interest. Any party may appear befor the Commission and be heard in person or by attorney. Every vote and official act of the Commission shall be entered of record, and its proceedings shall be public upon the request of any party interested. The Commission is authorized to withhold publication of records or proceedings containing secret information affecting the national defense."

Rule 106.8 of the Commission, provides as follows:

> "106.8 Except as otherwise provided herein, the rules of evidence governing civil proceedings in the courts of the United States shall govern formal hearings before the Commission; *Provided, however,* That the Commission reserves the right to relax such rules in any case where in its judgment the ends of justice will be better served by so doing."

It is provided by sections 409 (a) and (e) of the Act, *supra,* as follows:

> "Sec. 409 (a) Any member or examiner of the Commission, or the director of any division, when duly designated by the Commission for such purpose, may hold hearings, sign and issue subpenas, administer oaths, examine witnesses, and receive evidence at any place in the United States designated by the Commission; except that in the administration of Title III [relating to broadcasting] an examiner may not be authorized to exercise such powers with respect to a matter involving (1) a change of policy by the Commission, * * *".
>
> "(e) The testimony of any witness may be taken, at the instance of a party, in any proceeding or investigation pending before the Commission, by deposition, at any time after a cause or proceeding is at issue on petition and answer. * * *"

The testimony in the present case according to statute would have been taken by an examiner and reported to the Commission but this course was not followed inasmuch as the questions raised by the ten application not involved in this appeal concerned a "change of policy" of the Commission. It is plain that much of the testimony in such cases must be received by the Commission in stenographic reports, inasmuch as the Commission's jurisdiction extends throughout the entire country and it would often be very expensive for witnesses to come to Washington to testify orally and impossible for the Commission personally to go to various different parts of the country to hear oral evidence. See: *Garden City Feeder Co.* v. *Commissioner of Int. Rev.,* 75 F. (2d) 804; *Van Buren Water Works* v. *Van Buren,* 152 Ark. 83; *State ex rel American Telechronometer Co.* v. *Baker,* 164 Wash. 483; *Union Public Service* v. *Corporation Commission,* 140 Kan. 722.

In the *Telechronometer case, supra,* the court said:

> "The members of the department who made the order * * * were the lawfully constituted department of public works, they had before them the entire record, and it was their duty to enter such order thereon as in their opinion was proper * * * the fact that changes took place in the personnel of the department during the course of the hearing avails respondent nothing in its attack upon the order which is the basis for this proceeding."

Moreover, it is provided by section 409 (e) of the act that the Commission may grant a rehearing of any decision made by a Division, or by the Commission, if sufficient reason appear therefor.

No motion, however, was made by appellants for a rehearing before the Division, nor before the Commission. It seems therefore that no injustice has resulted to appellants because of the circumstances attending the hearing of the case.

The remaining contentions of the appellants challenge the findings of the Commission upon the facts as disclosed by the evidence. In respect to these findings it must be remembered that the court is not to be governed only by the weight of the evidence in cases of contradictions, but must affirm the decision of the Commission as to the facts, if supported by substantial evidence, unless the decision is "arbitrary or capricious."

The appellants for their second contention claim that the order and decision of the Broadcasting Division are in violation of the Commission's rule against repetition of applications. We think this contention is not well founded. The record discloses that in February 1934 the Commission denied an application of the Portland Maine Publishing Company for authorization to erect a new radio broadcasting station in Portland. In April 1934 the Commission received the application from the Portland System which is now in question. The record discloses that these are separate corporations and that the Portland and Maine Publishing Company holds less than half of the stock of the Portland System, and that the latter company is not controlled by the former one. The testimony upon this subject is made the basis of conflicting claims by the parties, but we think that it is sufficient to support the Commission's decision.

The appellants also contend that it was error for the Commission to grant the application of the Portland System without a showing that the applicant was financially able to construct and operate the proposed station. Upon this subject, however, the Commission makes the following statement in its decision:

"However in view of the fact that the applicant corporation already has paid into its treasury $25,000 in cash, and the testimony under oath of its principal witnesses that the additional $25,000 will be forthcoming, we believe any doubts which may be raised in this record as to the financial ability of the Portland Broadcasting System, or the legal or financial ability of the Portland Maine Publishing Company to pay for the stock in the applicant corporation for which it has subscribed, should be resolved in favor of the applicant and the publishing company."

We think the testimony is sufficient to support this finding.

The appellants for their fourth contention claim as follows:

"The denial of the application of the Eastland Company and the granting of that of the Portland Broadcasting System, Inc., violated the facilities-distribution section of the Communications Act of 1934 and the quota regulations of the Commission."

The act of 1934, commonly known as the "Davis Amendment", 45 Stat. 373, provides "That the people of all the zones established by this title are entitled to equality of radio broadcasting service, both of transmission and of reception, and in order to provide said equality the Commission shall as nearly as possible make and maintain an equal allocation of broadcasting licenses, of bands of frequency, of periods of time for operation, and of station power, to each of said zones when and insofar as there are applications therefor; and shall make a fair and equitable allocation of licenses, frequencies, time for operation, and station power to each of the States and the District of Columbia, within each zone, according to population. * * *"

Under this statute the Commission by paragraph 6 (g) of its Rules, has provided:

"(g) Since the act provides for the equalizing of radio facilities among zones and among States, 'as nearly as possible', the Commission may allow a slight departure, plus or minus, from an exact mathematical estimate."

It appears from the record that at the time of the hearing the State of Maine and first zone were under quota on both day and night assignments; that the grant of Portland System's application adds to the quota of the State of Maine and first zone 0.15 units night and 0.3 units day. This would make the State over quota .08 units night and leave it under quota 0.49 units day. The first zone would still be under quota 1.84 units night and 22.45 units day. The Commission was of the opinion and so found that the increase in night quota of the State occasioned by the grant of the Portland System's application, which brought its assigned quota slightly over that due, was justified in view of the need shown, and was consistent with the terms of the Davis amendment which provides for "equal" facilities "as nearly as possible".

The Commission was also of the opinion that the evidence in the record affirmatively indicated that the city of Portland, County of Cumberland, could well support an additional radio broadcasting station without affecting adversely the services of radio station WCSH or the income or revenues of the Congress Square Hotel Company, licensee thereof and intervener herein. This was the only ground upon which the intervention of the latter company was made and the finding is therefore conclusive of its contention.

The Commission concludes its decision as follows:

"This brings us to the application of the Portland Broadcasting System for a new station in Portland, Maine. It appears from the record, and we so find, that this applicant is legally, technically, financially and otherwise qualified to operate a station of the kind and class applied for; that the service proposed by this applicant appears to be meritorious and of interest to the listening public in that area; that this application may be granted without resulting in interference to the fair and efficient service of any other existing station, and that public interest, convenience and necessity will be served by the granting of this application."

The decision of the Federal Communications Commission is hereby affirmed.

STEPHENS, *Associate Justice:* I dissent. As I understand the facts the witnesses were heard and the argument had before Commissioners Gary, Brown and Sykes, but the decision was rendered by Commissioners Sykes, Case and Prall.

Two modes of procedure are available under the statute. Under Section 409 (a) [48 Stat. 1096, 47 U. S. C. A. § 409 (a) (Supp. 1936)] it is required that "In all cases heard by an examiner the Commission shall hear oral arguments on the request of either party." Under Section 309 (a) [48 Stat. 1085, 47 U. S. C. A. § 309 (a) (Supp. 1936)], where no hearing before an examiner is contemplated, it is provided that the "Commission . . . shall afford such applicant an opportunity to be heard under such rules and regulations as it may prescribe." Reading these two sections together I think it clear that Congress intended that the Commission might proceed either by examiner or by itself; that if it proceeded by examiner, while it thus need not hear the witnesses but need only read the evidence as taken by the examiner, still it must hear oral argument; that if it proceeded by itself it must hear the witnesses. And I think Congress meant that when the Commission, proceeding by examiner, and therefore merely reading the evidence, heard oral argument, at least a majority of the Commission that heard the oral argument must also decide the case. To make oral argument to those who are not to decide would be vain. And I think further that Congress meant that when the Commission proceeded by itself, and itself, therefore, heard the witnesses, at least a majority of the Commission that heard them must decide the case. To present witnesses to those who are not to decide would also be vain.

Congress is well aware of the exigencies under which administrative tribunals burdened with a great volume of public business requiring speedy disposition operate, and customarily permits them to dispense with unnecessary formalities. But I think that in the absence of language clearly permitting it, we should not conclude that Congress intended a Commission to dispense with oral argument before, or with hearing of the witnesses by, those who are to decide. Neither of these procedures is a formality. On the contrary, each is a substantial aid to correct decision.

The authorities cited in the majority opinion are, I think, not persuasive because of material differences from the instant case in the facts or statutes involved.

In respect of the cases in the United States District Court and the United States Circuit Court of Appeals relied upon by the appellee and not mentioned in the majority opinion, to wit, *Louie Lung Gooey* v. *Nagle,* 49 F. (2d) 1016; *United States ex rel. Chin Cheung Nai* v. *Corsi,* 55 F. (2d) 360; *United States ex rel. Minuto* v. *Reimer,* 83 F. (2d) 166: These three cases undoubtedly countenance discontinuity in the personnel of Boards of Special Inquiry in the Department of Labor. But while entitled to respectful consideration they are not binding here, and are moreover, I think, not highly persuasive, for the reason that the statute therein involved is not, as is that involved in the instant case, explicit as to procedure. Moreover, I am myself impressed, and for the cogent reasons which he gives, with the views expressed by District Judge Woolsey, in his first opinion in *United States ex rel. Chin Cheung Nai* v. *Corsi, supra.* He there said:

> In a judicial proceeding, the personnel of the court could not be changed during the trial, unless with the consent of the parties.
>
> The reasons for this rule, which I believe to be universally observed, are not far to seek. In the first place, a change in personnel during the trial of an issue of fact would render it impossible for the court properly to chancer questions of credibility, which depend almost wholly on subtle impressions made by witnesses on the tribunal before which they are appearing.
>
> In the second place, a change in personnel inevitably would tend to dilute the sense of individual responsibility for the decision—a feeling which should inhere as strongly in every member of an administrative board as it does in every judge.
>
> The action of administrative boards is not subject to full judicial review on the merits, yet they have to deal with issues of fact in matters of the greatest importance to the interested parties. It seems to me, therefore, necessary, in the absence of written consent of the parties involved, that such boards should be required as a *sine qua non* of a fair hearing to observe the principle of continuity of personnel which the crystallized experience of mankind recognizes as of cardinal importance especially when facts have to be determined. [55 F. (2nd) at 361.]

I think that the Supreme Court in *Quon Quon Poy* v. *Johnson,* 273 U. S. 352, does not rule on the question of the effect of discontinuity of personnel.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3163. F. W. Washburn Candy Corporation, Brockton, Mass., in a complaint is charged with unfair competition in the sale to dealers of candies so packed and assembled as to involve use of a lottery scheme when such products are resold to ultimate consumers.

The lottery element is alleged to be supplied by selling assortments of candies of uniform size and shape, some containing centers of a different color than the majority of pieces. Purchasers drawing the different colored pieces receive prizes, according to the complaint.

No. 3164. Fioret Sales Co., Inc., 312 East 32nd St., **New York,** is charged with false and misleading advertising in a complaint. This company manufactures and sells perfumes.

The principal allegation of the complaint is that the respondent company used misleading descriptions of its products on price lists, display cartons and other printed matter, particularly certain inscriptions in the French language which allegedly served to lead buyers into believing that the commodities so described were manufactured in France, when, according to the complaint, they were domestic products, compounded in the United States.

No. 3165. Alleging false and misleading representations in the sale of cosmetics, mercurochrome and other drug sundries and household notions, a complaint has been issued against **Frank Spors,** trading as **Spors Company, LeCenter, Minn.,** a distributor of such articles to retailers and peddlers, who resell them to the consuming public.

Among allegations of the complaint are that the respondent advertised and stamped on certain articles retail prices greatly in excess of the actual selling prices; that he falsely represented himself to be an importer and manufacturer, and his business as being larger and more extensive than is actually the fact, and that the respondent furnishes dealers with merchandising plans involving the operation of gift enterprises or lottery schemes.

No. 3166. Charging unfair competition in the sale of sales promotion cards for use by retail merchants, a complaint has been issued against **Mutual Printing, Inc.,** 751 East 64th St., **Chicago,** trading also as **Mutual Printing Co., Inc.,** and **Mutual Sales Promotion Service.**

Sales promotion cards sold by the respondent company were so designed and arranged as to involve use of a lottery scheme or gift enterprise when used by retail merchants in promoting the sale of their merchandise to the consuming public, according to the complaint.

Several groups of sales promotion cards are manufactured by the respondent company, but they all allegedly involve the same lottery scheme, and vary only in detail. A sample of the cards contains a series of amounts, such as 5, 10, and 15 cents, which may be punched by the merchant in the amount of purchases made by customers, and when all the amount numbers on the margin of the card are punched, a secret panel is opened and the customer is entitled to receive merchandise, free of charge, in the amount shown by the legend under the secret panel.

No. 3167. Charging a combination to eliminate price competition, resulting in increased prices for cement, a complaint has been issued against **The Cement Institute,** an unincorporated association, its officers, and 75 cement manufacturing member corporations, producing 95 per cent or more of all of the cement made in the United States. The complaint alleges violation of the Federal Trade Commission Act and Section 2 of the Clayton Act, as amended by the Robinson-Patman Act.

The complaint charges that the chief means employed for carrying the cement combination into effect is concerted use of the multiple basing point system of quoting prices. Under this system, it is alleged, identical delivered prices are made by every quoting producer entering into the combination, to any given destination in the United States. Instances of identical bids made by many producers to various Federal and State agencies are set forth in the complaint.

The Commission's complaint sets out, in effect, that each producing company knows that, when it refrains from offering competitive prices in the consuming areas where it has a natural advantage and receives its highest actual price, it will receive the same freedom from price competition when the situation is reversed. In this way there is everywhere a reciprocal waiver of natural advantages with no competition in price anywhere.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations.

No. 01788. Minnie McElroy, trading as The Worth Pharmacal Co., 74 Cortlandt St., New York, selling Hexsanol and Vi-Tonol, agrees to stop representing that these preparations, alone or in combination, are a competent treatment for kidney or bladder disorders, or that their use will have any effect upon the vitality of the user.

No. 01789. Petersime Incubator Co., Gettysburg, Ohio, stipulates that it will stop representing that its Buckeye Mineral Water acts on the liver and kidneys or aids these organs to function properly, that it is highly charged by nature with health-promoting minerals, and that it is not marketed for profit.

No. 01790. Dearborn Supply Co., 2350 Claybourn Ave., Chicago, will discontinue the following representations: That Mercolized Wax will free the skin of blemishes and discolorations that are not superficial and due to external causes; that Parker Belmont Beauty Cream is an oxygen cream which lightens and whitens dark skin two or three shades, or normalizes a skin which is dry or too oily; that Powdered Saxolite smooths out wrinkles and age lines and refines coarse pores; that Powdered Tarkroot is beneficial for almost every condition of the skin, such as wrinkles, enlarged pores, blackheads and other surface blemishes, and that Tarkroot Beauty Mask revives a fatigued, drooping face more quickly and more completely than anything else.

No. 01791. F. J. Lipinski and James E. Crampton, trading as Grant Laboratories, 1053 Grant St., Buffalo, will cease advertising that J. E. C.'s Rectal Remedy is a competent treatment for piles or hemorrhoids. The respondents also will desist from using the word "Laboratories" in their trade name until they actually operate a laboratory.

No. 01792. Frontier Asthma Co., Inc., 462 Niagara St., Buffalo, stipulated that in the sale of a treatment for asthma it will discontinue representing that such treatment is an effective remedy for or will remove the cause of asthma and prevent hay fever. Other respondents who entered into this stipulation are George H. Calkins, Ernest N. Post, Harry I. Partridge, William Stanton, B. F. Van Duzee and C. P. Bonham, all of Buffalo.

No. 01794. Selling printed instructions regarding a method of earning money, **R. R. Dixon, Jefferson City, Mo.,** has entered into a stipulation to discontinue certain misleading advertising representations.

Dixon agrees to stop advertising that he offers to prospective purchasers a business opportunity, and that purchasers of his printed instructions may expect to earn any amount which is in excess of the average amounts previously earned by purchasers of his instructions.

No. 2015. Oneida, Ltd., Oneida, N. Y., manufacturer of silver-plated ware, has entered into a stipulation to discontinue certain false and misleading advertising representations. This company distributes its products under the names of two of its subsidiary corporations, **William A. Rogers, Ltd.,** and **Simeon L. & George H. Rogers Co.**

Under the stipulation, Oneida, Ltd., agrees to desist from the use of or from suggesting or recommending to its retailer customers or from otherwise promoting any scheme or sales plan represented as a "Half Price" or a "Save $20.00" sale wherein an alleged regular retail sales price of its products does not reflect or represent the normal and usual price.

No. 2161. In a cease and desist order 10 corporations manufacturing substantially all of the viscose rayon yarn made in the United States, are directed to cease and desist from entering into and carrying out a price fixing combination held to be in violation of Section 5 of the Federal Trade Commission Act.

Respondent corporations against whom the order has been entered are:

Viscose Company, New York City, with branch offices in **Providence, R. I., Charlotte, N. C., Chicago and Philadelphia,** and factories in **Pennsylvania, Virginia and West Virginia;**

DuPont Rayon Co., Inc., with plants at **Buffalo, N. Y., Old Hickory, Tenn., and Ampthill, Va.;**

Tubize Chatillon Corporation, with plants at **Hopewell, Va.,** and **Rome, Ga.;**

Industrial Rayon Corporation, with offices in **New York City** and plant at **Cleveland, Ohio;**

North American Rayon Corporation (formerly **American Glanzstoff Corporation**), with offices and plant in **New York City;**

American Enka Corporation, with plant at **Enka, N. C.;**

Skenandoa Rayon Corporation, with plant in **Utica, N. Y.;**

Delaware Rayon Co., of **Newcastle, Del.;**

Acme Rayon Corporation, Cleveland, Ohio;

The Belamose Corporation, Rocky Hill, Conn.

In its complaint against the respondent rayon corporations, the Commission charged that they had entered into "an agreement, combination, understanding, and conspiracy among themselves," to eliminate price competition among themselves.

No. 2225. Crystaltone Radio Corporation, 44 West 18th St., **New York,** has been ordered to discontinue misleading uses of certain well known trade names in the sale of radio sets and appliances. Samuel Glick, of the same address, trading as Pontiac Radio Co., and acting as an officer and director of the Crystaltone company, is also named as a respondent.

The order directs the respondents to stop using the trade names Edison, Victor or Brunswick or other trade names or marks of which they are not the legal owners, without the permission of the lawful owners thereof, or in any other way to represent that the radio sets, devices or appliances made and sold by the respondents are made, assembled, sponsored or licensed by Thomas A. Edison, Thomas A. Edison, Inc., Radio Corporation of America, Victor Talking Machine Co., Brunswick-Balke-Collender Co., Warner Brothers Pictures, Inc., or by any other organization which in fact does not make, assemble or sell such products.

In this connection, the order also bars use of colorable imitations of the names Edison, Victor or Brunswick, such as Edison with the representation of a bell, Victor with the word International, or the word "Bronswick".

No. 2526. A modified order to cease and desist has been ordered against **Mid West Mills, Inc.,** 1726-28 Arcade Place, **Chicago,** jobber of upholstering fabrics and other furniture material.

The modified order was issued in accordance with a decision of the United States Circuit Court of Appeals, Seventh Circuit, Chicago, on June 15, 1937.

The original order to cease and desist, issued in May, 1936, directed that Mid West Mills, Inc., cease and desist from representing by use of its corporate name, in advertising literature or in any other manner, that it was a manufacturer, mill operator or mill owner. Findings were that the respondent company was not a manufacturer of the merchandise in which it dealt.

The Commission thereafter filed in the Circuit Court of Appeals an application for enforcement of its order to cease and desist. The Court, in its opinion delivered in the case, stated that if the respondent company did not voluntarily strike the word "Mills" from its name, it should clearly inform prospective customers of the true facts. The Court denied the Commission's application for enforcement, but without prejudice to an order being entered by the Commission directing the addition of appropriate words to clearly convey the fact that the respondent company neither owns nor operates a mill.

No. 2694. An order has been issued prohibiting use of the name "I. S. U. Pilot" by 17 individuals and the **Uptown Cooperative Press, Inc.,** operating a newspaper of that name in **New York.**

The respondents are directed to cease and desist from using the name "I. S. U. Pilot" or any other name for their newspaper or other publications, to indicate that they constitute an authorized committee of the International Seamen's Union, or that any publication sold by them is a publication of that Union or authorized by it.

Findings are that the respondents were not members of groups or committees of the International Seamen's Union, and that the "I. S. U. Pilot" was not that Union's publication, and that the use by the respondents of the name "I. S. U. Pilot" was without permission of that Union.

According to the findings, James L. Reamey, Joseph Curran, Louis Weinstock, Abraham Baskoff, Richard M. Kroon, John Anderson, William Allen, Elmer Johnson, Robert Brown, Harry Bridges, David Gordon, Elmer Brown, Dora Zucker, Luigi Genovese, A. W. McPherson, Albert Fleming and Charles B. Killinger, as members of I. S. U. Rank & File Group, I. S. U. Rank & File Members, Rank & File Committee of the I. S. U., and Rank & File International Seamen's Union, together with Uptown Cooperative Press, Inc., have been associated within such groups for the purpose of publishing and circulating the "I. S. U. Pilot." Uptown Cooperative Press, Inc., is said to have printed the paper for the other respondents.

Nos. 2782-3132. Two candy manufacturers, **Brown & Haley,** 110 East 26th St., **Tacoma, Wash.,** and **Miss Morris Candies, Inc.,** 517-19 Third St., North, **Minneapolis,** have been ordered to cease and desist from selling and distributing to dealers candy so packed and assembled that sales to the public are to be made, or may be made, by means of a lottery, gaming device or gift enterprise.

The order also prohibits the respondents from supplying to dealers assortments of candy together with punchboard devices which may be used in distribution of the candy to the public at retail.

No. 2786. California Packing Corporation, said to be one of the world's largest packers and distributors of dried fruits, vegetables, and fish, and its subsidiary, **Alaska Packers Association,** both having headquarters in **San Francisco,** have been served with an order to cease and desist from certain practices deemed to have the effect of suppressing competition and tending to create monopoly.

Among practices prohibited under the order, is the use of the respondent corporations' tonnage of freight shipments and their buying power to induce industrial companies and steamship lines to ship commodities through and utilize the facilities of Encinal Terminals, operating a public wharfinger business in Alameda, Calif., on the east side of San Francisco Bay, and controlled by the respondent corporations.

Other respondents named in the order are officials or former officials of the two corporations, as follows: L. E. Wood, A. M. Lester, W. H. Levy, A. K. Tichenor, H. E. Van Horn and Irving F. Lyons.

The respondents admitted all the material allegations of the Commission's complaint as setting forth facts showing the use of unfair methods of competition within the meaning of Section 5 of the Federal Trade Commission Act. They also waived the taking of further evidence and other intervening procedure, and consented to issuance of findings of fact and order to cease and desist.

No. 2775. An order has been entered directing **Helen Ardelle, Inc.,** 1401 East 41st St., **Seattle, Wash.,** a candy manufacturer and dealer, to cease and desist from selling to dealers candy so packed and assembled that sales to the public may be made by means of a lottery.

The respondent company also is ordered to discontinue furnishing dealers with "punchboard" devices which may be used in selling its candy to consumers.

No. 2799. Prohibiting certain unfair methods of competition in the sale of tissues advertised as mentholated tissue handkerchiefs, an order has been issued to cease and desist against **The Rieser Co., Inc.,** 119 West Fortieth St., **New York.**

Held to have violated Section 5 of the Federal Trade Commission Act, the respondent company is directed to cease representing that its tissue products are superior to ordinary handkerchiefs because they are santary and disposable or because they are mentholated. It is also ordered to stop advertising that use of its tissues will clear nasal passages and that these products have been recommended by doctors as a cure or remedy for sinus trouble, hay fever and head colds or that they are beneficial in the treatment of such ailments and conditions.

Findings are that the respondent company's products have not been recommended by physicians and that their use will not accomplish the results claimed.

Nos. 2861-3106-3145. Orders have been entered directing **Schwabacher Brothers & Co., Inc., Seattle,** and **George C. Miller & Co., Inc., Boston,** both candy distributors, and **Wolverine Gum, Inc., Detroit,** to cease and desist from selling to dealers candy or chewing gum so packed and assembled that sales to the general public may be made by means of a lottery.

The orders prohibit the two candy companies from furnishing dealers with "punchboard" devices for use in retailing their candy to the public.

No. 3061. Glenn Laboratories, Inc., 287 West 127th St., **New York,** has been ordered to discontinue certain false and misleading advertising representations in the sale of a treatment for overweight called "Dr. Thomas' RX 157."

In its radio, newspaper and magazine advertising, the respondent corporation is directed to cease and desist from asserting that its product, so long as it contains desiccated thyroid or other form of thyroid, is a new method of treating obesity, converting food into fuel and energy, and that it can safely be taken by laymen without medical examination or advice.

No. 3069. An order requiring **Eucathol Co., Inc., Shawnee, Okla.,** has been issued to discontinue certain misleading representations in the sale of "Eucathol", a rubbing and inhaling compound, sold also as an after-shaving cream.

Eucathol, according to the order, is not to be advertised as a preventive or cure for or as being beneficial in the treatment of insect bites, sunburn, hemorrhoids, colds, hay-fever, catarrh, scalds, skin disorders, influenza and pneumonia.

No. 3098. A modified order to cease and desist has been ordered against **George J. Nothnagel,** trading as **The Stanley Store,** 734 Haddon Ave., **Collingswood, N. J.,** a dealer in blankets and bedspreads.

Among the practices prohibited in the orginal cease and desist order issued against Nothnagel June 2, 1937, and now vacated and set aside, was that of aiding or inducing purchasers of his merchandise to resell it by means of a lottery, gift enterprise or game of chance. The modified order prohibits the same practices but contains the qualification that this provision does not apply to sales of merchandise not accompanied by any acts of the respondent aiding or inducing disposition of such goods under any plan involving a lottery, gift enterprise or game of chance.

No. 3116 Wolf Creek Soap Co., Northwestern Ave., **Dayton, Ohio,** has been ordered to discontinue certain unfair methods of competition in the sale of its products.

Representation is prohibited, directly or indirectly, through use of the word "Doctor" or the abbreviation "Dr.", or through words of similar import, that any of the respondent company's soap products is made pursuant to the formula of, or under the supervision of, a doctor.

The order bars use of the word "medicated", alone or with other words, or use of words of similar import, to represent that any of the respondent company's soaps have medicinal and therapeutic value, unless they actually contain medicinal ingredients in such quantity as to give the products substantial medicinal and therapeutic value.

FTC CLOSES CASES

Nos. 2362-3105. The Federal Trade Commission has closed without prejudice its cases against two dealers alleged to have sold merchandise by means of lottery methods.

A complaint had charged **Archie Richard Dahl, of Chicago,** trading as **Reliable Sales Co.,** with unfair competition in the sale of general merchandise by push card lottery methods. The Commission ordered the case closed after receiving information that the respondent had discontinued operating his business and was no longer engaged in the practices alleged in the complaint.

The Commission was informed that **Carl Smith,** 618 Roscoe St., **Chicago,** trading as **Fashion Silk Co.,** and formerly charged with unfair competition in the sale of hosiery through use of a lottery scheme, had discontinued the practices as alleged and that he had vacated his place of business. The case was ordered closed.

No. 2791. The Commission has also issued an order closing its case against **Remsen Corporation,** 70 Pine St., **New York,** which had been charged with unfair competition in the sale of a medicinal product advertised as "Aspirin Plus." The closing order was issued following receipt of information that the commodity in question is no longer being sold and the corporation is not operating.

FEDERAL COMMUNICATIONS COMMISSION ACTION

The Broadcast Division of the Commission recessed after taking action on July 6 to meet again at the call of the chairman. It is not expected, unless some emergency arises, that any further meeting of the Division will be held until early September. Routine matters, of course, will be taken care of in their usual course, without formal meetings, subject to ratification by the full Broadcast Division at its next meeting.

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, July 12:

Monday, July 12

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Richard Field Lewis, Oakland, Calif.—C. P., **1160 kc.,** 1 KW, daytime.

NEW—Harry Schwartz, Tulsa, Okla.—C. P., **1310 kc.,** 250 watts, daytime.

Tuesday, July 13

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Wm. E. Walker and Merrill F. Chapin, d/b as Walker & Chapin, Oshkosh, Wis.—C. P., **1010 kc.,** 250 watts, unlimited time.

NEW—Genesee Radio Corp., Flint, Mich.—C. P., **1200 kc.,** 100 watts, 250 watts LS, specified hours.

Wednesday, July 14

HEARING BEFORE AN EXAMINER

(Broadcast)

WBNO—The Coliseum Place Baptist Church, New Orleans, La.—Voluntary assignment of license to WBNO, Inc.; **1200 kc.,** 100 watts, share WJBW.

WBNO—The Coliseum Place Baptist Church, New Orleans. La.—C. P., **1420 kc.,** 100 watts, 250 watts LS, unlimited time. Present assignment: **1200 kc.,** 100 watts, share WJBW.

WJBW—Charles C. Carlson, New Orleans, La.—C. P., **1200 kc.,** 100 watts, 250 watts LS, unlimited time (requests facilities WBNO). Present assignment: **1200 kc.,** 100 watts, share WBNO.

WBNO—The Coliseum Place Baptist Church, New Orleans, La.—Renewal of license, **1200 kc.,** 100 watts, share WJBW.

NEW—Southern Broadcasting Corp., New Orleans, La.—C. P., **1200 kc.,** 100 watts, 250 watts LS, unlimited (requests facilities WBNO and WJBW).

WJBW—Charles C. Carlson, New Orleans, La.—Renewal of license, **1200 kc.,** 100 watts, share WBNO.

NEW—Standard Life Ins. Co. of the South, Jackson, Miss.—C. P., **1420 kc.,** 100 watts, 250 watts LS, unlimited.

Thursday, July 15

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—F. B. Clements & Co., d/b as Southern Minnesota Supply Co., Mankato, Minn.—C. P., **1500 kc.,** 100 watts, 250 watts LS, unlimited.

WROK—Lloyd C. Thomas, Transferor, and Rockford Consolidated Newspapers, Inc., Rockford, Ill.—Authority to transfer control of corporation; **1410 kc.,** 500 watts, 1 KW LS, unlimited.

NEW—Centennial Broadcasting Corp., Dallas, Tex.—C. P., **1500 kc.,** 100 watts, daytime.

APPLICATIONS GRANTED

WJAC—WJAC, Inc., Johnstown, Pa.—Granted authority to install automatic frequency control.

KCMC—KCMC, Inc., Texarkana, Tex.—Granted authority to determine operating power by direct measurement of antenna input in compliance with Rule 137.

KGIR—KGIR, Inc., W. of City, Butte, Mont.—Granted authority to determine operating power by direct measurement of antenna input in compliance with Rule 137.

WJIM—Harold F. Gross, Lansing, Mich.—Granted C. P. to install new transmitter.

KRGV—KRGV, Inc., Weslaco, Tex.—Granted license to cover C. P., **1260 kc.,** 1 KW, unlimited time.

WORL—Broadcasting Service Organization, Inc., Boston, Mass.—Granted license to cover C. P., **920 kc.,** 500 watts, daytime only.

KNEL—G. L. Burns, Brady, Tex.—Granted license to cover C. P., **1500 kc.,** 250 watts, daytime only.

WSM—The National Life & Accident Ins. Co., Nashville, Tenn.—Granted license to cover previously licensed auxiliary transmitter at 1501 Weston Ave., Nashville.

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—Granted modification of C. P. to extend commencement date to October 1, 1937.

KGLO—Mason City Globe Gazette Co., Mason City, Iowa.—Granted modification of C. P. to install apparatus other than as authorized.

KATE—Albert Lea Broadcasting Co., Inc., Albert Lea, Minn.—Granted modification of C. P. as modified for approval of transmitter and studio sites, change in authorized equipment, and approval of vertical radiator.

KGFI—Eagle Broadcasting Co., Inc., Brownsville, Tex.—Granted modification of C. P. approving transmitter at State Highway No. 96, Brownsville, and studio at San Benito St., Brownsville, and changes in authorized equipment.

KTKC—Tulare-Kings Counties Radio Associates, Visalia, Calif.—Granted modification of C. P. for changes in equipment and antenna system.

WQAN—The Scranton Times, Scranton, Pa.—Granted modification of license to increase power from 500 watts to 1 KW.

WDEL—Mason Dixon Radio Group, Inc., Wilmington, Del.—Granted authority to transfer control of corporation to J. Hale Steinman and John F. Steinman.

WAZL—Mason Dixon Radio Group, Inc., Hazleton, Pa.—Granted authority to transfer control of corporation to J. Hale Steinman and John F. Steinman.

WEST—Mason Dixon Radio Group, Inc., Easton, Pa.—Granted authority to transfer control of corporation to J. Hale Steinman and John F. Steinman.

WILM—Mason Dixon Radio Group, Inc., Wilmington, Del.—Granted authority to transfer control of corporation to J. Hale Steinman and John F. Steinman.

WCAL—Mason Dixon Radio Group, Inc., Lancaster, Pa.—Granted authority to transfer control of corporation to J. Hale Steinman and John F. Steinman.

WORK—Mason Dixon Radio Group, Inc., York, Pa.—Granted authority to transfer control of corporation to J. Hale Steinman and John F. Steinman.

KFBI—The Farmers & Bankers Life Ins. Co., Abilene, Kans.—Granted voluntary assignment of license to The Farmers and Bankers Broadcasting Corp.

WJBO—Baton Rouge Broadcasting Co., Inc., Baton Rouge, La.—Granted modification of C. P. to move transmitter site locally; install vertical radiator; change time of operation from specified hours to unlimited time, except 8 to 9 p. m. Mondays; extend commencement date to 30 days after grant and completion date to 180 days thereafter.

WRAX Broadcasting Co. and Wm. Penn Broadcasting Co., Philadelphia, Pa.—Granted special authority to increase power to 1 KW to counteract interference caused by CMX, Havana, Cuba, and WWJ, Detroit, and KPRC, Houston, Tex.

NEW—National Battery Broadcasting Co., St. Paul, Minn.—Granted C. P. for new high frequency station, frequency **25950 kc.**, on experimental basis, 1 KW, A-3 emission.

NEW—Knickerbocker Broadcasting Co., Inc., New York City.—Granted C. P. for new high frequency station to be located in Flushing, N. Y. (experimental basis), frequency **26550 kc.**, 100 watts, A-3 emission.

NEW—Reading Broadcasting Co., Mobile, Reading, Pa.—Granted C. P. for new experimental relaybroadcast station, frequencies **31100, 34600, 37600** and **40600 kc.**, 10 watts.

W1XQ—Broadcasting Service Organization, Inc., Mobile (Boston, Mass.).—Granted license to cover C. P. for new relaybroadcast station, frequencies **31100, 34600, 37600** and **40600 kc.**, 5 watts.

WAAR—Rockford Broadcasters, Inc., Mobile (Rockford, Ill.).—Granted modification of C. P. covering changes in equipment; reduction in power from 50 to 40 watts; extension of commencement date to 10 days after grant and completion date to 30 days thereafter.

W9XQV—Rockford Broadcasters. Inc., Mobile (Rockford, Ill.).—Granted modification of C. P. for changes in equipment, extension of commencement date to 10 days after grant and completion date to 30 days thereafter.

SET FOR HEARING

NEW—William C. Smith, Bogalusa, La.—C. P. for new station to operate on **1310 kc.**, 100 watts, unlimtied time. Site and antenna system to be approved.

NEW—M. M. Valentine, Laredo, Tex.—C. P. for new station to operate on **1500 kc.**, 100 watts night, 250 watts day, unlimited time.

WFBR—Baltimore Radio Show, Inc., Baltimore, Md.—C. P. to change transmitter site to Reedbird and Seamon Avenues, Baltimore, also to install new equipment and directional antenna system for day and nighttime operation; increase power from 500 watts night, 1 KW day, unlimited, to 5 KW, unlimited time. (To be heard before the Broadcast Division.)

WLVA—Lynchburg Broadcasting Corp., Lynchburg, Va.—Application for C. P. amended to request move of transmitter from Lynchburg to U. S. Highway No. 29, near Lynchburg; also to make changes in composite equipment; install directional antenna system for nighttime use; change frequency from **1200 kc.** to **1390 kc.**; and increase power from 100 watts night, 250 watts day, to 500 watts, unlimited time.

WDSU—WDSU, Inc., New Orleans, La.—C. P., already in hearing docket, amended to request move of transmitter site locally, exact site to be determined with Commission approval; install new equipment and directional antenna system; and increase power from 1 to 5 KW. To be heard before the Broadcast Division.

WAAB—The Yankee Network, Inc., Boston, Mass.—Modification of license to use present auxiliary transmitter Type W.E. 106-D as alternate transmitter. To be heard before the Broadcast Division.

SPECIAL AUTHORIZATIONS

KGDY—Voice of South Dakota, Huron, S. Dak.—Granted extension of special temporary authority to remain silent for the period July 1 to 31, 1937, for the purpose of rebuilding the transmitter to comply with Rule 132.

WCAL—St. Olaf College, Northfield, Minn.—Granted extension of special temporary authority to operate from 2 to 3 p. m., CST, the following Sundays: August 1, 8, 15, 22, 29, 1937 (provided WTCN remains silent), in order to continue to schedule NBC programs with the commencement of daylight saving time in New York City.

WTCN—Minn. Broadcasting Corp., Minneapolis, Minn.—Granted extension of special temporary authority to operate from 3 to 4 p. m., CST, the following Sundays: August 1, 8, 15, 22, 29, 1937 (provided WCAL remains silent), in order to continue to schedule NBC programs with the commencement of daylight saving time in New York City.

WCBS—WCBS, Inc., Springfield, Ill.—Granted extension of special temporary authority to operate from 10 p. m. to 12 midnight, CST, Mondays, Tuesdays, Wednesdays, Thursdays, Fridays, for the period July 8 and ending no later than August 4, in order to broadcast Municipal League Baseball games only.

WHDF—The Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authority to operate from 7 to 9 a. m., CST, the following Sundays: July 11, 18, 25 and August 1, in order to broadcast programs now heard Sunday afternoons, due to belief that audience is larger during mornings than during afternoons.

WCCO—Columbia Broadcasting System, Inc., Minneapolis, Minn.—Granted special temporary authority to rebroadcast over station WCCO a conversation carried on between experimental station W5XAR and W5XAS for a period not to exceed 1 hour, between July 7 and 12, 1937.

WFLA—Clearwater Chamber of Commerce, Clearwater, Fla.—Granted extension of special temporary authority to close Clearwater studios from July 16 to September 1, 1937, inclusive, and use Tampa studios, on account of summer vacations for employees in order to continue WFLA during summer period with reduction in experienced personnel.

WQDM—Regan & Bostwick, St. Albans, Vt.—Granted special temporary authority to operate Daylight Saving Time instead of EST for the period ending in no event later than September 20, 1937.

APPLICATION DISMISSED

The following application, heretofore set for hearing, was dismissed at request of applicant:

WSAI—The Crosley Radio Corp., Cincinnati, Ohio.—C. P., **1330 kc.**, 1 KW, 5 KW LS, unlimited time.

MISCELLANEOUS

WAPI—WAPI Broadcasting Corp., Birmingham, Ala.—Granted voluntary assignment of license to Alabama Polytechnic Institute, University of Alabama State College (Board of Control of Radio Broadcasting Station WAPI); **1140 kc.**, 5 KW, simultaneous day KVOO, share KVOO night.

WOAI—Southland Industries, Inc., San Antonio, Tex.—Denied petition to extend effective date in re grant of application of Hunt Broadcasting Assn. for C. P. to erect new 100-watt daytime station at Greenville, Tex., to operate on **1200 kc.** (Docket 3242).

NEW—Kenneth Baker, Hartwell Gaus, V. A. Bernier, d/b as Key City Broadcasting Co., Kankakee, Ill.—Denied petition to take depositions in re application for new station to use **1500 kc.,** 100 watts, unlimited time (Docket 4522), and granted motions of Karl L. Ashbacker (WKBZ) and Northwestern Publishing Co. to deny and strike petition for order to take depositions.

KGCX—E. E. Krebsbach, Wolf Point, Mont.—Granted amended petition for acceptance of answer in re hearing on application of KCMO for C. P. to use **1450 kc.,** 1 KW, unlimited time, Docket 4485.

NEW—E. Anthony & Sons, Inc., Pawtucket, R. I.—Denied petition to reconsider and grant application in part, and to extend effective date in re application for C. P. to use **1200 kc.,** 100 watts night, 250 watts LS, unlimited, Docket 3836.

KLZ—KLZ Broadcasting Co., Denver, Colo.—Granted petition to intervene in the hearing of KVOD for C. P. to use **630 kc.,** 1 KW, unlimited time, Docket 4527, scheduled for September 21, 1937.

WKZO—WKZO, Inc., Kalamazoo, Mich.—Granted authority to suspend construction of new antenna and continue use of temporary antenna.

NEW—Fall River Herald News Publishing Co., Fall River, Mass. —Denied petition to withhold decision upon the application of Harriet M. Alleman and Helen W. MacLellan, d/b as Cape Cod Broadcasting Co. (Docket 4018).

NEW—C. W. Corkhill, Sioux City, Iowa.—Denied petition for further hearing in re application for new station to operate on **1420 kc.,** 100 watts, unlimited time, and dismissed opposition to the petition for further hearing filed by the Sioux City Broadcasting Co. (Ex. Rep. 1-362).

EFFECTIVE DATES EXTENDED

WSBT—The South Bend Tribune, South Bend, Ind.—Effective date of order extended to July 20, 1937.

WEMP—Milwaukee Broadcasting Co., Milwaukee, Wis.—Effective date of order extended to July 20, 1937.

ACTION ON EXAMINERS' REPORTS

NEW—Ex. Rep. 1-324: John S. Allen and G. W. Covington, Jr., Montgomery, Ala.—Remanded to the docket for further hearing with the privilege of all parties to introduce new testimony or take depositions.

NEW—Ex. Rep. 1-360: Central States Broadcasting Co., Council Bluffs, Iowa.—Denied C. P. for new station to operate on **1500 kc.,** 100 watts, unlimited time, site to be determined. Examiner M. H. Dalberg reversed. Order effective September 28, 1937.

NEW—Ex. Rep. 1-362: C. W. Corkhill, Sioux City, Iowa.—Denied C. P. for new station to operate on **1420 kc.,** 100 watts, unlimited time, site to be determined. Examiner Geo. H. Hill sustained. Order effective August 17, 1937.

NEW—Sioux City Broadcasting Co., Sioux City, Iowa.—Granted C. P. for new station to operate on **1420 kc.,** 100 watts night, 250 watts LS, unlimited, site to be determined. Examiner Hill sustained. Order effective August 17, 1937.

NEW—Ex. Rep. 1-363: State Capitol Broadcasting Assn. (R. B. Anderson, President), Austin, Tex.—Granted C. P. for new station to operate on **1120 kc.,** 1 KW daytime, specified hours—all hours not used by WTAW (directional antenna); Examiner R. L. Walker reversed. Order effective August 17, 1937.

NEW—Ex. Rep. 1-370: Falls City Broadcasting Corp., Falls City, Neb.—Denied C. P. for new broadcast station to operate on **1310 kc.;** 100 watts, unlimited time. Examiner R. L. Walker sustained. Order effective September 28, 1937.

NEW—Ex. Rep. 1-377: Radio Enterprises, partnership of R. Lacy & J. R. Curtis, Lufkin, Texas.—Denied C. P. for new station to operate on **1310 kc.,** 100 watts, daytime. Site to be determined. Examiner P. W. Seward sustained. Order effective September 21, 1937.

NEW—Red Lands Broadcasting Assn., Ben T. Wilson, Pres., Lufkin, Texas.—Granted C. P. for new station to operate on **1310 kc.,** 100 watts, daytime. Site to be determined. Examiner Seward sustained. Order effective September 21, 1937.

NEW—Ex. Rep. 1-378: Virgil V. Evans, Gastonia, N. C.—Denied C. P. for new station to operate on **1420 kc.,** 100 watts, unlimited time. Examiner John P. Bramhall sustained. Order effective September 28, 1937.

WJBR—J. B. Roberts, Gastonia, N. C.—Denied as in cases of default application for modification of C. P. to extend completion date of construction. Examiner Bramhall sustained. Order effective September 28, 1937.

WATR—Ex. Rep. 1-379: The WATR Company, Inc., Waterbury, Conn.—Granted C. P. to make changes in transmitter; install directional antenna; move transmitter locally in Waterbury; change frequency from **1190** to **1290 kc.;** increase power from 100 watts to 250 watts and change hours of operation from limited to unlimited. Examiner M. H. Dalberg sustained. Order effective August 3, 1937.

NEW—Ex. Rep. 1-240: Continental Radio Co., Columbus, Ohio.—Denied C. P. for new station to operate on **1310 kc.,** 100 watts, unlimited time. Site to be determined. Examiner R. L. Irwin sustained. Order effective September 7, 1937.

NEW—Ex. Rep. 1-241: Continental Radio Co., Toledo, Ohio.—Denied C. P. for new station to operate on **1200 kc.,** 100 watts, daytime. Site to be determined. Examiner P. W. Seward sustained. Order effective August 3, 1937.

WALR—Ex. Rep. 1-253: WALR Broadcasting Corp., Toledo, Ohio.—Denied C. P. to move studio and transmitter from Zanesville to Toledo (site to be determined). Station operates on **1210 kc.,** 100 watts, unlimited time. Examiner R. L. Walker reversed. Order effective August 3, 1937.

NEW—Ex. Rep. 1-254: Community Broadcasting Co., Toledo, Ohio.—Granted C. P. for new station to operate on **1200 kc.,** 100 watts, daytime. (Site to be determined.) Examiner R. L. Walker sustained. Order effective August 3, 1937.

NEW—Ex. Rep. 1-264: Marysville-Yuba City Publishers, Inc., Marysville, Cal.—Denied C. P. for new station to operate on **1140 kc.,** 250 watts, daytime. (Site to be determined.) Examiner R. H. Hyde reversed. Order effective September 7, 1937.

NEW—Ex. Rep. 1-310: Telegraph Herald, Dubuque, Iowa.—Granted C. P. for new station to operate on **1340 kc.,** 500 watts, daytime. (Site to be determined.) Examiner John P. Bramhall reversed. Order effective July 27, 1937.

WKBB—Sanders Bros. Radio Station, Dubuque, Ia.—Granted C. P. to move studio; move transmitter from R. F. D. No. 1, E. Dubuque, Ill., to Julian Township, Ill. (site to be determined), and install new antenna, **1500 kc.,** 100 watts night, 250 watts day, unlimited. Examiner Bramhall sustained. Order effective July 27.

NEW—Ex. Rep. 1-325: The Times Publishing Co., St. Cloud, Minn.—Granted C. P. for new station to operate on **1420 kc.,** 100 watts, unlimited time. Site to be determined. Examiner R. L. Walker sustained. Order effective August 3, 1937.

NEW—Michael F. Murray, St. Cloud, Minn.—Denied C. P. for new station to operate on **560 kc.,** 500 watts, daytime. (Site to be determined.) Examiner Walker sustained. Order effective August 3.

NEW—Ex. Rep. 1-334: Clarence C. Dill, Washington, D. C.—Denied C. P. for new station to operate on **1390 kc.,** 1 KW, unlimited time. Directional antenna. Examiner John P. Bramhall reversed. Order effective September 7, 1937.

NEW—Ex. Rep. 1-335: Luther E. Gibson, d/b as Times-Herald Publishing Co., Vallejo, Cal.—Denied C. P. for new broadcast station to operate on **1320 kc.,** 250 watts, daytime. Examiner John P. Bramhall reversed. Order effective September 14, 1937.

NEW—Ex. Rep. 1-336: Advertiser Publishing Co., Ltd., Honolulu, T. H.—Denied C. P. for new station to operate on **1370 kc.,** 100 watts, unlimited time. Examiner R. L. Irwin reversed. Order effective August 31, 1937.

NEW—Fred J. Hart, Honolulu, T. H.—Denied C. P. for new station to operate on **600 kc.,** 250 watts, unlimited time. (Site to be determined.) Examiner Irwin sustained. Order effective August 31, 1937.

WGAR—Ex. Rep. 1-343: The WGAR Broadcasting Corp., Cleveland, Ohio.—Denied authority to transfer control of corporation from G. A. Richards, Leo Fitzpatrick, John F. Patt & P. M. Thomas to WJR, The Goodwill Station, a Michigan Corporation. Examiner R. L. Walker reversed. Order effective September 14, 1937.

NEW—Ex. Rep. 1-349: The Courier-Post Publishing Co., Hannibal, Mo.—Denied C. P. for new station to operate on **1310 kc.,** 100 watts night, 250 watts day, unlimited time. (Site to be determined.) Examiner M. H. Dalberg reversed. Order effective August 31, 1937.

NEW—Hannibal Broadcasting Co., Hannibal, Mo.—Denied C. P. for new station to operate on **1310 kc.,** 100 watts, unlimited time. Examiner Dalberg sustained. Order effective August 31, 1937.

NEW—Ex. Rep. 1-351: Golden Empire Broadcasting Co., Marysville, Cal.—Denied C. P. for new station to operate on **1140 kc.,** 250 watts, daytime. (Site to be determined.) Examiner Geo. H. Hill sustained. Order effective September 7, 1937.

NEW—Ex. Rep. 1-352: George Harm, Fresno, Cal.—Granted C. P. for new station to operate on **1310 kc.,** 100 watts, unlimited time. Examiner R. H. Hyde reversed. Order effective August 10, 1937. (The petition of Chase Osborn, Jr., to withhold action on this application, was denied, and the opposition to the petition of George Harm was dismissed.)

NEW—Ex. Rep. 1-353: Hildreth & Rogers Co., Lawrence, Mass.—Granted C. P. for new station to operate on **680 kc.,** 1 KW, daytime. Site to be determined. Examiner R. L. Walker sustained. Order effective August 10, 1937.

NEW—Old Colony Broadcasting Corp., Brockton, Mass.—Denied C. P. for new station to operate on **680 kc.,** 250 watts, daytime. Site to be determined. Examiner Walker sustained. Order effective August 10, 1937.

NEW—Ex. Rep. 1-358: Loyal K. King, Pasadena, Cal.—Denied C. P. for new station to operate on **1480 kc.,** 250 watts, daytime. Examiner R. L. Walker sustained. Order effective August 31, 1937.

WLLH—Ex. Rep. 1-361: Merrimac Broadcasting Co., Inc., Lawrence, Mass.—Granted special experimental authority for a satellite station at Lawrence, Mass., to operate on **1370 kc.;** 10 to 100 watts; unlimited time synchronously with WLLH, Lowell, Mass. (**1370 kc.,** 100 watts night, 250 watts LS, unlimited). Site to be determined. Examiner Geo. H. Hill sustained. Order effective August 10, 1937.

WELI—Ex. Rep. 1-372: City Broadcasting Corp., New Haven, Conn.—Remanded case to Docket.

NEW—Lawrence K. Miller, Pittsfield, Mass.—

NEW—Ex. Rep. 1-375: Harold Thomas, Pittsfield, Mass.—Granted C. P. for new station to operate on **1310 kc.;** 100 watts night, 250 watts day, unlimited time. Site to be determined. Examiner P. W. Seward reversed. Order effective July 20, 1937.

KGFF—Ex. Rep. 1-409: KGFF Broadcasting Co., Inc., Shawnee, Okla.—Dismiss without prejudice application for modification of license to change frequency from **1420** to **1430 kc.;** increase power from 100 watts night, 250 watts day to 250 watts night and day, unlimited time. Examiner Seward sustained. Order effective July 2, 1937.

NEW—Ex. Rep. 1-414: Central Broadcasting Corp., Centralia, Wash.—Granted C. P. for new station to operate on **1440 kc.,** 500 watts, unlimited time. Site to be determined. Examiner John P. Bramhall sustained. Order effective July 20, 1937.

NEW—Ex. Rep. 1-423: Frank M. Stearns, Salisbury, Md.—Granted C. P. for new broadcast station to operate on **1200 kc.,** 250 watts, daytime. Site to be determined. Chief Examiner Davis G. Arnold sustained. Order effective July 27, 1937.

EXAMINERS' REPORTS RELEASED SINCE JUNE 29, 1937

KOOS—Ex. Rep. 1-453: Pacific Radio Corp., Marshfield, Ore.—Examiner P. W. Seward recommended denial of application for voluntary assignment of license to KOOS, Inc.

NEW—Ex. Rep. 1-454: T. E. Kirksey, Waco, Texas.—Examiner Tyler Berry recommended denial of application for C. P. for new station to operate on **930 kc.;** 250 watts, 500 watts LS, unlimited time.

NEW—Ex. Rep. 1-455: WSMB, Inc., New Orleans, La.—Examiner P. W. Seward recommended grant of application to increase operating power from 1 KW to 1 KW, 5 KW LS.

WBLK—Ex. Rep. 1-456: The Exponent Co., Clarksburg, W. Va.—Examiner Seward recommended grant of application for modification of C. P. to change hours of operation from daytime to unlimited.

KRKD—Ex. Rep. 1-457: Radio Broadcasters, Inc., Frank P. Doherty, transferor & J. F. Burke, Sr., & Loyal King, transferees, Los Angeles, Cal.—Examiner Seward recommended denial of application to transfer control of corporation from Frank P. Doherty to J. F. Burke, Sr., and Loyal K. King.

ORAL ARGUMENTS GRANTED

WMBO—Ex. Rep. 1-430: Roy L. Albertson, Auburn, N. Y.—Granted oral argument to be held October 14, 1937.

NEW—Ex. Rep. 1-431: Curtis Radiocasting Corp., Indianapolis, Ind.—Granted oral argument to be held October 14, 1937.

WKBV—Knox Radio Corp., Richmond, Ind.—Granted oral argument to be held October 14, 1937.

NEW—Ex. Rep. 1-433: Beaumont Broadcasting Assn., Beaumont, Texas.—Granted oral argument to be held October 14, 1937.

WMBH—Ex. Rep. 1-434: Joplin Broadcasting Assn., Joplin, Mo. —Granted oral argument to be held October 21, 1937.

NEW—Ex. Rep. 1-437: Valley Broadcasting Co., Youngstown, Ohio.—Granted oral argument to be held October 21, 1937.

APPLICATIONS RECEIVED

First Zone

WGNY—Peter Goelet, Newburgh, New York.—Construction per-
1210 mit to make changes in equipment and increase power from 100 watts to 100 watts night, 250 watts day.

WFEA—New Hampshire Broadcasting Company, Manchester,
1340 N. H.—Authority to determine operating power by direct measurement of antenna power.

NEW—National Broadcasting Company, Inc., Bellmore, New York.—Construction permit for a new low frequency relay broadcast station on **1606, 2022, 2102, 2758 kc.,** 500 watts power.

NEW—National Broadcasting Company, Inc., Bellmore, New York.—License to cover the above.

Second Zone

WWJ—The Evening News Assn., Detroit, Mich.—Construction
920 permit to make changes in old W.E. D-87737 transmitter and move same from 810 W. Lafayette, Detroit, Mich., to 12700 Eight Mile Road, West, Oak Park, Michigan, to be used as an auxiliary transmitter.

WSAI—Crosley Radio Corp., Cincinnati, Ohio.—Modification of
1330 license to increase power from 1 KW night, 2½ KW day, to 1 KW night and 5 KW daytime.

WRTD—The Times Dispatch Publishing Co., Inc., Richmond, Va.
1500 —License to cover construction permit (B2-P-728) as modified for a new station.

NEW—Kanawha Valley Broadcasting Co., Charleston, W. Va.—
1500 Construction permit for a new station to be operated on **1500 kc.,** 100 watts, unlimited time.

XXX—First Baptist Church, Pontiac, Mich.—Authority to transmit programs from First Baptist Church at Pontiac, Mich., to Radio Station CKLW, Windsor, Ontario, Canada.

Third Zone

WNOX—Scripps-Howard Radio, Inc., Cincinnati, Ohio.—Modifi-
1010 cation of license to increase power from 1 KW night and 5 KW day to 5 KW day and night.

NEW—Charles F. Engle, Natchez, Miss.—Construction permit to
1210 erect a new station to be operated on **1210 kc.,** 100 watts night power and 250 watts day, unlimited hours of operation. Amended re antenna.

WFOY—Fountain of Youth Properties, Inc., St. Augustine, Fla.—
1210 Construction permit to increase power from 100 watts to 100 watts night, 250 watts day, and make changes in transmitting equipment. Amended re equipment.

WTOC—Savannah Broadcasting Company, Inc., Savannah, Ga.—
1260 Construction permit to install a new transmitter and increase power from 1 KW to 1 KW night and 5 KW day. Amended re antenna.

WFBC—Greenville News-Piedmont Co., Greenville, S. C.—Con-
1300 struction permit to install directional antenna for night use and increase power from 1 KW night, 5 KW day, to 5 KW day and night.

WGTM—H. W. Wilson and Ben Farmer, Wilson, N. C.—Modifica-
1310 tion of construction permit (B3-P-1286) for a new station, requesting changes in equipment and move of studio from 206 E. Nash St., Wilson, N. C., to 115 W. Nash St., Wilson, N. C.

KRIS—Gulf Coast Broadcasting Co., Corpus Christi, Tex.—License
1330 to cover construction permit (B3-P-539) as modified for a new station.

KRIS—Gulf Coast Broadcasting Co., Corpus Christi, Tex.—License
1330 to cover modification of construction permit (B3-P-514) for increase in power.

1340 WCOA—Pensacola Broadcasting Co., Pensacola, Fla.—Modification of construction permit (B3-P-1422) for approval of vertical antenna and transmitter site at Pensacola, Fla.

1420 NEW—Panama City Broadcasting Co., Panama City, Fla.—Construction permit for a new station to be operated on **1420 kc.,** 100 watts power, daytime operation.

W4XES—C. G. Hill, George D. Walker, Susan H. Walker, Winston-Salem, N. C.—License to cover construction permit (B3-PRE-108) for a new relay broadcast station.

Fourth Zone

550 KFYR—Meyer Broadcasting Co., Bismarck, N. D.—Modification of construction permit (B4-P-1393) for move of transmitter from on Highway No. 10, Apple Creek Township, six miles east of Bismarck, N. Dak., to 2½ miles north and ¼ mile west of town of Menoken, N. Dak.

610 WDAF—The Kansas City Star Co., Kansas City, Mo.—Authority to determine operating power by direct measurement of antenna power.

610 WDAF—The Kansas City Star Co., Kansas City, Mo.—License to cover construction permit (B4-P-1418 as modified for equipment changes, vertical antenna, and move of transmitter.

1200 KWNO—Harry Dahl, Otto M. Schlabach, Maxwell H. White, and Hermann R. Wiecking, d/b as Winona Radio Service, Winona, Minn.—Modification of construction permit (B4-P-983) as modified to change authorized transmitter and studio sites from 110 Main St., Winona, Minn., to 216 Center Street, Winona, Minn., and extend commencement and completion dates from 8-15-37 to 2-15-38, respectively, to 45 days after grant and 180 days thereafter.

1310 NEW—Frank Ray, Dickinson, N. D.—Construction permit for a new station to be operated on **1310 kc.,** 100 watts night, 250 watts day, unlimited time.

1310 KWOS—Tribune Printing Co., Jefferson City, Mo.—Authority to install automatic frequency control.

1310 KROC—Southern Minnesota Broadcasting Co., Rochester, Minn.—License to cover construction permit (B4-P-1695) for changes in equipment and increase in power.

1370 KOBH—Black Hills Broadcast Co. (Robert Lee Dean), Rapid City, S. Dak.—License to cover construction permit (B4-P-1631) for new equipment and increase in power.

1420 NEW—Western Audiphone Co., Ottumwa, Iowa.—Construction permit for a new station to be operated on **1420 kc.,** 100 watts power, unlimited time (Sections 6, 7, 8, equipment and jurat).

1500 KGKY—Hilliard Co., Inc., Scottsbluff, Nebr.—Authority to transfer control of corporation from A. W. Hilliard to L. L. Hilliard, 42 shares common stock.

KAGM—Oscar C. Hirsch, tr/as Hirsch Battery & Radio Co., Cape Girardeau, Mo.—License to cover construction permit (B4-PRY-24) for new low frequency relay station.

Fifth Zone

710 KIRO—Queen City Broadcasting Co., Inc., Seattle, Wash.—Extension of special experimental authorization to operate on **710 kc.,** 1 KW, unlimited time, for period from 8-1-37 to 2-1-38.

1200 KDNC—The Democrat-News Co., Inc., Lewistown, Mont.—Modification of construction permit (B5-P-831) as modified for a new station, requesting equipment changes, approval of antenna, and approval of transmitter site at 509 West Main St., Lewistown, Mont., and move of studio from 513 West Main St. to 509 West Main St., Lewistown, Mont.

1280 KFBB—Buttrey Broadcast, Inc., Great Falls, Mont.—Modification of license to change power from 1 KW night, 2½ KW day, to 1 KW night, 5 KW day.

1320 NEW—Pacific Radio Corp., Grants Pass, Ore.—Construction permit for a new station to be operated on **630 kc.,** 500 watts power, unlimited time. Amended: Antenna changes, change frequency from **630 kc.** to **1320 kc.,** hours of operation from unlimited to daytime only.

1370 KUJ—KUJ, Inc., Walla Walla, Wash.—Construction permit to change frequency from **1370 kc.** to **560 kc.**; changes in equipment; erect a new vertical antenna; increase power from 100 watts to 250 watts; and move transmitter from Marcus Whitman Hotel, 2nd and Rose Streets, Walla Walla, Wash., to site to be determined, Walla Walla, Wash. (wrong form).

1370 KRE—Central California Broadcasters, Inc., Berkeley, Calif.—License to cover construction permit (B5-P-1567) for new transmitter and antenna and move of transmitter.

1420 NEW—Gila Broadcasting Co., Safford, Ariz.—Construction permit for a new station to be operated on **1420 kc.,** 100 watts night, 250 watts day, unlimited time. Amended to change requested transmitter site from Central and Main to Sixth Avenue and Relation Street, Safford, Ariz.

1420 NEW—Fred M. Weil, Grand Coulee, Wash.—Construction permit for a new station to be operated on **1420 kc.,** 100 watts night and 250 watts day power, unlimited time.

1500 NEW—Louisa B. Thornton and M. E. Thornton, d/b as Port Angeles Broadcasters, Port Angeles, Wash.—Construction permit for a new station to be operated on **1500 kc.,** 100 watts night and 250 watts day power, unlimited time. Amended: Change name from Port Angeles Broadcasters to Louisa B. Thornton and M. E. Thornton, d/b as Port Angeles Broadcasters.

1500 KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—License to cover construction permit (B5-P-1617) for move of transmitter, and new antenna.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS

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FCC SETS HEARING FOR ATTORNEYS

In connection with the disbarment proceedings of the Federal Communications Commission against two Washington attorneys, the Commission on Tuesday issued the following official statement:

The Commission in a General Session today, having considered the answers filed by Paul M. Segal and George S. Smith to the Order of May 19, 1937, including the motions contained in said answers that the charges contained in said Order of May 19, 1937, be dismissed, the Commission orders that said motions be overruled and denied; and,

The Commission further orders that the hearing on said charges and the answers of Paul M. Segal and George S. Smith be set before the Commission en banc on Monday, September 13, 1937, at 10:30 o'clock at the offices of the Commission in the City of Washington.

CCIR-UIR MEETINGS REPORTED

The Managing Director this week received the report of James C. McNary, who, as NAB delegate, attended the Fourth CCIR Meeting at Bucharest, Roumania, from May 21 to June 8, 1937, and the U. I. R. meeting at Lausanne, Switzerland, from June 17 to June 25, 1937.

The CCIR (Comité Consultatif Internationale Radiocommunication—International Consulting Committee on Radio Communications) holds its international conference of engineers and scientists by virtue of provisions of the international administrative conferences at Washington (1927) and Madrid (1932). The CCIR functions in an advisory capacity to the administrative conferences, the next of which is scheduled to be held at Cairo beginning February, 1938, and is charged with consideration of technical matters affecting international regulations and allocations. The last CCIR meeting, held in Lisbon in 1934, was also attended by Mr. McNary, representing the NAB.

According to custom, the American delegation to CCIR meetings comprises a government delegation accompanied by company representatives. The government delegates to the 4th CCIR meeting were: Dr. J. H. Dellinger, (chairman), National Bureau of Standards; Captain S. C. Hooper, Navy Department; Colonel D. M. Crawford, War Department; E. K. Jett and Gerald C. Gross, Federal Communications Commission; and Francis B. de Wolf, Department of State. The other company representatives were: Dr. C. B. Jolliffe, Lloyd Briggs and H. K. Chadwick, Radio Corporation of America; Carroll Bickelhaupt, Lloyd Espenschied, F. M. Ryan and G. H. Barney, American Telephone & Telegraph Company; Haraden Pratt, Mackay Radio; and E. K. Cohan, Columia Broadcasting System, Inc.

The recently-adjourned CCIR meeting was so timed that its opinions would be up-to-date and available for the forthcoming Cairo conference next year. According to the report received, it appears that some of the technical considerations affecting allocations, particularly those dealing with wave propagation, will necessarily undergo review at Cairo because of the rapidly changing state of the art and because of the demands for new frequencies certain to be made at Cairo by the aviation and high-frequency international broadcasting services. Some of the opinions of the 4th CCIR are summarized below.

While in Europe, Mr. McNary also attended the Tenth Annual Meeting of the UIR (International Broadcasting Union), devoting his time principally to the meetings of the Technical Committee. The most important item

ANOTHER WORD OF APPRECIATION

I take this means of expressing to the members my appreciation for the numerous suggestions which they have addressed to me as President of the National Association of Broadcasters. I am sure your constructive suggestions will be of great benefit in administering the affairs of the Association. The constructive ideas of all the members are solicited.

JOHN ELMER.

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discussed was the present condition of chaos in the high-frequency international relay broadcasting bands, and an effort was made to find engineering basis for improvement of service in these bands. Discussion included consideration of synchronization of transmitters using directional antennas for transmission of the same program in the same wave band to different portions of the earth, limitation of maximum and minimum power, frequency separation between channels, and shared use of the same carrier frequency in various parts of the world. Plans were made for continued observations of certain factors affecting international broadcasting transmissions. Considerable data, from the UIR Control Center at Brussels, was available to show the existing situation on the high-frequency channels.

According to the report submitted to the Managing Director, Mr. McNary observed television practices in Berlin and London. Both of these cities enjoy regular television broadcasting service. He was particularly impressed with the Alexandria Palace transmitter, in London, from which regular afternoon and evening programs are furnished, and with the studio and program production technique employed for these programs.

Of the opinions adopted at the CCIR Meeting, the following appear to be of interest to the broadcasting industry:

(a) r.f. harmonics: The previous opinion of the Lisbon meeting, with respect to radio frequency harmonics of fundamental carrier frequencies of 3000 kilocycles or less, was retained, which recommends that the harmonic power not exceed 0.025 watt, or 300 microvolts at 5 kilometers, with the proviso that such harmonic radiation is to be subject to special treatment if interference is caused. In addition, an opinion was adopted to the effect that harmonic power should be 40 decibels below the fundamental, for fundamentals of 3000 kilocycles or higher, with the same proviso as to interference.

(b) Synchronization: The opinion adopted on the subject of synchronizing broadcast transmissions simply defines synchronized carriers as those whose frequency difference is less than 0.1 cycle, and the so-called quasi-synchronized carriers as those whose frequency difference is less than 10 cycles. The latter term is not applicable to American practice.

(c) Frequency separation between broadcast channels: The opinion adopted on this subject states in effect that 20 kilocycle separation is the least that can be tolerated for two carriers serving the same area with high-fidelity reproduction; that, when geographical separation of transmitters operating on adjacent channels the frequency difference may be reduced to a value of less than 20 kilocycles; and that 10 kilocycles is the minimum recommended for short wave international broadcasting which is definitely not a high fidelity service.

(d) Classification of waves: The only change of importance in the classification of waves, and a change which was opposed by the American delegation, was the classification of frequencies between 30 and 300 megacycles as "very high" and frequencies between 300 and 3000 megacycles as "ultra high." Present American practice utilizes the term "ultra high" for frequencies in excess of 30 megacycles.

(e) Anti-fading antennas: The subject of anti-fading antennas, which was of some interest in certain European quarters but which actually had little international significance, was disposed of by adopting the American opinion practically in toto, pointing out the possibilities of improvement in coverage by careful attention to details of antenna design.

(f) Frequency tolerance: For broadcasting transmitters now in operation, 50 cycles; for broadcasting transmitters installed after January 1, 1939, 20 cycles. The entire table of tolerances and instabilities was reviewed and attempts were made by the American delegation to bolster up the tolerances for other services to conform to modern practice. The success was only moderate, however, as there has always been heavy pressure from some of the more backward services, such as marine radio, for maintaining the status quo.

(g) Wave propagation: The study of wave propagation was continued with a report being due from the centralizing administration before the Cairo conference. The interim report contains reference to the material submitted by the United States, without dispute, on which U. S. allocations are based.

(h) Background noise: An opinion on tolerable background noise in broadcast transmitters recommends a value of 54 decibels below 100 per cent modulation.

Miscellaneous: The conference discussed thoroughly and adopted several opinions with reference to the subject of man-made interference to broadcast reception. This subject is largely of European origin because of the plans to control such interference by legislation. The matter is of considerable interest to American broadcasting, but the material is not so applicable in this country. Other opinions issued referred to matters principally concerning other services (point-to-point telegraph, telephone, marine radio, aviation radio, etc), and to matters of interference, field intensities required for rendering service, etc.

SENATE BILL WOULD PROHIBIT BROADCASTING GAMBLING INFORMATION

Senator Wheeler of Montana has introduced a bill in the Senate (S. 2758) which has been referred to the Committee on Interstate Commerce "to prohibit the transmission of certain gambling information in interstate commerce by communications facilities." Broadcasting is specifically mentioned in the bill which is as follows:

A BILL

To prohibit the transmission of certain gambling information in interstate commerce by communications facilities.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled,

That any gambler or any agent of a gambler who shall knowingly transmit or aid or assist in transmitting in interstate commerce by means of any communications facility any gambling information, and whoever shall knowingly transmit or aid or assist in transmitting in interstate commerce by means of any communications facility any gambling information to or for the use of any gambler, and whoever shall knowingly receive or aid or assist in receiving in interstate commerce by means of any communications facility any gambling information for any gambler or for transmission to any gambler, shall be fined not more than $........, or imprisoned not more than .... years, or both.

Sec. 2. Whoever shall furnish, supply, provide, maintain, or repair any communications facility knowing that such communications facility is to be used in violation of the first section of this Act shall be fined not more than $........, or imprisoned not more than ...... years, or both.

Sec. 3. As used in this Act—

(a) The term "communications facility" includes any apparatus or personnel used in the broadcast, sending, transmission, or receipt (including delivery to the point of origin, delivery from the point of receipt to the point of destination, and forwarding) of writing, signs, signals, pictures, and sounds of all kinds by means of wire, cable, or radio.

(b) The term "gambling information" includes any information previous to the occurrence of an event, the occurrence or result of which is uncertain, relating to the mathematical chances of or odds on the occurrence of or a particular result of any such event or the amount of money wagered on the occurrence of or a particular result of any such event.

(c) The term "gambler" includes any person, partnership, corporation, or association who or which is engaged in business as a bettor, gambler, bookmaker, betting commissioner, stakeholder, or in any like or similar capacity.

THREE RADIO AMENDMENTS INTRODUCED

Senator Schwellenbach of Washington has introduced three amendments to the Communications Act of 1934 all of which have been referred to the Committee on Interstate Commerce. They are as follows:

S. 2755

A BILL

To amend section 315 of the Communications Act of 1934.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 315 of the Communications Act of 1934 be, and hereby is, amended by striking out the whole of said section and by inserting in lieu thereof the following:

"Sec. 315. Each licensee of a radio-broadcasting station shall be required to set aside regular and definite periods at desirable times of the day and evening for uncensored discussion on a nonprofit basis of public, social, political, and economic problems, and for educational purposes. When any such licensee permits any speaker on any controversial, social, political, or economic issue to use its facilities during any such period, it shall afford to at least one exponent or advocate of each opposing viewpoint equivalent facilities. The licensing authority shall without any delay make rules and regulations to carry this provision into effect, and in proceeding hereunder it shall appoint and, in its discretion, act upon the recommendations of an advisory committee consisting of disinterested, representative citizens: *Provided,* That the licensing authority, the advisory committee, and licensees shall have no power of censorship of any kind, nor shall any license be revoked or renewal refused because of material so broadcast."

S. 2756

A BILL

To add section 315 (a) to the Communications Act of 1934.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That the Communications Act of 1934 be, and hereby is, amended by adding thereto the following:

"Sec. 315. (a) Each licensee of a radio-broadcasting station shall keep complete and accurate records open to reasonable public inspection—

"(1) of all applications for time;

"(2) of all rejected applications and the reasons for such rejections;

"(3) of all additions and changes requested in arranged programs on public, social, political, and economic issues and on educational subjects;".

S. 2757

A BILL

To amend section 326 of the Communications Act of 1934.

Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, That section 326 of the Communications Act of 1934 be, and hereby is, amended by striking out the whole of said section and by inserting in lieu thereof the following:

"SEC. 326. Nothing in this Act shall be understood or construed to give the licensing authority the power of censorship over the radio communications or signals transmitted by any radio station, and no regulation or condition shall be promulgated or fixed by the licensing authority which shall interfere with the right of free speech by means of radio communication: *Provided,* That this provision shall not be understood or construed to exempt any licensee from liability for any defamatory, profane, indecent, or obscene language or action broadcast by any officer, employee, agent, or representative of such licensee."

WIL APPEALS FROM DECISION OF FCC IN STAR-TIMES CASE

Contending that the Communications Act of 1934 necessitates a finding on the question of "if public interest, convenience, or necessity will be served" as a prerequisite to a grant by the Federal Communications Commission, Radio Station WIL, St. Louis, Mo., this week filed its brief in the United States Court of Appeals for the District of Columbia. The appeal was from a denial by the Commission of an application by WIL for the facilities of 1250 kc, 1000 watts, with unlimited hours of operation, and the granting of such facilities to the Star-Times Publishing Co. of St. Louis.

The brief points out that the Commission rendered its decision and thereafter adopted certain findings in support of the ruling. It further alleges that the findings were not made by the Commission itself or by the Broadcast Division or by any board authorized to make such findings but that they were in fact made by the Law Department of the Commission and raises the contention that such findings cannot, by a minute entry of the Broadcast Division, become the findings of the Commission.

Asserting that the procedure followed in this case is contrary to established practise of other federal administrative boards, commissions and agencies, WIL asks that the Commission itself be required to determine the facts before making final decisions.

A further argument is advanced in the brief to the effect that the Commission erred in preferring a new applicant over an existing utility (WIL) and that it failed to give consideration to a prior licensee who had pioneered in the development of radio broadcasting in the St. Louis area.

The Commission has until September 20 to file its answer.

JACK FALVEY

Members are advised to communicate with NAB Headquarters before contracting with Jack Falvey who represents the Falvey Feature Service or the Falvey Service Corporation.

Broadcast Advertising in May

HIGHLIGHTS OF THE MONTH

Total broadcast advertising during the month of May amounted to $11,325,165, a slight increase over the volume registered for last month. This increase, due mainly to a 6.7% gain in local advertising, took the place of the usual seasonal decline. National network volume declined 2.3% and national non-network business 0.6% from the level of last month. Regional network volume gained 21.9%. Gross time sales for the month of May were 32.5% ahead of the volume recorded for the corresponding month of 1936. All portions of the medium experienced marked gains.

Compared to April, national magazine advertising increased in volume, national farm paper volume declined and newspaper lineage remained the same. Radio broadcasting continued to show the greatest gains in advertising volume of any major medium as compared to corresponding periods of last year. As against the 32.5% increase over last May registered by radio, national magazine volume increased 19.6% and national farm paper volume 4.2%. Newspaper lineage declined 1.1% from the level of last May.

Total non-network advertising rose 2.4% over the level of April and 33.6% over the volume registered during May 1936. The increase over last month was due mainly to a 4.7% gain in volume for the clear channel stations. Regional stations showed the greatest gain as compared to last May, although all sizes of stations recorded increases. The New England-Middle Atlantic Area experienced the most marked gain of any section of the country both as compared to last month and as to May 1936.

In the rendition field, live talent showed the only increase of importance as compared to April. Live talent showed the only gain in the national non-network field but transcriptions increased to a greater extent in the local field. As against last May, total live talent increased 41.7%, transcriptions 25.1%, records 9.4%, and announcements 29.1%. Announcements in the national field and live talent in the local field showed the greatest gains over May 1936.

National network clothing, regional network tobacco products, national non-network financial, and local accessory, beverage and department store sponsor groups showed the main increases in advertising volume over last month. As against last May, the most important gains were registered in national network household equipment and soap and kitchen supply advertising, regional network drug and tobacco advertising, national non-network food products and tobacco advertising, and local food products and radio set advertising sponsor groups. Retail broadcast advertising over individual stations amounted to $1,333,180, an increase of 6.4% over the level of last month and 21.8% greater than the volume recorded for May 1936.

TOTAL BROADCAST ADVERTISING

Total broadcast advertising for the month of May is found in Table I.

TABLE I

TOTAL BROADCAST ADVERTISING

Class of Business	*1937 Gross Time Sales* *April*	*May*	*Cumulative Jan.-May*
National networks....	$6,013,181	$5,875,531	$30,009,052
Regional networks....	112,938	137,734	541,167
National non-network.	2,982,200	2,962,200	13,812,100
Local................	2,201,000	2,349,700	10,452,200
Total..........	$11,309,319	$11,325,165	$54,814,519

Contrary to the usual seasonal decline, total broadcast advertising during the month of May remained at approximately the same level as was recorded in April. The slight increase was less than 1.0%. National network volume declined 2.3% and national non-network business 0.6%. Regional network volume increased 21.9% and local advertising 6.7%.

National non-network advertising showed the greatest gain over May of last year in rising 45.5% in volume. National network volume rose 32.1%, regional networks 10.4% and local business 21.1%. Total broadcast advertising for the month was 32.5% ahead of May 1936.

COMPARISON WITH OTHER MEDIA

Compared to last month, national magazine volume increased 4.5% while national farm paper volume dropped 14.9% and newspaper lineage remained at approximately the same level. As against the 32.5% gain over last year registered by radio, national magazine advertising increased 19.6% in volume and national farm paper advertising 4.2% while newspaper lineage decreased 1.1%.

Advertising volume by major media is shown in Table II.

TABLE II

ADVERTISING BY MAJOR MEDIA

Advertising Medium	*1937 Gross Time and Space Sales* *April*	*May*	*Cumulative Jan.-May*
Radio broadcasting....	$11,309,319	$11,325,165	$54,814,519
National magazines [1]..	17,086,299	17,863,997	72,282,292
National farm papers [1].	807,117	686,534	3,642,648
Newspapers [2].........	52,224,000	52,138,000	235,194,000
Total..........	$81,426,735	$82,013,696	$365,933,459

[1] Publishers' Information Bureau.

[2] Estimated.

NON-NETWORK ADVERTISING

Total non-network advertising rose 2.4% in volume over last month due to the increase in local business. Non-network advertising over clear channel and high-powered regional stations showed the greatest gain in rising 4.7%. Regional station volume rose 0.7% and local station advertising 1.2%.

All sizes of stations showed marked gains in advertising volume over May of last year. Clear channel and high-powered regional station volume increased 31.6%, regional station volume 44.7% and local station volume 10.8%. Total non-network advertising increased 33.6% over the volume registered for last May.

Broadcast advertising by power of station is found in Table III.

TABLE III

NON-NETWORK ADVERTISING BY POWER OF STATION

Power of Station	*1937 Gross Time Sales* *April*	*May*	*Cumulative Jan.-May*
Over 1,000 watts........	$2,157,800	$2,261,000	$10,379,100
250–1,000 watts........	2,318,800	2,335,500	10,687,300
100 watts..............	706,600	715,400	3,197,900
Total............	$5,183,200	$5,311,900	$24,264,300

Compared to last month, the New England-Middle Atlantic and the North Central Areas experienced increases of 5.7% and 4.8%, respectively. The South Atlantic-South Central Area declined 3.0% in volume and the Pacific and Mountain Area 1.0%.

As compared to May of last year, the greatest increase in volume occurred in the New England-Middle Atlantic Area, advertising in this Area rising 59.6%. Non-network advertising in the South Atlantic-South Central Area increased 42.2%, in the North Central Area 29.3% and in the Pacific and Mountain Area 6.9%.

Non-network advertising by geographical districts is shown in Table IV.

TABLE IV

NON-NETWORK ADVERTISING BY GEOGRAPHICAL DISTRICTS

Geographical District	*1937 Gross Time Sales* *April*	*May*	*Cumulative Jan.-May*
New England — Middle Atlantic Area.........	$1,307,600	$1,382,800	$ 6,222,700
South Atlantic — South Central Area.........	1,042,000	1,010,500	4,659,800
North Central Area.....	1,941,400	2,035,200	9,124,900
Pacific and Mountain Area................	892,200	883,400	4,256,900
Total............	$5,183,200	$5,311,900	$24,264,300

NON-NETWORK ADVERTISING BY TYPE OF RENDITION

Live talent showed the only increase of importance among the various types of rendition, rising 7.6% in volume over April. Announcements registered an increase of 0.7%. Electrical transcriptions declined 4.7% and records 1.5%. Live talent business also showed the greatest gain over last May by increasing 41.7% in volume. Transcriptions showed a gain of 25.1%, records 9.4% and announcements 29.1%.

By increasing 8.2% in volume, live talent business registered the only gain in the national non-network field as compared to April. Transcriptions declined 7.7%, records 71.1% and announcements 4.0%. However, only records failed to show an increase as against last May. Transcriptions rose 33.7%, live talent 47.5%, and announcements 73.4%. Records declined 28.3%.

In the local field, electrical transcriptions showed the most important gain in rising 9.7% over last month. Live talent showed a gain of 6.9%, records 19.3% and announcements 4.3%. Compared to last May, live talent rose 36.0%, records 13.8% and announcements 10.0%. Transcriptions declined 1.5%.

Non-network advertising by type of rendition is found in Table V.

TABLE V

NON-NETWORK BROADCAST ADVERTISING BY TYPE OF RENDITION

	1937 Gross Time Sales						
	National Non-network		*Local*		*Total*		*Cumulative*
Type of Rendition	*April*	*May*	*April*	*May*	*April*	*May*	*Jan.-May*
Electrical transcriptions	$1,164,800	$1,075,100	$234,100	$256,900	$1,398,900	$1,332,000	$5,907,980
Live talent programs	1,271,300	1,376,400	1,190,600	1,272,800	2,461,900	2,649,200	12,096,890
Records	20,100	5,800	67,200	80,200	87,300	86,000	429,410
Announcements	526,000	504,900	709,100	739,800	1,235,100	1,244,700	5,830,020
Total	$2,982,200	$2,962,200	$2,201,000	$2,349,700	$5,183,200	$5,311,900	$24,264,300

SPONSOR TRENDS IN MAY

Declines were general in the national network field as compared to April. Clothing showed the only important increase. Compared to last May, however, many sponsor groups showed marked gains, the most important being in the automotive, accessory, foodstuff, household equipment, soap and kitchen supply, financial and tobacco groups.

As against last month, tobacco advertising showed the most important gain in the regional network field. Drug, soap and kitchen supply, and tobacco advertising increased to the greatest extent over last May. Gasoline and accessories, toilet goods, and beverage advertising declined.

Financial advertising increased 54.3% in the national non-network field. Drug, beverage, amusement, radio, department store and the miscellaneous groups showed minor declines while all other groups registered slight increases as compared to last month. Clothing, food products, soap and kitchen supply and tobacco advertising registered marked gains as compared to last May.

Gains were fairly general in the local field with the accessory, beverage and department store sponsor groups increasing to the greatest extent over April. All groups except the automotive, accessory, drug, and soap and kitchen supply groups showed increases as compared to last May.

Broadcast advertising during May by major product and sponsor groups is shown in Table VI.

TABLE VI

RADIO BROADCAST ADVERTISING BY TYPE OF SPONSORING BUSINESS (MAY 1937)

	Gross Time Sales				
Type of Sponsoring Business	*National Networks*	*Regional Networks*	*National Non-network*	*Local*	*Total*
1a. Amusements	—	$984	$2,490	$55,770	$59,244
1–2. Automobiles and accessories:					
(1) Automobiles	$532,922	—	176,820	128,370	838,112
(2) Accessories, gas and oils	536,947	11,204	189,290	83,680	821,121
3. Clothing and apparel	26,040	913	77,210	285,210	389,373
4–5. Drugs and toilet goods:					
(4) Drugs and pharmaceuticals	466,901	14,184	300,840	60,310	842,235
(5) Toilet goods	1,017,125	1,680	115,090	21,000	1,154,895
6–8. Food products:					
(6) Foodstuffs	1,219,108	41,499	787,460	326,520	2,374,587
(7) Beverages	300,326	7,772	162,470	142,600	613,168
(8) Confections	110,522	200	42,130	13,480	166,332
9–10. Household goods:					
(9) Household equipment and furnishings	171,269	3,576	137,720	286,880	599,445
(10) Soap and kitchen supplies	527,793	12,389	241,350	7,060	788,592
11. Insurance and financial	61,044	8,017	20,060	104,540	193,661
12. Radios	121,134	—	5,500	25,060	151,694
13. Retail establishments	—	—	6,800	197,590	204,390
14. Tobacco products	620,961	21,400	187,530	14,160	844,051
15. Miscellaneous	163,439	13,916	509,440	597,470	1,284,265
Total	$5,875,531	$137,734	$2,962,200	$2,349,700	$11,325,165

Details as to trends in the various fields of sponsorship are as follows:

1a. ***Amusements.*** Regional network volume three times as great as April. National non-network volume declined 12.9% while local advertising rose 38.5% compared to April. Regional network tripled volume of last May. Local advertising rose 79.7% and national non-network dropped 81.1% as against last May.

1. ***Automotive.*** Gains over April as follows: national networks 2.9%, national non-network 2.6% and local 8.6%. As against May 1936, national network volume rose 47.8% while national non-network and local advertising declining 33.7% and 12.2%, respectively.

2. ***Gasoline and accessories.*** Increases over April as follows: national networks 7.6%, regional networks 9.6%, national non-network 9.8%, and local 37.9%. National network volume 44.9% ahead of last May in volume. Regional network volume declined 47.9% and local business 21.5%. National non-network business increased 0.9%.

3. ***Clothing.*** National network volume two and one-half times as great as April. Regional network volume rose 14.9% and national non-network business 25.0%. Local business declined 1.9%. As compared to May 1936, national network business declined 16.0% while national non-network and local advertising increased 97.7% and 9.5%, respectively.

4. ***Drugs and pharmaceuticals.*** National network volume 6.3% below level of last month. Regional network volume rose 9.8% and local volume 10.2%. National non-network volume declined 20.8%. Compared to last May, national network business increased 25.6% and regional network volume more than doubled. National non-network and local advertising declined 0.7% and 1.6% respectively.

5. ***Toilet goods.*** While national network and national non-network volume remained at approximately the same level as last month, regional network volume declined 16.3% and local business rose 14.3%. As against last May, national network volume increased 13.5%, national non-network business 75.5% and local business 6.2%. Regional network volume declined 44.1%.

6. ***Foodstuffs.*** National network volume 5.3% below last month. Regional network volume increased 5.6%, national non-network volume 1.6%, and local business 1.0%. Increases in volume over last May as follows: national networks 47.6%, regional networks 21.2%, national non-network 78.7%, and local 36.9%.

7. ***Beverages.*** National network and national non-network volume 4.8% and 8.9% below April, respectively. Regional network volume up 19.6% and local business up 37.0%. As against May 1936, national network volume down 9.9% and regional network volume down 52.0%. National non-network business four times as great and local business up 18.3%.

8. ***Confectionery.*** National network volume down 5.3% compared to April. Regional network business declined materially. National non-network business increased 2.4% and local business 23.2%. Compared to last May, regional network volume remained the same while national network volume increased 12.6%, local business 41.9% and national non-network business doubled.

9. ***Household equipment.*** Increases over April as follows: national networks 3.9%, regional networks 3.2%, national non-network 3.4%, and local 12.5%. National network business five times as great as last May. Regional network volume down 16.0%, National non-network and local advertising increased 14.1% and 28.9%, respectively.

10. ***Soaps and kitchen supplies.*** National network volume 12.5% below April. Regional network volume increased materially and national non-network volume rose 5.8%. Local business dropped 10.9%. Compared to last May, national network volume increased 62.3%, regional network volume 41.1% and national non-network more than doubled. Local business down 33.5%.

11. ***Insurance and financial.*** Compared to April, national network business down 16.0%. Regional network volume up 32.4%, national non-network 54.3%, and local advertising 26.9%. As against last May, national network volume increased 61.9% and local business 28.7%. Regional network business increased materially and national non-network business remained the same.

12. ***Radios.*** National network volume 3.0% above April. National non-network volume down 9.1% and local volume up 38.3%. Compared to May of last year, national network volume rose 6.5% and local volume 74.8%. National non-network volume dropped 70.4%.

13. ***Department and general stores.*** Compared to April, national non-network business down 8.3% and local business 3.1%. National non-network volume 11.1% below last May. Local advertising increased 32.7% over May 1936.

14. ***Tobacco products.*** Increases over April as follows: national network 4.6%, regional network 61.5%, national non-network 2.2% and local 25.4%. Increases over May 1936 as follows: national networks 57.8%, regional networks 72.9%, and local advertising 5.6%. National non-network volume more than doubled.

15. ***Miscellaneous.*** Declines from April level as follows: national networks 17.2%, regional networks 11.6%, national non-network 0.6% and local 0.6%. Compared to last May, national network volume declined 36.6% and regional network volume 7.2%. National non-network business increased 67.9% and local advertising 31.3%.

RETAIL BROADCAST ADVERTISING

Total retail broadcast advertising over individual stations was 6.4% above the level recorded for last month and 21.8% greater than the volume of May 1936. Advertising by drug stores, confectionery stores, and radio retailers showed the greatest gains in volume as compared to last month. Drug, beverage, confectionery, household equipment, and radio set advertising showed the principal gains and gasoline, beauty parlor and grocery store advertising the principal declines as compared to last May. Broadcast advertising by retail establishments will be found in Table VII.

TABLE VII

RETAIL BROADCAST ADVERTISING OVER INDIVIDUAL STATIONS

	1937 Gross Time Sales	
Type of Sponsoring Business	*April*	*May*
Automobiles and accessories:		
Automobile agencies and used car dealers	$126,320	$131,890
Gasoline stations, garages, etc.	39,740	46,060
Clothing and apparel shops	316,530	302,950
Drugs and toilet goods:		
Drug stores	21,510	32,950
Beauty parlors	5,470	7,000
Food products:		
Grocery stores, meat markets, etc.	42,080	39,260
Restaurants and eating places	33,370	36,090
Beverage retailers	8,350	7,620
Confectionery stores	7,110	12,270
Household goods:		
Household equipment dealers	94,750	123,530
Furniture stores	124,360	133,380
Hardware stores	43,640	43,910
Radio retailers	16,750	25,450
Department and general stores	211,380	204,400
Tobacco shops	....	....
Miscellaneous	161,070	186,420
Total	$1,252,430	$1,333,180

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them:

No. 3168. Alleging false and misleading representations in the sale of a study course intended to prepare pupils for United States Government positions, a complaint has been issued against **Clement A. DeGrace,** trading as **Social Security Counselors,** Davis Building, **Portland, Ore.**

Advertisements published in "Help Wanted" columns of newspapers are alleged to have been worded and placed so as to imply that they had been sponsored by a Government agency; that 300,000 Government positions were open and available and men and women were wanted to fill them, and that the respondent could obtain such positions for persons completing his course.

DeGrace is charged with making representations through his salesmen and through other channels, implying that the salesmen are connected with or otherwise represent the Government; that thousands of positions are available in the Social Security Board; that examinations for such positions would be held at definite times; that Government jobs are guaranteed or assured, and that money would be refunded students if no jobs were obtained.

No. 3169. Charging unfair competition in the sale of fountain pens, a complaint has been issued against **Argo Pen-Pencil Co., Inc.,** 220 Broadway, **New York,** and **Harry Sachnoff,** president and owner of practically all capital stock of the respondent company.

According to the complaint, certain fountain pens sold by the respondents were stamped in a manner simulating the stamping and marking as seen on solid gold pen points of 14 carat fineness. These markings allegedly conveyed the impression that such articles were composed of some kind of gold or gold alloy of 14 carats in fineness. "Duripoint 14 KT. Gold Plate" was imprinted on the points of certain of the respondents' pens. The words "Gold Plate" appeared below, and at such distance from the figures and letters "14 KT." that when a point was inserted to a sufficient degree within the barrel of a pen, the words "Gold Plate" were completely or almost completely concealed and the legend "Duripoint 14 KT." alone remained visible.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 01740. People's Drug Stores, Inc., Washington, D. C., in its stipulation, agrees to stop representing that Thompson's Effervescent Aspirin Compound Tablets are an effective remedy for colds, and that they will relieve pain, unless there appears in such representation an explanation of the causes of pain which can be relieved thereby. The tablets will no longer be advertised as an effective remedy for over-acidity, unless this is expressly limited to over-acidity of the stomach. The respondent admits that while its preparation would have some mild analgesic effect due to the contained aspirin, and would temporarily reduce gastric acidity through its alkaline properties, it is not a competent treatment or an effective remedy for colds, nor will it affect over-acidity, except in the stomach.

No. 01741. The Kendall Co., 2500 South Dearborn St., Chicago, trading as Bauer & Black, and engaged in selling a hand lotion called Velure Lotion, stipulates that it will no longer advertise this preparation as a recent scientific discovery containing two ingredients new to hand lotions, or as capable of softening the hands in 15 seconds, or that Velure Lotion will miraculously transform work-roughened hands into white, soft things of beauty. The respondent admits that Velure has value as a hand lotion, and that although one of its ingredients is in a form unusual in such lotions, Velure is not a preparation newly or recently discovered or possessing ingredients radically different from other hand lotions.

No. 01742. W. K. Sterline, 830 Ohio Ave., Sidney, Ohio, in the sale of an asthma treatment, will cease advertising that his preparation will remove the cause of asthma or hay fever, or that it will do any more than give temporary relief from the paroxysms of asthma and the symptoms of hay fever. The respondent agrees that in promoting the sale of his medicine as a palliative for or as a relief from asthma and hay fever symptoms, he will assert neither directly nor by inference that the preparation is safe, unless it is explained that the preparation is not intended for use by persons having tuberculosis.

No. 01743. Charles H. Birnbaum, trading as Star Book & Novelty Co., Camden, N. J., selling books, herbs, roots, curios, perfume and incense powder, agrees to stop representing that the roots or herbs sold, or any combination thereof, comprise a cure or competent treatment or remedy for some 90 listed diseases or conditions, and that the reading or studying of any book sold by the respondent will enable one to rise above his present surroundings, giving him efficiency, intellectual supremacy, or influence.

No. 01744. Phœnix-Powers Co., Haddonfield, N. J., distributor of a wheat germ oil preparation designated E-Now, stipulates that it will cease representing that E-Now is of value in cases of lack of vigor, unless this is expressly limited to lack of vigor due to Vitamin E deficiency, or that E-Now is a concentrate of Vitamin E. The respondent company admits that E-Now contains a considerable number of Vitamin E units, but that such vitamins cannot be concentrated, and that administration of Vitamin E, while producing certain specific effects, has no effect on physical vigor generally.

No. 01745. W. A. Orr, trading as Orr Health System and Orr Health Service, 2501 Glenmary St., Louisville, sells "Printed Instructions Regarding Diet and Exercises as a Relief for Constipation". In his stipulation, Orr agrees to stop asserting that his system or service provides a competent remedy in the treatment of constipation or indigestion, unless such assertions are clearly qualified to indicate that there are many cases in which beneficial results may not be expected. He will cease asserting that the system is based on natural or scientific principles, and that by following his instructions, constipation will be eliminated, and the eliminative system can be made normal or can be corrected. The respondent admits that, according to reliable medical authority, his exercises and diet, as outlined, are of benefit only in certain cases of constipation, and that in some cases harmful effects may result from following his instructions.

No. 01746. E. L. Leisenring, trading as U. S. Drug & Sales Co., 1534 Lawrence St., Denver, will discontinue the assertion that his Special Vitality Tablets are compounded from powerful glandular substances properly balanced with other active ingredients, and that the product is made by registered pharmacists. Leisenring also agrees to stop asserting that his preparation will aid in renewing the entire system, or that its use results in healthy and active glands.

No. 01747. Floratone Company, 2512 West 7th St., Los Angeles, selling Floratone, will cease advertising it as being capable of freeing one from mucous colitis, relieving gaseous stomach trouble, and making one feel like a "new man". The respondent will also cease asserting that Floratone may be used safely to "normalize" the chemistry of the colon by providing a suitable environment that invites the growth of "friendly bacteria", at the same time tending to retard disease-producing germs. Another assertion to be discontinued is that 17 cents a day or the cost of a full month's treatment of "Floratone", is the cost of better health and of freedom from constipation and mucous colitis.

No. 01748. A. B. Mueller and A. L. Trader, operating as N. R. S. Company, 4221 East 31st St., Kansas City, Mo., in the sale of Vigorsol and Conditioner, agree to stop representing that Vigorsol is a prostate remedy capable of giving quick and positive results in home treatment, and that the Conditioner is harmless, or that it will eliminate toxins, purify the blood and maintain a free intestinal tract.

No. 01749. Johnston, Holloway & Co., 1728 Spring Garden Road, Philadelphia, selling Alergene, will stop representing this product as a competent treatment for allergy, unless this is limited to indicate allergic symptoms due to a Vitamin F deficiency or a lack of unsaturated fatty acids. The respondent company admits that, according to consensus of medical opinion, although Alergene contains certain ingredients which may aid in cases involving allergic conditions, it is not indicated in the treatment of allergy generally, nor will it reach or remedy the cause of any disease not due to fatty acid deficiency.

No. 01793. Trading as **Spark Plug Service Co., Joseph** and **Mayer Krawetz,** 977 Rondo St., **St. Paul, Minn.,** have entered into a stipulation to stop certain false and misleading representations in the sale of reconditioned spark plugs for automobiles.

Representations to be discontinued are that the respondents operate the largest rebuilt spark plug factory in the world; that their rebuilt spark plugs will give perfect performance for 10,000 miles, or that their products are individually tested and perform with the efficiency of new spark plugs.

No. 01795. Agreeing to discontinue certain false and misleading representations in the sale of an electro-therapeutic device, **William K. Beyer** and **Emil R. Hahnewald,** trading as **Beyer Manufacturing Co.,** 4655 Lincoln Ave., **Chicago,** have entered into a stipulation.

The device, known as "Tropic Sun", will no longer be advertised as capable of building up resistance to colds and other winter ailments, according to the stipulation, and it will not be asserted that the rays of this lamp are deeply penetrating, or constitute a competent treatment or effective remedy for scalp disorders, psoriasis, rickets, influenza, rheumatism and arthritis.

No. 2442. An order has been issued vacating and setting aside its order to cease and desist issued July 8, 1936, against **Raritan Distillers Corporation, Perth Amboy, N. J.** The Commission also ordered that prosecution of the original complaint in this case be resumed.

The order to cease and desist of July 8, 1936, prohibited the representation, through use of the word "distillers" in the respondent company's corporate name, on stationery, in advertising or on labels, that the respondent company was a distiller of alcoholic beverages.

No. 2795. An order to cease and desist has been issued against **Harvey E. Wagley,** trading as **Federal Civil Service Training Bureau,** 508 South Dearborn St., **Chicago,** directing discontinuance of certain false and misleading representations in the sale of correspondence courses designed to prepare students for Civil Service examinations.

Wagley is ordered to stop representing, through use of the words "Federal" or "Bureau", or the term "Civil Service", or other terms with similar meaning, that his business is a part of or is connected with the United States Government or the United States Civil Service Commission.

No. 2800. Canterbury Candy Makers, Inc., 93 Marion St., **Seattle, Wash.,** has been ordered to cease and desist from selling candy so packed and assembled that sales to ultimate purchasers are to be made, or may be made, by means of a lottery, gaming device or gift enterprise.

The order prohibits the respondent company from packing in assortments boxes of candy together with punchboard devices which may be used in the sale of the candy to the public at retail.

No. 2833. Under an order the **Imperial Candy Co., Seattle, Wash.,** is directed to cease and desist from selling and distributing to dealers candy so packed and assembled that sales to the public may be made by means of a lottery, gaming device or gift enterprise.

The respondent company also is ordered to discontinue furnishing to dealers punch boards, either with assortments of candy or separately, bearing legends informing the purchasing public that the candy is being sold by lot or chance.

No. 2950. Tolpin Studios, Inc., 2129 West Van Buren St., **Chicago,** has been ordered to discontinue certain false and misleading representations in the sale of chinaware. The respondent company is a processor and decorator of foreign and domestic made undecorated chinaware.

The order prohibits the respondent company from branding, labeling, marking or otherwise causing the word "Limoges" to appear on its china or chinaware products, or causing such products to be represented as Limoges china or chinaware when they have not originated or been manufactured in the city of Limoges, France.

No. 3037. Civil Employees Training, Inc., 9th and Chestnuts Sts., **Cleveland,** and three of its officers, have entered into a stipulation to discontinue certain false and misleading representations in the sale of a correspondence course designed to prepare students for taking Civil Service examinations.

Upon the signing of the stipulation by the respondents, the Commission closed its case in which a complaint had been issued charging them with practices similar to those covered in the stipulation.

Among representations to be discontinued under the stipulation are assertions to the effect that the respondents' salesmen are in the employ of the United States Government, or are otherwise connected with it; that Civil Employees Training, Inc., is an agency of or representative of the Government or the United States Civil Service Commission; that it is necessary to take the respondents' course in order to get a Civil Service job, and other similar allegations.

FTC CASE CLOSED

No. 3099. The Federal Trade Commission has closed its case against **Biloxi Oyster Exchange,** of **Biloxi, Miss.,** and 24 member companies. The respondents were charged with entering into and maintaining a price-fixing agreement which allegedly had resulted in lessening competition in the interstate sale and distribution of canned oysters.

The case was closed for the reason that Biloxi Oyster Exchange has been dissolved and its charter surrendered.

FEDERAL COMMUNICATIONS COMMISSION ACTION

No hearings are scheduled at the Commission in connection with broadcast cases for the week beginning July 19. The Broadcast Division has taken the following action, subject to ratification at its next regular meeting:

APPLICATIONS GRANTED

WMBO—WMBO, Inc., Auburn, N. Y.—Granted extension of program test period 30 days from July 11, 1937.

KVGB—Earnest Edward Ruehlan, Great Bend, Kans.—Granted authority to discontinue operation for period not to exceed 10 days in accordance with Rule 151.

WEBC—Head of the Lakes Broadcasting Co., Duluth, Minn.—Granted special temporary authority to rebroadcast over radio station WEBC conversation carried on between experimental station W5XAR and W5XAS of the Western Radio Telegraph Co., for the period not to exceed 1 hour between July 10 and 16, flying weather permitting.

WEAU—Central Broadcasting Co., Eau Claire, Wis.—Granted special temporary authority to rebroadcast over WEAU as above for period of not more than 1 hour between July 10 and July 15, flying weather permitting.

KROC—Southern Minnesota Broadcasting Co., Rochester, Minn.—Granted special temporary authority to rebroadcast over radio station KROC a balloon flight into the stratosphere by Dr. Jean Piccard at Rochester, Minn. (W9XUH from the balloon and W9XUG from the ground), for the period ending no later than July 20, 1937.

MISCELLANEOUS

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—The Broadcast Division directed that a modification of license to change frequency from **1420 kc.** to **1210 kc.**, and time from daytime to unlimited, using 100 watts, be issued to KALB in conformity with its action of April 27, 1937, inasmuch as the applicant has complied with the proviso contained therein.

Granted petition of William F. Maag, Jr., to intervene in the proceedings upon the application of WKBN Broadcasting Corp., Youngstown, Ohio, for modification of C. P., Docket 4593.

Granted petition of State Broadcasting Corp. to intervene in the proceedings upon the application of WSMN, Inc., for new station at New Orleans, La., Docket 4530.

Granted petition of Colonial Broadcasters, Inc., to intervene in the proceedings upon the application of Arthur Lucas for new station at Savannah, Ga., Docket 4563.

Granted petition of Savannah Broadcasting Co., Inc. (WTOC), to intervene in the proceedings upon the application of Arthur Lucas for new station at Savannah, Ga., Docket No. 4563.

Granted petition of Wm. E. Walker and Merrill F. Chapin, d/b as Walker & Chapin, for a continuance of the hearing upon their application for C. P. for new station at Oshkosh, Wis., Docket No. 4588, and directed that said hearing be continued until September 24, 1937.

Granted motion of Athens Times, Inc., Athens, Ga., for a continuance of the hearing upon its application for C. P. for new station, Docket No. 4534, and directed that said hearing be continued until September 29, 1937.

Granted petition of Durham Radio Corp. (WDNC) to correct error in its application for C. P., Docket 4525, without affecting the hearing date thereof, and denied the petition of the Monumental Radio Co. for postponement of said hearing.

Extended the effective date of its order of May 18, 1937, in granting the application of the Hartford Times, Inc. (WTHT), for modification of C. P., Docket 3971, and denying the application of S. George Webb for modification of C. P., Docket 3857, and the application of E. Anthony & Sons, Inc., for C. P. for new station at Pawtucket, R. I., Docket 3836 (Ex. Rep. 1-303), from July 6 to July 20, 1937.

Denied motion of the Ward Optical Company for continuance of the hearing upon the application of Harry Schwartz for C. P. for new station at Tulsa, Okla., Docket 4586, and dismissed the protest of Harry Schwartz to the grant of said motion.

Denied petition of F. M. Gleason, d/b as North Georgia Broadcasting Co., to withdraw his application for C. P. for new station at Rossville, Ga., Docket 3978, without prejudice, and directed that said application be dismissed with prejudice, as follows:

Upon consideration of the application, record and evidence in this case, Ex. Rep. No. 1-396, and the exceptions thereto, the Broadcast Division this day found that public interest, convenience and necessity would not be served by granting the application of F. M. Gleason, d/b as North Georgia Broadcasting Co., for C. P., and entered its final order dismissing same with prejudice in the following case (Examiner recommends denial):

NEW—Ex. Rep. 1-396: F. M. Gleason, d/b as North Georgia Broadcasting Co., Rossville, Ga.—C. P. for new broadcast station to operate on **1200 kc.**, 100 watts, daytime. Application dismissed with prejudice. Order effective June 30, 1937.

Granted the motion of Coliseum Place Baptist Church, New Orleans, La. (WBNO), and Charles C. Carlson, New Orleans, La. (WJBW), for continuance of hearing in so far as said motions apply to the applications of the Coliseum Place Baptist Church for C. P., Docket 4580, renewal of license, Docket 4008, and assignment of license, Docket 4468, and the applications of Charles C. Carlson for C. P., Docket 4204, and renewal of license, Docket 4330, and the application of Southern Broadcasting Corp. for C. P. for new station at New Orleans, Docket 3999, and directed that said hearing be continued until September 21, 1937; denied said motions in so far as they apply to the application of the Standard Life Ins. Co. of the South for C. P., Docket 4510, and dismissed the opposition of the Standard Life Ins. Co. of the South to the motion of the Coliseum Place Baptist Church.

NEW—Robert Noble and J. Earl Salter, Los Angeles, Calif.—Dismissed petition requesting rehearing by the Commission en banc upon the application of the Beverly Hills Broadcasting Corp. (KMPC) for transfer of control.

Power City Broadcasting Corp., Niagara Falls, N. Y.—Denied petition for rehearing upon its application for C. P. to establish a new broadcast station upon the frequency **630 kc.**, with power of 250 watts, daytime hours of operation.

APPLICATIONS RECEIVED

First Zone

WIBX—WIBX, Inc., Utica, N. Y.—Modification of construction
1200 permit (B1-P-1426) to install new transmitter and vertical antenna, change power from 100 watts, 300 watts day to 100 watts, 250 watts day, and move transmitter, requesting extension of completion date from 7-10-37 to 9-10-37.

NEW—Young People's Association for the Propagation of the
1220 Gospel, Philadelphia, Pa.—Construction permit for a new broadcast station to be operated on **1220 kc.**, 1 KW power, unlimited time. Using directional antenna day and night.

NEW—C. J. MacGregor, Port Newark, N. J.—Construction permit for a new experimental broadcast station on frequencies **2398, 3492.5, 4797.5, 6425, 8655, 12862.5, 17310, 31100, 34600, 37600, 40600, 86000** to **400000 kc.**, power of 400 watts.

NEW—C. J. MacGregor, Port Newark, N. J.—License to cover the above.

XXX—National Broadcasting Co., Inc., New York, N. Y.—Extension of authority to transmit recorded programs to all broadcast stations in Canada, licensed to operate by the Canadian Government, which may be heard consistently in the United States.

Second Zone

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Construction
560 permit to install a new transmitter, directional antenna for day use and increase power from 1 KW to 1 KW night and 5 KW day.

NEW—WWPO, Incorporated, Pittsburgh, Pa.—Construction per-
1120 mit for a new broadcast station to be operated on **1120 kc.**, 250 watts power, unlimited time. Use directional antenna day and night. Amended: To give transmitter site as Troy Hill Road, at Ridgelawn Cemetery, Pittsburgh, Penna.

WJIM—Harold F. Gross, Lansing, Mich.—Construction permit to
1210 install new transmitter.

Third Zone

KRGV—KRVG Incorporated, Weslaco, Texas.—Authority to
1260 transfer control of corporation from M. S. Niles to O. L. Taylor, Gene Howe and T. E. Snowden, 320 shares of common stock.

NEW—J. F. Rodgers, Harlingen, Texas.—Construction permit for
1370 a new station to be operated on **1370 kc.**, 100 watts power, 250 watts power day, unlimited time.

NEW—Lamar Life Insurance Co., Jackson, Miss.—Construction permit to erect a high frequency relay broadcast station on **31000, 34600, 37600, 40600 kc.**, 2 watts power. Amended: To omit frequency **31000 kc.** and add **31100 kc.**

Fourth Zone

WGN—WGN, Incorporated, Chicago, Ill.—Construction permit to
720 install a new transmitter, erect a vertical antenna, move transmitter from Villa Road, about 4 miles East of Elgin, Ill. to Rohlwing Road, 2½ miles S. E. of Schaumberg, Illinois, and studio from 445 North Michigan Ave., to 441 N. Michigan Ave., Chicago, Ill.

WLBL—State of Wisconsin, Dept. of Agriculture and Markets,
900 Stevens Point, Wisc.—Modification of construction permit (B4-P-1220) as modified, for new equipment, increase in power, change in hours of operation and move of transmitter, further requesting move of transmitter from 1 mile S. of Auburndale, Wisc., to 1¾ mile S. W. of Auburndale, Wisconsin.

WMIN—Edward Hoffman, tr/as WMIN Broadcasting Co., St.
1370 Paul, Minn.—Assignment of license from Edward Hoffman, tr/as WMIN Broadcasting Company to WMIN Broadcasting Co.

KSTP—National Battery Broadcasting Co., St. Paul, Minn.—Con-
1460 struction permit for a new transmitter and install directional antenna for day and night use, increase power from 10 KW, 25 KW day to 50 KW day and night.

Fifth Zone

KVI—Puget Sound Broadcasting Co., Inc., Tacoma, Wash.—Au-
570 thority for involuntary transfer of control of corporation from Edward M. Doernbecher, deceased, to Laura M. Doernbecher, Executrix of the estate of Edward M. Doernbecher, 996 shares of common stock.

NEW—Floyd A. Parton, San Jose, Calif.—Construction permit for
1170 a new station to be operated on **1330 kc.,** 250 watts power, daytime operation. Amended to change frequency from **1330 kc.** to **1170 kc.**

KSUB—Harold Johnson and Leland M. Perry, d/b as Johnson
1310 & Perry, Cedar City, Utah.—License to cover construction permit (B5-P-841) as modified for new station.

NEW—Louis P. Thornton, Baker, Ore.—Construction permit for
1500 a new broadcast station to be operated on **1500 kc.,** 100 watts power night, 250 watts power daytime, unlimited hours of operation.

Hawaiian Zone

KGU—Marion A. Mulrony and Advertiser Publishing Company,
750 Ltd., Honolulu, T. H.—License to cover construction permit (B-P-1312) as modified for changes in equipment.

Puerto Rican Zone

WPRA—Puerto Rico Advertising Co., Mayaguez, P. R.—License
1370 to cover construction permit (B-P-668) as modified for a new station.

The National Association of Broadcasters

NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.

JAMES W. BALDWIN, Managing Director

NAB REPORTS ★ ★ ★ ★ ★

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HOOD EDUCATIONAL BROADCASTS, INC.

Members are urged to refrain from entering into any agreements with Hood Educational Broadcasts, Inc., of New York City, pending a careful investigation of the service. The NAB is requesting this organization to furnish it with full particulars concerning the offer which they have made to broadcasting stations.

INCREASED TIME AND POWER RECOMMENDED FOR WORL

Broadcasting station WORL, Boston, Mass., operating on 920 kilocycles, 500 watts, daytime, applied to the Federal Communications Commission to increase its power to 1,000 watts and its time to unlimited.

Examiner Davis G. Arnold, in Report No. I-460, recommended that the application be granted. He found that there is need for additional nighttime service in the Boston area, and states that the granting of the application would not cause objectionable interference. The Examiner states that it would be in the public interest to grant the application.

RECOMMENDS DENYING NEW STATION

The Ann Arbor Broadcasting Company, Inc., applied to the Federal Communications Commission for a construction permit for the erection of a new station at Ann Arbor, Mich., to use 1550 kilocycles, 1,000 watts, unlimited time.

Examiner George H. Hill, in Report No. I-461, recommended that the application be denied. He found that the area proposed to be served "receives satisfactory service from broadcast stations now rendering service in this area." The Examiner states that the proposed station would cause some interference and it would also be subject to interference from an engineering standpoint.

MINNESOTA STATION CHANGES RECOMMENDED

Broadcasting station WLB, Minneapolis, Minn., applied to the Federal Communications Commission to change its frequency from 1250 to 760 kilocycles, to increase its power from 1,000 to 5,000 watts and to change its hours from specified to sharing time with WCAL (⅔ daytime). Also station WCAL, Northfield, Minn., applied to the Commission to change its frequency from 1250 to 760 kilocycles, and increase its power from 1,000 and 2,500 watts LS to 5,000 watts and from specified hours to sharing with WLB (⅓ daytime). Also station WTCN, Minneapolis, Minn., now operating on 1250 kilocycles, 1,000 watts and 5,000 watts LS on specified hours, asked the Commission for unlimited time.

Examiner P. W. Seward, in Report No. I-463, made the following recommendations:

1. That the application of Station WLB, Docket No. 4147, for authority to operate on the frequency 760 kilocycles with power of 5 KW, daytime to local sunset, in accordance with the tentative time-sharing agreement heretofore entered into between Stations WLB and WCAL, be granted, subject to compliance by the applicant with the provisions of Section 303 of the Communications Act of 1934.

2. That the application of Station WCAL, Docket No. 4149, for authority to operate on the frequency 760 kilocycles with power of 5 KW, daytime to local sunset, in accordance with the tentative time-sharing agreement heretofore entered into between Stations WCAL and WLB, be granted, subject to compliance by the applicant with the provisions of Section 303 of the Communications Act of 1934, and the approval by the Commission of the transmitter site.

3. That the application of Station WTCN, Docket No. 4148, for authority to operate unlimited time on the frequency 1250 kilocycles, be granted if the applications of Stations WLB and WCAL are granted. In the event the applications of Stations WLB and WCAL be denied, it is recommended that the application of Station WTCN be denied.

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RECOMMENDS NEW INTERNATIONAL BROADCAST STATION

The General Electric Company has applied to the Federal Communications Commission for a construction permit for the erection of a new international broadcast station to be located at Belmont, Calif., to use 9530 and 15330 kilocycles, 20,000 watts power and to operate unlimited time on the air.

Examiner George H. Hill, in Report No. I-462, recommends that the application be granted, "subject to compliance with Rule 983." He found that the company will render an international broadcast service and states that "the applicant has a program of research and experimentation which indicates reasonable promise of substantial contributions to the development of international broadcast service."

FREQUENCY CHANGE RECOMMENDED FOR WIOD-WMBF

Broadcasting station WIOD-WMBF, Miami, Florida, operating with 1,000 watts, unlimited time, applied to the Federal Communications Commission to change its frequency from 1300 to 610 kilocycles.

Examiner R. H. Hyde, in Report No. I-464, recommended that the application be granted. He states that the changed frequency would not cause any interference and also that "the use of the new frequency assignment applied for herein would contribute substantially toward an extension and improvement of the present service of the applicant's station, which the Commission has heretofore found to be in the public interest in licensing the station."

RECOMMENDS NEW CLEVELAND STATION

The Food Terminal Broadcasting Company applied to the Federal Communications Commission for a construction permit for the erection of a new broadcasting station at Cleveland, Ohio, to use 1500 kilocycles, 100 watts and daytime operation.

Examiner John P. Bramhall, in Report No. I-458, recommended that the application be granted. He found that there is a need for additional service of the type proposed by the applicant in the area proposed to be served. The Examiner states that the interests of Station WJBK "will not be adversely affected by reason of interference, should this application be granted" and that the granting would be in the public interest.

INCREASED POWER RECOMMENDED FOR WBCM

Broadcasting Station WBCM, Bay City, Mich., operating full time on 1410 kilocycles with 500 watts power, applied to the Federal Communications Commission to have its power increased to 500 watts night and 1,000 watts day.

Examiner Robert L. Irwin, in Report No. I-459, recommended that the application be granted. He states that there is need for additional daytime service in the area proposed to be served and that "the daytime operation of Station WBCM with the power of 1,000 watts would not cause objectionable interference to the normally protected good service areas of Stations WROK, WELL, and WMBC, or any other licensed stations."

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3171. Charging unfair competition in the sale of sales promotion cards for use by retail merchants, a complaint has been issued against **Edward** and **Dorothy Harris,** 417 South Dearborn St., **Chicago,** trading as **Ace Business Builders.**

Sales promotion cards sold by the respondents were so designed and arranged as to involve use of a lottery scheme or gift enterprise when used by retail merchants in promoting the sale of merchandise to the consuming public, according to the complaint. Several groups of such cards are manufactured by the respondents, all allegedly involving the same lottery scheme.

No. 3172. Charging unfair competition in the sale and distribution of hosiery, a complaint has been issued against **May Hosiery Mills, Inc., Burlington, N. C.**

Hosiery manufactured and sold by the respondent company is alleged to have been advertised as Pure Thread Silk and Rayon, the first three words appearing in a line of large capital letters with the words "and rayon" below and in small capital letters. Similarly, certain products were allegedly advertised as Creptone with Silk Wrap and as Genuine Wrap Pure Thread Silk and Rayon, the words "and rayon" appearing in inconspicuous letters beneath a line reading in large letters: Genuine Wrap Pure Thread Silk.

Nos. 3173-3174. Complaints have been issued charging **General Motors Corporation** and **Ford Motor Company** with using false and misleading representations in advertising the prices at which certain of their passenger cars are sold to the public. General Motors Sales Corporation also is named as a respondent.

Advertisements of the respondent companies, it is alleged, contain illustrations or descriptions of motor cars, and feature, usually in large numerals, a designated F.O.B. price. The complaints charge the advertisements are arranged in such a manner as to create the impression that fully-equipped cars so illustrated and described may be purchased at the F.O.B. or delivery point complete and ready for operation for the prices featured, or at other points for the featured prices plus the cost of transportation.

The passenger cars so advertised, the complaints aver, are not the models usually sold for the featured price, which generally is the price charged by the respondent companies for their less expensive cars. It is alleged that the cars so illustrated or described cannot be purchased at retail for the featured price at the F.O.B. or delivery point, or at the ultimate destination for such price plus transportation charges, without the payment of additional charges for added equipment and accessories constituting part of what the public understands to be a complete car ready for operation.

No. 3175. A complaint has been issued charging **H. G. Payne,** trading as **H. G. Payne Company,** 312-314 Broadway, **Nashville, Tenn.,** with the use of unfair competitive methods in the sale of merchandise.

The respondent is alleged to furnish to dealers to whom he sells his products certain devices such as punchboards and pushcards which may be used in selling the merchandise to the ultimate consumer by means of a lottery, gaming device, or gift enterprise.

No. 3176. Bloomingdale Brothers, Inc., operating a department store at Lexington Ave. and 59th St., **New York,** is charged in a complaint with misrepresenting certain wearing apparel for women.

In newspaper advertisements, the respondent corporation allegedly designated and referred to certain dresses and blouses as Windsor Crepe and as Heim Crepe, respectively. These designations, it is alleged, served as representations to the purchasing public that the garments so advertised and offered for sale were silk products, when, according to the complaint, they were not composed of silk but of other materials.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations.

No. 01108. Under a stipulation entered into with **French Clinical Laboratory and Supply Depot,** 203 College St., **San Antonio, Texas,** that corporation will abandon certain advertising representations in the sale of its preparation, FFP, French's Foot Powder, sold as a treatment for athlete's foot.

The respondent will no longer advertise that this product will cure athlete's foot and other infections at once, within a few days, or at all; that it will assure quick and permanent relief in treating this ailment and all foot odors, or that it is a sure remedy for these conditions.

No. 01750. Roman Cleanser Company, 9101 Delmar St., Detroit, will cease representing that Roman Cleanser sterilizes combs, brushes and other articles; disinfects or deodorizes, unless this assertion is accompanied by directions that the article to be disinfected or deodorized must first be washed or thoroughly cleaned, and kills germs, unless this representation is limited to oxidizable germs, or qualified by the statement that Roman Cleanser will not kill all germs, including their spores.

No. 01751. Bakon-Yeast, Inc., 4 Staple St., **New York;** Bakon-Yeast, a vitamin concentrate, for restoring vitamin deficiency.

No. 01753. Ellaline W. Chilvers and **Beatrix R. Hoyt,** trading as **May Medicine Company,** formerly **W. H. May Laboratory,** 546 Pearl St., **New York;** Dr. May's Formulas, for nervous diseases.

No. 01754. Little & Co., 612 N. Michigan Ave., **Chicago;** garlic and parsley tablets, for intestinal, kidney, liver and skin disorders.

No. 01755. Shuptrine Company, 31 Barnard St., **Savannah, Ga.;** Tetterine, for skin disorders.

No. 01756. Food Balance Corporation, 519 N. Central Ave., **Chicago;** Sil-Tea and Beverly Hall Cereal Beverage, for digestive disturbances.

No. 01758. Paul Case, trading as Cape Cod Cleaner, Brockton, Mass., stipulated that in the sale of his Cape Cod Cleaner, described as a sanitary cleaning device, he will stop advertising that any ambitious man or woman can average a dozen sales of his product daily in almost any territory, and will discontinue making unmodified claims of earnings in excess of the average earnings achieved by his full-time sales persons or dealers under normal business conditions.

No. 01759. J. E. Gessner, trading as **J. E. Gessner Company,** 207 N. Michigan Ave., **Chicago;** a preparation offered as a treatment for piles.

No. 01760. Albert N. Reay and **Fraser S. Reay,** trading as **The Reay Laboratories,** P. O. Box 1786, **San Francisco;** alcoholic extracts of the active principle of the leaves of poison oak, designated Otox and Okatox, for treatment of ivy poisoning. The respondents also agree to cease using the word "laboratories" in their trade name or otherwise representing that they own or control a laboratory or laboratories.

No. 01761. The Knox Company, Chamber of Commerce Building, **Los Angeles;** Buroids, for anemia, nervousness and constipation.

No. 01762. The Murine Company, Inc., 9 East Ohio St., **Chicago;** Murine, an eye treatment. The respondent company also agrees to stop using as an endorsement or recommendation of its product any statement of any person connected with its organization, unless the connection of such person with The Murine Company is clearly disclosed.

No. 01764. E. A. Rush, trading as **Beeman's Laboratory,** 154 Edgewood Ave., **Atlanta;** Beeman's Quick Relief (B. Q. R.), for colds, coughs, asthma and influenza.

No. 01765. The Hydrosal Company, 333 East 8th St., **Cincinnati;** Hydrosal Liquid and Hydrosal Ointment, for skin ailments.

No. 01768. M. L. Durham, Carthage, Mo.; Silver Seal Treatments, for women's ailments.

No. 01769. Gardiner Manufacturing Company, Inc., 160 Van Rensselaer St., Buffalo, selling a washing fluid designated "101", agreed to discontinue representing that the product is a sterilizer and kills germs; that it causes ivy and oak poisoning to disappear and will heal eczema and open sores, and that it deodorizes and disinfects, unless in connection with this latter claim users are directed to first thoroughly cleanse the surface to be deodorized or disinfected.

No. 01773. Royal Mfg. Co. of Duquesne, 2632 S. Dearborn St., **Chicago;** trading as Double "D" Laboratories; Vita-Min-Ol, for digestive disturbances.

No. 01774. Dr. Van Vleck Company, Jackson, Mich.; Muco Cones, Absorptive Plasma and Herb Tablets, for digestive disturbances, colds, rheumatism and piles.

No. 01775. Thornton & Minor Clinic, 926 McGee St., **Kansas City, Mo.;** Private Formula Rectal Ointment, for piles.

No. 01777. F. D. Telling, trading as **The K-Lindy Products Company,** 5713 Euclid Ave., **Cleveland;** Lindy Lotion, for skin ailments.

No. 01778. Schering Corporation, Bloomfield, N. J.; Saraka, a laxative.

No. 01779. The Hood-Lax Corporation, 132 W. 31st St., **New York;** Hood-Lax, a laxative.

No. 01797. Affiliated Products, Inc., 4316 North Kilpatrick Ave., Chicago, agreed to cease advertising that Outdoor Girl Face Powder has an olive oil base and is the only face powder containing olive oil; that it prevents or overcomes drying, wrinkling or aging of the skin, and has been ordered by Hollywood make-up experts as standard cosmetic equipment in the dressing rooms of stars in the Warner Bros.–First National Studios. The respondent company also will stop representing that the product is pure and safe "beyond question" or that it is safe for the most delicate skin.

No. 01798. Tinytone Radio Co., Kearney, Nebr., has entered into a stipulation to discontinue certain unfair representations in the sale of Tinytone Pocket Radios and Tinytone Midget Portable Radios.

Among representations used in advertising which are to be abandoned by the respondent company are: That the pocket radios have a range of 50 miles or greater under favorable conditions; that they are all-wave sets capable of being used everywhere and of working without aerials, and that they may be used to tune in on all short waves for all police or all airplane calls and may be employed while walking or while riding in cars or on bicycles, unless this latter representation is qualified to indicate the equipment and conditions necessary to produce these results.

No. 01799. Hoffman-La Roche, Inc., Nutley, N. J., in the sale of Cal-C-Malt, will discontinue advertising that the product is the only nutritive preparation which contains chemically pure vitamin C and that scientists have found vitamin C to be all important in the building of strong teeth and in keeping them and the gums sound and healthy. Representations that Cal-C-Malt is a safeguard against dental caries, diseased gums or pyorrhea and protects against infection, colds, sore throat, or anemia, will be stopped, unless such claims are limited to conditions due to or associated with vitamin C deficiency.

No. 01800. C. A. Montgomery and C. F. Aldrich, trading as **Aldrich & Montgomery,** 492 Otis Ave., **St. Paul, Minn.,** have entered into a stipulation to cease false and misleading representations in promoting the sale of photographs and frames by means of contests.

The respondents agree to stop representing that an answer to a "scrambled name" puzzle contained in contact advertisements or in radio broadcasts is alone sufficient to qualify a person to participate in any of their contests, and that neither payment of money nor the purchase of any article is necessary in order to qualify a person for participation in the contests, unless such is a fact.

No. 2016. Roy J. Troutman, Shamokin, Pa., trading as **G. E. Laboratories** and as **Great Eastern Laboratories,** has entered into a stipulation to discontinue certain unfair methods of competition in connection with the sale of Dr. Bayer's Horehound Cough Balsam.

Troutman agreed to cease using the name "Dr. Bayer's" in his trade name, and the abbreviation "Dr." or the word "Bayer's" in advertising or in labeling his product so as to imply that such product is made by The Bayer Company, Inc., of New York City, which for many years has manufactured and sold "Bayer Genuine Aspirin".

No. 2542. An order prohibiting certain unfair methods of competition, including false disparagement of competitors' products, has been entered against **Robert C. Hoffman, York, Pa.,** trading as **York Bar Bell Co., Strength & Health Publishing Co.,** and **York Athletic Supply Co.** Hoffman deals in athletic goods, sells a course of lessons in physical training and publishes a magazine entitled "Strength and Health".

In advertising his athletic apparatus and course of training, the respondent, it was found, used two portraits of himself, one of which was a photograph taken just after a serious illness which had reduced his weight by about 40 pounds, and the other taken some 20 weeks later, together with the assertion that he had increased his weight from 210 to 250 pounds by use of York bar bell exercises. According to the findings, a substantial part of the gain in weight and in physical development was due to his recovery from the illness caused by an automobile accident.

It was found that the respondent also used pictures of certain well-developed individuals in such a manner as to mislead prospective purchasers of physical training courses into the belief that such individuals attained their development through use of the respondent's system, when such was not a fact.

No. 2770. **The Coolerator Company, Duluth, Minn.,** engaged in the sale of refrigerators in which natural or artificial ice is used as the cooling element, has been ordered to cease and desist from unfairly disparaging mechanical or electrical refrigerators sold by competitors.

Findings in the case are that certain representations made by the respondent corporation in its advertising matter were either false, misleading or insufficiently qualified, and have had a tendency to mislead the public into the erroneous belief that mechanical refrigerators are undesirable and ineffective in use and harmful and dangerous to users.

No. 2801. An order to cease and desist has been issued against **The Times Sales Co., Inc.,** 1524 Chestnut St., **Philadelphia,** prohibiting certain unfair methods of competition in the sale of encyclopedias, revision and research services and magazine subscriptions.

The Commission's order prohibits the respondents' practice of effecting sales by holding or attempting to hold signers to the printed terms of contracts signed by them, irrespective of the alterations made in such printed terms by the respondents' selling agents pursuant to understandings between the agents and purchasers and by which the purchasers are induced to sign.

Findings are that certain of the respondents' agents represented to purchasers that they had authority to alter the printed terms and provisions of the contract with respect to time and terms of payment and with respect to substitution of magazines for those named in print in the contract. Pursuant to such representations, such alterations were made, but in these instances, the respondents, upon receipt of the signed contract, proceeded to its performance and enforcement the same as if binding only in accordance with the printed terms and provisions and as unaffected by the changes by which the purchaser's signature was induced. In line with this practice, the respondents, it was found, threatened signers to such contracts with suit and otherwise falsely represented that the contracts were performable and enforcible according to the printed terms, regardless of the alterations made in writing over such printed terms.

No. 2834. Rogers Candy Co., 4547 University Way, **Seattle, Wash.,** has been ordered to cease and desist from selling candy so packed and assembled that sales to ultimate purchasers may be made by means of a lottery, gaming device or gift enterprise.

The order prohibits the respondent company from packing in the same assortments for sale to the public at retail, boxes of candy together with punchboard devices which may be used in the retail sale of candy to the public.

Nos. 2935-2937-3020-3032. Disposition of four cases involving alleged violations of the Robinson-Patman Act has been announced. In two cases, orders to cease and desist were entered, and are the first such orders entered by the Commission under that Act. The two other cases were dismissed.

An order to cease and desist was entered against the **Biddle Purchasing Company, New York City,** and a group of sellers who pay brokerage fees to that company and a group of buyers who receive such fees from it. The other order to cease and desist was entered against the **Hollywood Hat Company, Inc., New York City.**

Respondents in one of the cases dismissed were **Bird & Son, Inc.,** and the **Bird Floor Covering Sales Corporation,** both of **East Walpole, Mass.,** and **Montgomery Ward & Co., Inc., Chicago.** The second case dismissed was against **Kraft-Phenix Cheese Corporation, Chicago.**

The complaint in the Biddle case charged the respondents with violation of the so-called brokerage section of the Robinson-Patman Act. The order requires the sellers to discontinue paying to the Biddle Purchasing Company any commissions on sales of commodities as brokerage, or as an allowance in lieu thereof, which commission is intended to be paid over by Biddle to any purchaser of such commodities. The buyers are ordered to cease accepting from the Biddle company any commission which has been paid to it as brokerage, or as an allowance in lieu thereof, by a seller of commodities on sales made by such seller to the buyers.

The Biddle company is directed to cease and desist from receiving from any seller any brokerage commissions if such commissions are intended to be paid over to the buyer or to be applied for his use and benefit; and also from paying to any purchaser of commodities any commission received as brokerage from the seller.

FTC DISMISSES CASE

No. 2758. The Federal Trade Commission has dismissed its complaint charging **William Freihofer Baking Co.,** 20th St. and Indiana Ave., **Philadelphia,** with unfair competition through false representations in the sale of bread.

Certain of the methods of competition alleged in the complaint as being unfair were found to have been voluntarily discontinued by the respondent, and there was lack of evidence to show that the other methods of competition alleged to be unfair were actually deceptive or misleading.

FEDERAL COMMUNICATIONS COMMISSION ACTION

No hearings are scheduled at the Commission in Washington for broadcast cases during the week beginning Monday, July 26. The following broadcast hearing is set for the field.

Tuesday, July 27

FURTHER HEARING BEFORE AN EXAMINER (Broadcast)

To Be Held in Prescott, Arizona

NEW—Southwest Broadcasting Co., Prescott, Ariz.—C. P., **1500 kc.,** 100 watts, 250 watts LS, unlimited.

NEW—W. P. Stuart, Prescott, Ariz.—C. P., **1500 kc.,** 100 watts, unlimited time.

The Broadcast Division has taken the following actions subject to ratification at its next regular meeting:

APPLICATIONS GRANTED

KXRO—KXRO, Inc., Aberdeen, Wash.—Granted extension of equipment test period ten days from July 15, 1937.

WPRA—Puerto Rico Advertising Co., Mayaguez, P. R.—Granted extension of program test period 30 days from July 20, 1937.

WDRC—Radio Station WDRC, Hartford, Conn.—Granted authority to operate antenna WDRC alternately series and shunt excited for 15 days.

KGU—Marion A. Mulroney and Advertiser Publishing Co., Ltd., Honolulu, T. H.—Granted extension program test period 30 days from July 10, 1937.

W8XPD—WHEC, Inc., Rochester, N. Y.—Granted special temporary authority to operate mobile high frequency relay-broadcast transmitter on July 14, 15, and 16, 1937.

WDZ—WDZ Broadcasting Co., Tuscola, Ill.—Granted extension special temporary authority to operate from 5 to 6 a. m., CST, period July 15 and ending in no event later than July 31, 1937, in order to reach farmers in territory surrounding WDZ who are in their fields during summer months by 5 a. m.

WTAR—WTAR Radio Corp., Norfolk, Va.—Granted special temporary authority to operate with directional antenna at will during daytime, using 1 KW power, for period not to exceed two weeks, in order to facilitate field strength measurements on coverage and to show change in field radiated in various directions.

WJAR—The Outlet Company, Providence, R. I.—Granted extension special temporary authority to operate 1-KW auxiliary transmitter as regular transmitter, for period July 19 and ending no later than August 17, pending installation of new 5-KW transmitting equipment, as authorized under C. P.

WNBR—Memphis Broadcasting Co., Memphis, Tenn.—Granted special temporary authority to rebroadcast program material originating from temporary relaybroadcast stations WAXB and WAXC, granted to and operated by Alfred J. Williams, for the broadcast of radio control acrobatics from an airplane flying over the vicinity of Memphis, on July 17.

WGVA—Glenn Van Auken, Indianapolis, Ind.—Granted special temporary authority to operate a 25-watt transmitter on **1050 kc.** during daytime hours, for period not to exceed 10 days, in order to make field strength measurements to locate site for WGVA transmitter, provided no interference is caused to other stations.

WKAT—A. Frank Katzentine, Miami Beach, Fla.—Granted modification of C. P. to make changes in authorized equipment, approval of antenna (vertical), and transmitter and studio at Dade Blvd. and Bay Road, Miami Beach, Fla.

WICA—C. A. Rowley, Ashtabula, Ohio.—Granted modification of C. P. to change type of equipment and approval of studio site at 221 Center St., Ashtabula, Ohio, and transmitter site 3 miles south of Ashtabula, on Jefferson Road, on R. Humphrey Farm, Ashtabula.

MISCELLANEOUS

In the matter of the application of Edwin A. Kraft, Petersburg, Alaska, for C. P., on which an order was heretofore entered on July 15, 1937, the Broadcast Division adopted and published a statement of facts and grounds for decision.

In the matter of the application of Owensboro Broadcasting Co., Owensboro, Ky., for C. P., on which an order was heretofore entered on June 15, 1937, the Broadcast Division adopted and published a statement of facts and grounds for decision.

In the matter of the application of The Nation's Center Broadcasting Co., Inc. (KWBG), Hutchinson, Kans., for C. P., on which an order was heretofore entered on May 18, the Broadcast Division adopted and published a statement of facts and grounds for decision.

In the matter of the application of The Yankee Network, Inc. (WAAB), Boston, Mass., for modification of license, on which an order was heretofore entered on May 18, 1937, the Broadcast Division adopted and published a statement of facts and grounds for decision.

In the matter of Harold M. Finlay and Eloise Finlay, La Grande, Ore., for C. P., on which an order was heretofore entered on June 15, 1937, the Broadcast Division adopted and published a statement of facts and grounds for decision.

Granted petition of Attala Broadcasting Co. (WHFF) to intervene in the proceedings upon the application of Standard Life Ins. Co. of The South for a new station at Jackson, Miss., Docket 4510.

Denied petition of the Ventura County Star and Merced Star Publishing Co., Inc., for a 90-day extension of the effective date of the Commission's decision upon its application for C. P. for new station at Ventura, Calif., Docket No. 3469.

Granted the petition of Pacific Radio Corp. (KOOS), Marshfield, Ore., for an extension of time until August 3, 1937, within which to file exceptions to Examiner's Report No. 1-453, upon its application for voluntary assignment of license, Docket 4473.

Denied motion of Milwaukee Broadcasting Co. (WEMP), Milwaukee, Wis., to withdraw its application for C. P. without prejudice, Docket No. 3892, and entered its final order dismissing same with prejudice, as follows:

The Commission, having heretofore entered its order denying the following application and the applicant having subsequently requested withdrawal of the application without prejudice, denied the petition to withdraw without prejudice, and upon the basis of statements contained in the verified petition, this day entered its final order as indicated herein:

WEMP—Ex. Rep. 1-315: Milwaukee Broadcasting Co., Milwaukee, Wis.—Dismissed with prejudice application for C. P. to install new equipment; change frequency from **1310 kc.** to **1010 kc.**; increase power from 100 to 250 watts night, 500 watts day; and change hours of operation from daytime to unlimited.

The order as herein entered shall be effective at 3 a. m., EST, July 14, 1937.

EXAMINERS' REPORTS RELEASED SINCE JULY 13, 1937

NEW—Ex. Rep. 1-458: Food Terminal Broadcasting Co., Cleveland, Ohio.—Examiner John P. Bramhall recommended grant of C. P. for new station to operate on **1500 kc.**, 100 watts, daytime.

WBCM—Ex. Rep. 1-459: James E. Davidson, Bay City, Mich.—Examiner Robert L. Irwin recommended grant of modification of license to increase power from 500 watts to 500 watts night, 1 KW day. Station operates on **1410 kc.**, unlimited time.

WORL—Ex. Rep. 1-460: Broadcasting Service Organization, Inc., Boston, Mass.—Chief Examiner Davis G. Arnold recommended grant of C. P. to increase power from 500 watts to 1 KW and hours of operation from daytime to unlimited.

NEW—Ex. Rep. 1-461: Ann Arbor Broadcasting Co., Inc., Ann Arbor, Mich.—Examiner George H. Hill recommended denial of C. P. for new station to operate on **1550 kc.**, 1 KW, unlimited time.

NEW—Ex. Rep. 1-462: General Electric Company, Belmont, Calif. —Examiner George H. Hill recommended grant of C. P. to construct a new international broadcast station to operate on **9530** and **15330 kc.**, with power of 20 KW, during unlimited hours, in accordance with Rule 983.

WLB—Ex. Rep. 1-463: University of Minnesota, Minneapolis, Minn.—Examiner P. W. Seward recommended grant of C. P. to change frequency from **1250 kc.** to **760 kc.**; increase power from 1 to 5 KW, daytime to local sunset, in accordance with tentative time-sharing agreement heretofore entered into between stations WLB and WCAL.

WCAL—St. Olaf College, Northfield, Minn.—Examiner Seward recommended grant of C. P. to change frequency from **1250 kc.** to **760 kc.**, power from 1 KW, 2½ KW LS, to 5 KW, daytime to local sunset, in accordance with the tentative time-sharing agreement heretofore entered into between stations WCAL and WLB.

WTCN—Minn. Broadcasting Corp., Minneapolis, Minn.—Examiner Seward recommended grant of modification of license to operate unlimited time on **1250 kc.** if applications of WLB and WCAL are granted. In event they are denied, then it is recommended application of WTCN be denied.

APPLICATIONS RECEIVED

First Zone

WESG—Cornell University, Elmira, N. Y.—Extension of special
1040 experimental authorization to operate on **850 kc.**, daylight to sunset at New Orleans, La., period 8-1-37 to 2-1-38.

WTIC—The Travelers Broadcasting Service Corporation, Hartford,
1060 Conn.—Extension of special experimental authorization to change frequency from **1060 kc.** to **1040 kc.**, and hours of operation from share with WBAL to simultaneous operation with KRLD (unlimited) for period from 8-1-37 to 2-1-38.

WBAL—The WBAL Broadcasting Company, Baltimore, Md.—
1060 Extension of special experimental authorization to change hours of operation from share with WTIC to daily simultaneous operation on **1060 kc.** with KTHS, from 6 a. m. to local sunset at Hot Springs, Ark., from local sunset to 9 p. m., unlimited, on **1060 kc.** will synchronize with WJZ on **760 kc.**, from 9 p. m., with power of 2½ KW, period from 8-1-37 to 2-1-38, using directional antenna.

XXX—National Broadcasting Co., Inc., New York, N. Y.—Extension of authority to transmit programs to stations CFCF and CRCT, and the Canadian Broadcasting Corp.

XXX—Columbia Broadcasting System, Inc., New York, N. Y.—Extension of authority to transmit programs to stations CFRB and CKAC, and stations of the Canadian Broadcasting Corporation.

NEW—WHEC, Inc., Rochester, N. Y.—Construction permit for a high frequency relay broadcast station on **31100, 34600, 37600, 40600 kc.**, 2 watts power.

NEW—Columbia Broadcasting System, Inc., Washington, D. C.—Construction permit for a low frequency relay broadcast station on **1646, 2090, 2190, 2830 kc.**, 50 watts power.

NEW—Columbia Broadcasting System, Inc., Boston, Mass.—Construction permit for a high frequency broadcast station on **31600, 35600, 38600, 41000 kc.**, 100 watts power. Amended to cancel frequencies **31600, 35600, 38600, 41000 kc.** and add frequencies **88000, 123000, 164000, 205000 kc.**

Second Zone

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Exten-
610 sion of special experimental authorization to operate with 500 watts additional power from 9-1-37 to 3-1-38.

WBLK—The Exponent Co., Clarksburg, W. Va.—Authority to
1370 install new automatic frequency control equipment.

WMBS—Fayette Broadcasting Corp., Uniontown, Pa.—License to
1420 cover construction permit (B2-P-1398) as modified for new station.

Third Zone

WDAE—Tampa Times Co., Tampa, Fla.—Modification of license
780 to change frequency from **1220 kc.** to **780 kc.**, install directional antenna for day and night use.

KTHS—Hot Springs Chamber of Commerce, Hot Springs, Ark.—
1040 Extension of special experimental authorization to change frequency from **1040 kc.** to **1060 kc.**, hours of operation from S-KRLD to simultaneous WBAL from 6 a. m. to local sunset daily, suspend until 8 p. m., and unlimited from then until midnight, for period to 2-1-38.

KRLD—KRLD Radio Corporation, Dallas, Tex.—Extension of
1040 special experimental authorization to operate simultaneously with WTIC for period from 8-1-37 to 2-1-38.

KHBG—Okmulgee Broadcasting Corporation, Okmulgee, Okla.—
1210 Modification of construction permit (B3-P-1224) for new station on **1210 kc.**, 100 watts, daytime, requesting changes in equipment and approval of transmitter at 20th and Okmulgee Streets, Okmulgee, Okla., and studio site at 117 S. Muskogee, Okmulgee, Okla.; approval of antenna.

KUOA—KUOA, Inc., Siloam Springs, Ark.—Modification of license
1260 to increase day power from 2½ KW to 5 KW.

WGTM—H. W. Wilson and Ben Farmer, Wilson, N. C.—License
1310 to cover construction permit (B3-P-1286) as modified for new station.

NEW—Amarillo Broadcasting Corp., Amarillo, Tex.—Construction
1500 permit for a new station on **1500 kc.**, 100 watts, unlimited time.

W4XKB—Station WIS, Inc., Columbia, S. C.—License to cover construction permit (B3-PRE-101) for relay broadcast station on **31100, 34600, 37600, 40600 kc.**, 2 watts power.

WAXD—The Birmingham News Co., Birmingham, Ala.—License to cover construction permit (B3-PRY-39) for new relay station.

Fourth Zone

WNAX—WNAX Broadcasting Co., Yankton, S. Dak.—Authority
570 to transfer control of corporation from Chas. H. Gurney to South Dakota Broadcasting Corp., 1500 shares Class A Common and 500 shares Class B Common stock.

KFEQ—KFEQ, Inc., St. Joseph, Mo.—Modification of construc-
680 tion permit (B4-P-1690) to install vertical antenna, move transmitter locally, requesting further authority to move transmitter from 6¾ miles southeast of St. Joseph, Mo., to 5⅜ miles southeast of St. Joseph, Mo.; extend commencement and completion dates 5 and 150 days, respectively.

WEAU—Central Broadcasting Co., Eau Claire, Wis.—Authority to
1050 transfer control of corporation from Morgan Murphy to Elizabeth B. Murphy 60 shares of common stock.

KROC—Southern Minnesota Broadcasting Co., Rochester, Minn.—
1310 License to cover construction permit (B4-P-1695) for equipment changes and increase power. Amended re equipment.

KVGB—Ernest Edward Ruehlen, Great Bend, Kans.—Construc-
1370 tion permit to make changes in automatic frequency control equipment. Amended re equipment.

KVGB—Ernest Edward Ruehlen, Great Bend, Kans.—Authority
1370 to install new automatic frequency control.

WCBS—WCBS, Inc., Springfield, Ill.—Construction permit to in-
1420 stall a new transmitter, increase power from 100 watts to 100 watts night, 250 watts day, change hours of operation from specified hours to unlimited time.

W9XJL—Head of the Lakes Broadcasting Co., Superior, Wis.—Modified license to delete frequencies **31600, 35600, 38600, 41000 kc.** and request **25950 kc.** only. Amended to request frequency **26100 kc.** instead of **25950 kc.**

NEW—Head of the Lakes Broadcasting Co., Duluth, Minn.—Construction permit for relay broadcast station on **31100, 34600, 37600, 40600 kc.**, 2 watts.

Fifth Zone

KMPC—Beverly Hills Broadcasting Corp., Beverly Hills, Calif.—
710 Special experimental authorization to operate unlimited time from 8-1-37 to 2-1-38.

KYA—Hearst Radio, Inc., San Francisco, Calif.—Construction
1230 permit to use old RCA 1001-B transmitter as an auxiliary transmitter and move transmitter from 1231 Market St., San Francisco, Calif., to Bayview Park, San Francisco, Calif., using 1 KW power.

KOL—Seattle Broadcasting Co., Inc., Seattle, Wash.—Authority
1270 to install automatic frequency control.

KOL—Seattle Broadcasting Co., Inc., Seattle, Wash.—License to
1270 cover construction permit (B5-P-1352) as modified for equipment changes.

NEW—Shirley D. Parker, Yakima, Wash.—Construction permit
1310 for a new station to be operated on **1310 kc.**, 100 watts night and 250 watts day power, unlimited time.

KICA—Western Broadcasters, Inc., Clovis, N. Mex.—Construc-
1370 tion permit for approval of antenna and move of transmitter from 203 Main St., Clovis, N. Mex., to 10th at Hillcrest Park, Clovis, N. Mex.

NEW—Tom Olsen, Port Angeles, Wash.—Construction permit for
1500 a new station to be operated on **1420 kc.**, 100 watts power, unlimited time. Amended: Change frequency from **1420 kc.** to **1500 kc.**, power from 100 to 250 watts, hours of operation from unlimited to daytime only.

NEW—Columbia Broadcasting System, Inc., Los Angeles, Calif.—Construction permit for a relay broadcast station on **1646, 2090, 2190,** and **2830 kc.**, 50 watts power.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

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FLORIDA BROADCASTERS MEET

The Florida Association of Broadcasters held their second annual convention in Jacksonville on Sunday, July 25, in the George Washington Hotel. Every station in the state was represented at the meeting. The newly elected officers are: W. Walter Tison, WFLA, President; L. S. Mitchell, WDAE, Secretary-Treasurer; Harold P. Danforth, WDBO, First Vice President; Executive Committeemen—John R. Beechem, WJNO, and Henry G. Wells, WCOA.

FLORIDA MEETING ATTENDED BY BALDWIN

James W. Baldwin, managing director of the NAB, attended the meeting of the Florida Association of Broadcasters held in Jacksonville, Sunday, July 25.

FCC CHAIRMAN PRALL DEAD

Anning S. Prall, chairman of the Federal Communications Commission and member of that body since January, 1935, died on July 23, of heart trouble at his summer home in Maine following a brief illness.

Funeral services were held on Tuesday at the Port Richmond Dutch Reformed Church, Port Richmond, Staten Island, N. Y. As a mark of respect the Commission was closed during the funeral and for the remainder of the day on Tuesday.

As a tribute to Mr. Prall the 700 broadcasting stations of the country were asked by NAB to remain silent for a period of one minute at 12 o'clock noon, eastern daylight time, Monday.

James W. Baldwin, managing director of NAB, attended the funeral on behalf of the association.

Mr. Prall entered on duty at the Commission on January 17, 1935, having been appointed by President Roosevelt to succeed Hampson Gary who resigned.

Mr. Prall was confirmed by the Senate without opposition on January 15, and after taking the oath of office his colleagues named him chairman of the Broadcast Division of the Communications Commission.

He was appointed a member of the Federal Radio Commission by President Roosevelt on February 22, 1934, but because of responsibilities in the House of Representatives, of which he was then a member, he did not qualify.

His services in the House covered a period of 12 years. He was elected first to the 68th Congress in 1923, and re-elected to each succeeding Congress including the 73rd. He retired from membership in the House on January 3, 1935.

Prior to becoming a member of the Congress of the United States, Mr. Prall served as a member of the Board of Taxes and Assessments of the City of New York, and for three times was elected President of the Board of Education of New York City.

Mr. Prall was of Dutch ancestry. His progenitors settled on Staten Island (now the Borough of Richmond, New York City), in 1653, being the fourth family of Dutch immigrants to settle there. He was married and the father of two sons, Anning Mortimer and Bryan William. He was a member of the Holland Society in New York; a governor of the Downtown Athletic Club; a member of the Fox Hills Golf Club; Columbia Country Club of Chevy Chase, Maryland, Chamber of Commerce, Board of Trade Transportation, and other fraternal, social and civic organizations.

The Communications Commission adopted the following resolution:

WHEREAS, The Federal Communications Commission has in the death of its Chairman, Anning S. Prall, lost a wise and valuable public servant, devoted to the interest of the people of the United States, an indefatigable worker, and a courteous comrade, be it therefore resolved:

That the Federal Communications Commission hereby places on its permanent records this memorial:

"In memory of Anning S. Prall, Chairman of the Federal Communications Commission from March 11, 1935, to the time of his death, July 23, 1937. He made valuable contributions to the work of this Commission and to the art of communication in all its phases."

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BALDWIN AT A. F. OF M. MEETING

James W. Baldwin, Managing Director of the NAB, is attending the meetings of the American Federation of Musicians being held in New York this week.

CHANGES RECOMMENDED FOR WBOW

Broadcasting station WBOW, Terre Haute, Ind., operating unlimited time on 1310 kilocycles, 100 watts and 250 watts LS, applied to the Federal Communications Commission to change its frequency to 1290 kilocycles, with 500 watts and 1,000 watts LS. At the same time Glenn E. Webster applied to the Commission for a construction permit for a new station at Decatur, Ill., to use 1290 kilocycles, 250 watts and daytime operation.

Examiner Melvin H. Dalberg in Report No. I-465 recommended that the application of WBOW be granted and that of Glenn E. Webster be denied. He states that there appears to be a definite need for additional service of WBOW while the need for the other application is in a much lesser degree. The Examiner stated also that "the financial showing of the applicant, Glenn E. Webster, is extremely meagre and obviously insufficient to operate the station he proposed over any substantial period of time."

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Nos. 3182-3184. Two **Chicago** dealers in merchandise are charged with use of unfair competitive methods through promotion of sales by means of lotteries or gift enterprises, in complaints against **Joseph W. Graff**, 4224 Lincoln Ave., trading as **The Sylvan Co.**, and **Theodore H. Koolish**, 538 South Dearborn St., trading as **Universal Specialties Co.**

The respondent companies sell various items of merchandise, including clocks, radios, pen and pencil sets, food mixers and cameras.

Customers of the two dealers were furnished with pushcard devices, permitting the drawing of prizes by chance through selection of certain feminine names, according to the complaint, and such devices were allegedly used in the sale of products to ultimate consumers.

No. 3183. Alleging the use of false and misleading representations in the sale of soap, in violation of Section 5 of the Federal Trade Commission Act, a complaint has been issued against **Richard I. Stewart, Anaheim, Calif.**, trading as **Avocado Soap Products Co.**

Stewart's advertising literature is alleged to have contained representations tending to create the impression that the soap he makes and sells contains a substantial amount of avocado oil; that this soap is nature's aid to beauty and is highly recommended by beauty specialists.

No. 3185. Charging false and misleading representations in the sale of **Cal-A-Mo Reducing Bath**, a complaint has been issued against **Guy J. Banta**, 706 South Hill St., **Los Angeles**, trading as **Cal-A-Mo Laboratories.**

In newspaper and periodical advertising and radio announcements, the respondent is alleged to have made representations tending to deceive buyers into believing that he is a manufacturer of a reducing preparation, maintaining a laboratory for that purpose, and that his product, Cal-A-Mo Reducing Bath, is in fact a safe, efficient and harmless preparation for effectively reducing weight and excess fat.

No. 3186. An unlawful conspiracy to fix and maintain uniform minimum prices and uniform maximum discounts is alleged in a complaint issued against **Covered Button and Buckle Creators, Inc.**, its officers and directors, and approximately 150 member companies engaged in manufacturing and selling upwards of 90 per cent of all the covered buttons, buckles and novelties produced in the United States.

The complaint charges that the respondents falsely represented, in a widely-circulated advertisement, that their uniform price and discount policy was initiated and enforced by and through the means of trade practice rules approved by the Federal Trade Commission for the covered button and buckle manufacturing industry promulgated April 9, 1937.

The respondents are located principally in New York City, and their acts and practices as set out in the complaint are said to constitute unfair methods of competition, in violation of Section 5 of the Federal Trade Commission Act.

No. 3187. Alleging the use of unfair methods of competition in the sale of women's leather purses and gloves, a complaint has been served upon the **Elite Glove Company, Inc., Gloversville, New York.**

Imprinted upon certain of the respondent company's purses and gloves and the containers thereof, according to the complaint, are the words, in Old English type, "Lady Daphne—A British Doeskin" or "Lady Daphne—A British Suede," together with the words "Made in U. S. A." in much smaller type. These words, purporting to be descriptive of the respondent company's products, also are said to appear in newspaper and magazine advertisements and in catalogs.

The complaint alleges that use of the name "Lady Daphne" said to be indicative of British royalty, in connection with the words "A British Doeskin" or "A British Suede," and the disparity of the size of the letters used therein as compared with the size of the type in the phrase "Made in U.S.A.", serve as representations and lead customers into the belief that the leather used in the manufacture of the respondent company's products is processed into a finished leather in England and imported into the United States, where it is made into gloves and purses.

No. 3188. Misrepresentation of the properties and therapeutic value of Lavoptik Eye Wash is alleged in a complaint issued against **Lavoptik Company, Inc.**, Michigan Ave. and 7th St., **St. Paul, Minnesota.**

Advertising in newspapers, magazines, booklets, and by radio, the respondent company is alleged to have falsely represented that its preparation has been endorsed by 6,000 medical doctor eyesight specialists, and falsely implied that it is a cure for diseases of the eye or impaired vision; that it strengthens the nerves of the eye, relieves eye strain, and makes the eyes healthier and more efficient.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 01752. Ann J. MacHale, Inc., 101 Fifth Ave., will discontinue advertising that MacHale's Hair Color Restorer is not a dye and has been used by men and women for many years with excellent results in bringing back color to faded, gray hair. The respondent corporation agreed not to designate its product as "Hair Color Restorer."

No. 01757. H. E. Curtiss, trading as C. E. Curtiss and as The Enterprise Press, 41 Alleghany St., Corfu, N. Y., in his stipulation, agrees to cease representing that his book, the Showman's Guide, exposes and lays bare the black art and that any of his books provides insight into a mystic secret writing system, or constitutes a rare collection of golden secrets or is a gypsy oracle fortune teller.

No. 01763. The R. L. Watkins Company, 170 Varick St., will cease representing that its Mulsified Cocoanut Oil Shampoo cannot possibly injure the most tender scalp; that scientists say it is the safe and best preparation to use for healthy, beautiful hair, and that it restores to the hair natural oils and youthful beauty.

No. 01767. Segal Safety Razor Corporation, 270 Broadway, selling shaving sets consisting of a case, a Segal unitary razor, a brush, and blades, will desist from advertising that the brush is germ-proof and the razor rust or tarnish-proof.

No. 01771. Arthur Abrhams Navello, trading as Navello System, 105 W. Madison St., Chicago, selling a correspondence course in singing and crooning, agrees to cease advertising that his booklet of instructions will enable one to learn to sing or croon and to have a trained singing voice or become an accomplished singer or crooner in 10 easy home lessons. He will also stop asserting that his course enables one to acquire the secrets of easy, natural singing without learning musical terms or engaging in tedious study.

No. 01772. Winslow W. Chase, trading as The Taxley Co., 450 Randolph St., N. W., Washington, D. C., selling a device designated "Don't Snore", agrees to stop representing that use of the device prevents or overcomes snoring, mouth-breathing or attendant ills, unless this is properly qualified. The respondent admits in his stipulation that, according to reliable medical authority, there are many pathological and anatomical causes of snoring which could not be remotely affected by such a device as he sells. He also will not assert that the product is invaluable in cases of asthma, catarrh, hay fever, common colds and insomnia, and that benefits may be derived from its use by singers, public speakers and athletes.

No. 01776. Mrs. J. G. Morris, trading as Morris Orthopedic Institute, 7th St. and Broadway, Los Angeles, sells a device designated Morris Limb Straightener, and agrees to stop representing it as such unless the reference is limited to the limbs of children or young people. In her stipulation, the respondent admits that, according to reliable scientific opinion, the value of her product is limited in its use to aiding in straightening the limbs of children or young people.

No. 01780. Chester Miller, trading as Goldentone Radio Co., 8780 Grand River Ave., Dearborn, Mich., agrees to abandon the assertion in advertising that any of the radio receiving sets he sells will afford world-wide reception and that this can be guaranteed. In his stipulation, he admits that while radios are being sold which will afford reception of programs emanating from foreign stations, consistent world-wide reception is still unaccomplished in radio development. Miller also agrees to stop asserting that his sets are used by the United States Forestry Service.

No. 01809. Certain false and misleading advertising practices in connection with the sale of a hair tonic and a shampoo will be discontinued by **Wildroot Company, Inc.,** 1490 Jefferson Ave., **Buffalo,** under a stipulation entered into.

The company will cease representing that Wildroot Hair Tonic cleans up dandruff completely, unless qualified by the explanation that repeated and continued use is necessary to obtain this result; that it is an effective treatment for falling hair, unless limited to those cases of falling hair due to seborrheal eczema, and that it regulates the flow of oil, thereby stimulating the growth of hair.

No. 2017. New Method File Grinders, Inc., 609 Fulton St., **Chicago,** has entered into a stipulation to discontinue unfair methods of competition in the sale of files.

According to the stipulation, the company purchased old, worn files from large manufacturing concerns, resharpened and reconditioned them, and sold them in interstate commerce without disclosing that they were not new or that they were second-hand files which had been reconditioned.

Nos. 2447-2454. Fairfield Distilling Company and **Byrd Distilling Company,** both of **Louisville, Ky.,** have been ordered to cease and desist from representing that they are distillers of alcoholic beverages, when such is not a fact.

The respondent companies are ordered to discontinue representing through use of the word "Distilling" in their corporate names, in advertising matter, on labels, or otherwise, that they distill whiskies, gins or other spirituous beverages; that they manufacture such products through the process of distillation, or that they own or operate distilleries, unless they do own or operate such places.

No. 2948. Eastern Pharmacal Company, Inc., 1 Herriot St., **Yonkers, N. Y.,** selling a liquid pharmaceutical product under the name "Aspiral," has been ordered to discontinue using that name or any word containing the letters "Aspir" as a trade name or designation, unless at the time of its sale the product is acetyl salicylic acid, commonly known to the public as aspirin.

The respondent company also is directed to cease and desist from representing that Aspiral is aspirin and that Elixir Aspiral offers the better way of prescribing aspirin.

No. 3121. Joe Anderson, New Bern, North Carolina, trading as **The A. & O. Co.,** has been ordered to cease and desist from making certain deceptive, misleading and exaggerated representations in connection with the sale of a pharmaceutical preparation designated "A. & O.", advertised in newspapers, magazines, catalogs and by radio as an adequate treatment for colds.

Among the representations ordered discontinued are that the preparation relieves and cures the most stubborn colds when other treatments fail, and gives instant, guaranteed or effective relief from the first dose; that it protects one from influenza, pneumonia or serious lung trouble, clears the digestive tract, restores the system to normal, and is quicker and safer than pills and salve.

Nos. 3177-3178-3179-3180-3181. Five dealers in merchandise are charged with use of unfair competitive methods through promotion of sales by means of lotteries or gift enterprises under complaints. Four of the respondents have headquarters in **Chicago** and one in **Jersey City, N. J.**

Complaints have been served against the following **Chicago** dealers: **Frieda Wolchin,** 418 South Wells St., trading as **Wright Manufacturers Distributing Co.,** and **J. C. Robertson,** 117 West Harrison St., trading as **Novelty Distributing Co.,** both dealers in clocks; **E. I. Donahue,** 407 South Dearborn St., trading as **Donahue Advertising Co.,** dealing in electric clocks, kitchen cutlery sets and other articles; and **Carlton, Inc.,** 17 North Wabash Ave., trading as **Carlton Sales Co.,** dealer in men's and women's wearing apparel. The **Jersey City** dealer named as respondent is **Hyman Mendels,** 113 Hudson St., a clock dealer trading as **J. J. Henderson.**

Customers of the five dealers were furnished with pushcard devices, permitting the drawing of prizes by chance through selection of certain feminine names, according to the complaints, and such devices were allegedly used in the sale of products to ultimate consumers.

FTC CLOSES CASE

No. 2965. The Federal Trade Commission has closed its case against **Shuford Hosiery Mills, Inc., Hickory, N. C.,** for the reason that the objectionable practices complained of have been discontinued and it does not appear that the respondent company will resume them.

The company was charged with labeling certain hosiery in a manner tending to cause purchasers to believe it was composed substantially of silk when such was not a fact.

The Commission reserved its right to reopen the case, should the facts warrant, and resume prosecution of the complaint in accordance with its regular procedure.

FEDERAL COMMUNICATIONS COMMISSION ACTION

No hearings are scheduled at the Commission in broadcast cases during the week beginning August 2.

The Broadcast Division took the following actions subject to ratification at the next regular meeting of the Division:

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KDKA and alternate, Pittsburgh, Pa.; KEX, Portland, Ore.; KFAB, Lincoln, Nebr.; KFEQ, St. Joseph, Mo.; KFI and auxiliary, Los Angeles; KFVD, Los Angeles; KGDM, Stockton, Calif.; KGO and auxiliary, San Francisco; KIEV, Glendale, Calif.; KIRO, Seattle, Wash ; KJBS, San Francisco; KJR and auxiliary, Seattle, Wash.; KMMJ, Clay Center, Nebr.; KNX, Los Angeles, Calif.; KOA, Denver; KOB, Albuquerque, N. M.; KPO, San Francisco; KRLD, Dallas, Tex.; KTHS. Hot Springs National Park, Ark.; KVOO, Tulsa, Okla.; KWKH, Shreveport, La.; KXA, Seattle, Wash.; KYW, Philadelphia; WAAW, Omaha, Nebr.; WBAL, Baltimore, Md.; WBAP, Fort Worth, Tex.; WBBM and auxiliary, Chicago; WBIL, New York City; WBT, Charlotte, N. C.; WBZ, Boston, Mass.; WBZA, Boston; WCAU and auxiliary, Philadelphia; WCAZ, Carthage, Ill ; WCBD, Chicago; WCCO, Minneapolis; WCFL, Chicago, Ill., and auxiliary; WDGY, Minneapolis; WDZ, Tuscola, Ill.; WEEU, Reading, Pa.; WENR and auxiliary, Chicago; WEW, St. Louis, Mo.; WFAA, Dallas, Tex.; WGN, Chicago; WGY and auxiliary, Schenectady; WHAM and auxiliary, Rochester, N. Y.; WHAS, Louisville, Ky.; WHB, Kansas City, Mo.; WHDH and auxiliary, Boston; WHEB, Portsmouth, N. H.; WHKC, Columbus, Ohio; WHO, Des Moines, Iowa; WIBG, Glenside, Pa.; WINS, New York City; WJR and auxiliary, Detroit, Mich.; WJZ and auxiliary, New York City; WKAR, East Lansing, Mich.; WLS and auxiliary, Chicago; WMAQ, Chicago; WMAZ, Macon, Ga., and auxiliary; WMBI, Chicago; WOAI, San Antonio, and auxiliary; WOI, Ames, Iowa; WOV, New York City; WOWO, Fort Wayne, Ind ; WPG, Atlantic City, N. J.; WRVA, Richmond, Va.; WSAZ, Huntington, W. Va.; WSB and auxiliary, Atlanta, Ga.; WSPR, Springfield, Mass.; WTAM, Cleveland, Ohio; WTIC, Hartford, Conn.; WWVA and auxiliary, Wheeling, W. Va.; WJJD, Chicago; WLW, Cincinnati; WSM, Nashville, Tenn.; WPTF and auxiliary, Raleigh, N. C.; KMOX, St. Louis, Mo.; KSL, Salt Lake City; KTRB, Modesto, Calif.; KYOS, Merced, Calif.; WABC-WBOQ, New York City; WATR, Waterbury, Conn.; WEAF and auxiliary, New York City; WNYC, New York City, and auxiliary; WOR and auxiliary, Newark, N. J.; WTBO, Cumberland, Md.; WWL, New Orleans, La.

The following stations were granted renewal of licenses for the period ending January 1, 1938:

KRMC, Jamestown, N. Dak.; WMFJ, Daytona Beach, Fla.; KNET, Palestine, Tex.; WJBK, Detroit, Mich.

APPLICATIONS GRANTED

WAPO—Broadcast Station WAPO, Chattanooga, Tenn.—Granted authority to remain silent for a period not to exceed 10 days in accordance with Rule 151.

WAPY—Broadcast Station WPAY, Portsmouth, Ohio.—Granted authority to remain silent period not to exceed 10 days in accordance with Rule 151, provided licensed operator cannot be obtained.

WTAR—WTAR Radio Corp., Norfolk, Va.—Granted extension program test period 30 days from July 21, 1937.

WCKY—L. B. Wilson, Inc., Covington, Ky.—Granted extension equipment test period 10 days from July 20, 1937.

KROC—Southern Minnesota Broadcasting Co., Rochester, Minn.—Granted extension program test period 30 days from July 24, 1937.

WMBG—Havens & Martin, Inc., Richmond, Va.—Granted extension program test period 30 days from July 23.

WIBX—WIBX, Inc., Utica, N. Y.—Granted extension equipment test period 10 days from July 23, 1937.

W9XVP-W9XVQ—Minn. Broadcasting Corp., Minneapolis, Minn.—Granted special temporary authority to operate two mobile high frequency relaybroadcast transmitters, RCA Model ATR, on **31100, 34600, 37600, 40600 kc.,** 1 watt, for period of 30 days, for relaybroadcast from State Amateur Golf Tournament and St. Paul Open Tournament for rebroadcast over WTCN.

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Granted extension special temporary authority to operate with two 350-foot towers spaced five-eighths of a wave for the period beginning July 21 and ending no later than July 30, while the 250-foot tower is taken down and moved to the proper location in the new three element array as authorized by C. P. granted 3-9-37.

W3XPF—Farnsworth Television, Inc., of Pennsylvania, Philadelphia.—Granted special temporary authority to conduct equipment tests of a 250-watt exciter unit, for the period July 21 to August 19, 1937.

KPRC—Houston Printing Corp., Houston, Tex.—Granted extension special temporary authority to operate with power of 5 KW night for the period beginning July 23, 1937, and ending no later than August 21, 1937.

WQDM—Regan & Bostwick, St. Albans, Vt.—Granted special temporary authority to operate from 5 to 7:30 p. m., EDST, July 27, August 4, 12, 17, 19, 1937; 2 to 3:30 p. m. and 5 to 6 p. m., EDST, July 31, August 7, 14, and from 2 to 6 p. m., EDST, August 1, 22, 1937, in order to broadcast sponsored baseball games.

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted extension special temporary authority to operate from 8:30 to 9 a. m., EST, Morning News Roundup; 9 to 9:30 a. m., EST, Morning Musicale; 9:30 to 9:45 a. m., EST, Band Music; 9:45 to 10 a. m., EST, Organ Program; 2 to 2:15 p. m., EST, Transradio Newscast; 2:15 to 2:30 p. m., EST, Organ Recital; 2:30 to 2:45 p. m., EST, five familiar tunes; and 2:45 to 3 p. m.. EST, Sons of the Pioneers musical program, for the period beginning July 31 and ending no later than August 29, 1937, provided WSVS remains silent.

WSAY—Brown Radio Service Lab., Rochester, N. Y.—Granted special temporary authority to operate between hours of 1 a. m. and sunrise, EST, for the period July 22 and ending no later than August 30, 1937, for the purpose of taking graphic records of the sky wave of WSAY at Jamestown, N. Y., Wilkes-Barre, Pa.. and Sunbury, Pa. However, no operation permitted during hours prescribed for monitor schedule.

WEST—Associated Broadcasters, Inc., Easton, Pa.—Granted extension special temporary authority to operate simultaneously with WKBO from 10 to 11 a. m. and from 5 to 6 p. m., EST, for the period July 23 to August 22, 1937, inclusive, due to adoption of Daylight Saving Time in Easton.

KNX—Columbia Broadcasting System, Inc., Los Angeles, Calif.—Granted special temporary authority to rebroadcast over station KNX a short wave pickup from California National Guard plane operating on frequency **3485 kc.,** for period of 8 consecutive Sundays beginning July 25, between hours of 4:15 and 4:30 p. m., PST.

W10XAB—C. J. MacGregor, Mobile (Ellesmere Island Area).—Granted C. P. and license, frequencies **2398, 3492.5, 4797.5, 6425, 8655, 12862.5, 17310, 31100, 34600, 37600, 40600, 86000** to **400000 kc.,** 40 watts; to communicate as an experimental broadcast station in accordance with Rules 1070, 1072, 1074 and 1076; hours of operation unlimited in accordance with Rule 983.

W9XSN—The Champaign News-Gazette, Inc., Mobile, Champaign, Ill.—Granted license to cover C. P., frequencies **39700, 39900, 40800** and **41400 kc.,** on experimental basis, and these frequencies subject to change without prior notice or hearing; 2 watts; to communicate as relaybroadcast station in accordance with Rules 1000, 1001 (b) and 1003 (e); hours of operation in accordance with Rules 983 and 1004. Location: Mobile.

W4XES—C. G. Hill, George D. Walker, Susan H. Walker, Winston-Salem, N. C., Mobile.—Same as above, except 5 watts.

W3XGM—Reading Broadcasting Co., Reading, Pa., Mobile.—Same as above, except 1 watt power.

WDAF—The Kansas City Star Co., Kansas City, Mo.—Granted license to cover C. P. and modifications thereof, **610 kc.,** 1 KW night, 5 KW day, unlimited time. Also granted authority to determine operating power by direct measurement of antenna input.

KAGM—Hirsch Battery & Radio Co., Cape Girardeau, Mo., Mobile.—Granted license to cover C. P., frequencies **1622, 2058, 2150, 2790 kc.,** 50 watts, to communicate as relaybroadcast station.

WCOC—Mississippi Broadcasting Co., Inc., Meridian, Miss.—Granted modification of C. P. for extension of completion date from July 10 to September 10.

KRIS—Gulf Coast Broadcasting Co., Corpus Christi, Tex.—Granted license to cover C. P. and modifications thereof, **1330 kc.,** 250 watts night, 500 watts day, unlimited.

KRIS—Gulf Coast Broadcasting Co., Corpus Christi, Tex.—Granted license to cover modification of C. P., **1330 kc.,** 500 watts, unlimited time.

KOKO—The Southwest Broadcasting Co., La Junta, Colo.—Granted license to cover C. P., **1370 kc.,** 100 watts, unlimited time.

KOBH—Black Hills Broadcasting Co., Rapid City, S. Dak.—Granted license to cover C. P., **1370 kc.,** 100 watts night, 250 watts day, unlimited time.

KRE—Central California Broadcasters, Inc., Berkeley, Calif.—Granted license to cover C. P., **1370 kc.,** 100 watts night, 250 watts day, unlimited.

KWOS—Tribune Printing Co., Jefferson City, Mo.—Granted authority to install automatic frequency control.

WAPO—W. A. Patterson, Chattanooga, Tenn.—Granted special temporary authority to operate a Collins, Tyle 300-F, 250-watt transmitter, using only 100 watts power and daytime hours for period not to exceed 30 days from July 24, pending action on application for modification of C. P.; also authorized to test transmitter on morning of July 24. Station to operate without approved frequency monitor and modulating monitor for period not to exceed 5 days from July 24.

The Broadcast Division extended the effective date of its order denying the application of South Bend Tribune (WSBT), South Bend, for C. P., until such date as the Division may take action on the petition of South Bend Tribune for reconsideration and grant of the application or in alternative for further hearing before examiner.

APPLICATIONS DENIED

W9XPW—WDZ Broadcasting Co., Tuscola, Ill.—Denied extension special temporary authority to operate relaybroadcast transmitter of W9XPW on frequencies **31100, 34600, 37600, 40600 kc.,** 30 watts, for period of 30 days beginning July 22 to August 20, 1937.

WMBD—Peoria Broadcasting Co., Peoria, Ill.—Denied special temporary authority to operate with 1 KW at night pending completion of construction authorized in permit and the regular licensing of increased daytime and night-time powers, for period not to exceed 30 days.

APPLICATIONS RECEIVED

First Zone

WMAS—WMAS, Inc., Springfield, Mass.—Construction permit to
1420 install a new transmitter; erect a vertical antenna; move transmitter from 70 Chestnut St. to West St., Springfield, Mass., and studio from 70 Chestnut St. to 1757 Main, Springfield, Mass.

WOKO—WOKO, Inc., Albany, N. Y.—Construction permit to
1430 install new transmitting equipment.

W2XE—Columbia Broadcasting System, Inc., Wayne, N. J.—License to use old RCA Victor Type ET-3656A transmitter as an auxiliary transmitter (5 KW).

W1XNU—City Broadcasting Corp., New Haven, Conn.—License to cover construction permit (B1-PRE-110) for a new relaybroadcast station.

NEW—Connecticut State College, Storrs, Conn.—Construction permit for a new relaybroadcast (experimental) station to be operated on **100000, 110000, 200000, 300000 kc.,** 250 watts.

Second Zone

WKOK—Sunbury Broadcasting Corp., Sunbury, Pa.—Authority
1210 to transfer control of corporation from The Sunbury Item, Inc., to George W. Beck, Basse A. Beck and Harry H. Haddon, 73 shares common stock.

NEW—Charleston Broadcasting Co., Charleston, W. Va.—Construction permit for a new relaybroadcast station to be operated on **1622, 2058, 2150, 2790 kc.,** 40 watts.

Third Zone

KGVL—Hunt Broadcasting Assn., Fred Horton, President, Green-
1200 ville, Tex.—Modification of construction permit (B3-P-723) for a new station, requesting changes in automatic frequency control equipment and move of transmitter from 2610 Washington Street to Wesley College Campus, Greenville, Tex.

NEW—Northwestern Broadcasting Co., R. H. Nichols, President,
1500 Vernon, Tex.—Construction permit for a new station to be operated on **1500 kc.,** 100 watts, unlimited time.

Fourth Zone

KMMJ—KMMJ, Inc., Clay Center, Nebr.—Authority to install
740 automatic frequency control.

KFBI—The Farmers & Bankers Broadcasting Corporation, Abilene,
1050 Kans.—Construction permit to install a new transmitter and vertical antenna; move transmitter from corner 5th and Barry Streets, Milford, Kans., to site to be determined, Wichita, Kans., and studio from 410 Northwest Third Street, Abilene, Kans., to Wichita, Kans.

Fifth Zone

KTKC—Tulare-Kings Counties Radio Associates, Charles A. Whit-
1190 more, President, Visalia, Calif.—License to cover construction permit (B5-P-816) as modified for new station.

W7XCX—Oregonian Publishing Co., Portland, Ore.—License to cover construction permit (B5-PRE-102) for a new relaybroadcast (experimental) station.

W7XCY—Oregonian Publishing Co., Portland, Ore.—License to cover construction permit (B5-PRE-103) for a new relaybroadcast (experimental) station.

W7XBD—Oregonian Publishing Co., Portland, Ore.—Modification of construction permit to extend commencement date from 2-15-37 to 8-15-37 and completion date from 8-15-37 to 2-15-38.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

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ASKS FUNDS FOR HAVANA RADIO CONFERENCE

On Tuesday, President Roosevelt sent a communication to the Speaker of the House of Representatives in which he asked for favorable action on a request of the Secretary of State for an appropriation of $15,000 to defray the expenses of the United States in its participation in the Inter-American Radio Conference to convene at Havana, Cuba, November 1. The communication was referred to the House Committee on Foreign Affairs.

P. J. LEROY

Members are advised to communicate with NAB Headquarters before contracting with P. J. LeRoy who furnishes fifteen minute transcriptions advertising piano lessons by mail.

DENIAL OF NEW STATION RECOMMENDED

John C. Hughes filed an application with the Federal Communications Commission asking for a construction permit for a new station to be erected at Phenix City, Ala., to use 1310 kilocycles, 100 watts and daytime operation.

Examiner Robert L. Irwin, in Report No. I-469, recommended that the application be denied. The Examiner states that the applicant "has not shown that he is financially able to operate it (the proposed station)." The granting of the application, he states, will not be in the public interest.

OFFICIAL ANNOUNCEMENT ON CCIR CONFERENCE

The State Department has made an official announcement concerning the return of the American delegation from the CCIR conference at Bucharest, the subjects discussed, and recommendations adopted at the meeting. This information was previously covered in the report of Mr. McNary, NAB delegate, in NAB Reports for July 15, 1937.

RECOMMENDS DENYING CHANGES FOR WSPA

Broadcasting station WSPA applied to the Federal Communications Commission to change its frequency from 920 to 880 kilocycles, and to increase its power from 1,000 to 5,000 watts. It operates daytime and did not ask for any change of time.

Examiner Melvin H. Dalberg, in Report No. I-468, recommended that the application be denied. He found that "it is highly questionable whether there is any need for additional service in the area sought to be served." The Examiner states also that most of the territory the station wishes to serve is already served satisfactorily by radio and "the result of the granting of this application would cause overlapping of much of the present service now available to listeners."

DENIAL RECOMMENDED FOR OHIO STATION

WRBC, Inc., applied to the Federal Communications Commission for a construction permit for the erection of a new station at Cleveland, Ohio, to use 880 kilocycles, 1,000 watts and unlimited operation.

Examiner Melvin H. Dalberg, in Report No. I-470, recommended that the application be denied. He states that the financial showing of the applicant "from a strictly legal standpoint, is somewhat indefinite and confusing and not sufficiently substantial in view of the proposed expense of construction involved herein and the estimated operating costs disclosed by the evidence. This is especially manifest because of the obvious inadequacy of the proof with respect to financial support."

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause

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why cease and desist orders should not be issued against them.

No. 3189. A chewing gum dealer is charged with use of unfair competitive methods through promotion of sales by means of lotteries or gift enterprises, in a complaint issued against **Dietz Gum Company of Chicago,** 1734 West Hubbard St., **Chicago,** trading also under the names **Novelty Gum Company, Specialty Gum Company,** and **Yankee Doodle Gum Company.** The complaint also names as respondents, **Sol S. Leaf,** president and treasurer, and **Harry Leaf,** secretary of the Dietz company.

Dealer customers of the respondents are furnished with assortments of gum so arranged that purchasers procuring a stick bearing a certain wrapper may receive a prize, or purchasers saving a sufficient number of certain wrappers may send them in to the company and receive a prize such as a baseball suit or gymnasium outfit, according to the complaint.

No. 3190. Abraham Starr, 16-20 East 12th St., **New York,** trading as **Superior Textile Mill,** is charged in a complaint with using certain unfair methods of competition in the sale of haberdashery direct to consumer-purchasers.

Price lists and other printed matter circulated by the respondent allegedly advertised a specified date as the last day for a "free merchandise sale" and contained such offers as four shirts for the price of three, seven pairs of hose for the price of six, and three sweaters for the price of two.

These representations, the complaint charges, serve to lead purchasers into the mistaken belief that for the price they pay for the stated number of articles of haberdashery, they will receive an additional article free. According to the complaint, they do not receive an article of merchandise absolutely free, and the price purportedly charged for the stated number of articles actually covers the total sale price for the entire number.

No. 3191. Alleging use of unfair methods of competition in the sale of salve and miscellaneous merchandise a complaint has been issued against **Morris R., Charles, Mary** and **Mrs. Robert Shapiro,** having a place of business at 836 West Roosevelt Road, **Chicago.** The respondents are co-partners and trade as **Uca Manufacturing Company, Uca Mentho Company, Uca-Mentho Laboratories,** and **Robert More Company.**

The respondents are said to advertise in newspapers, magazines and form letters that their salves constitute effective and reliable remedies or treatments for colds, cuts, burns, catarrh, eczema, and various other ailments and diseases. According to the complaint, such representations are false and tend to lead purchasers into the erroneous belief that they can diagnose and determine the cause of and the remedy or treatment for the ailments and diseases from which they are suffering.

None of the respondents is a physician, nor is a physician connected with their business, the complaint charges, and purchasers of the respondents' salves are not being given a medical examination for the purpose of determining the particular ailment or disease from which they are suffering and the cure, if any, therefor.

No. 3192. Croxonol Sales Corporation, 142 West 24th Street, **New York,** and its president, **Alfred W. Lublin,** are named respondents in a complaint alleging use of certain unfair competitive practices in advertising and selling Croxon Method, a preparation for the treatment of superfluous hair.

The complaint charges that the respondents falsely represented in advertising that their preparation will remove superfluous hair when first applied; will keep the user well groomed and free from hair; will completely stop the growth of superfluous hair; is guaranteed to remove it, and that no odor will result from use of the product. According to the complaint, these representations are misleading and exaggerated, and the preparation will not accomplish the results claimed for it.

Stipulations and Orders

The Commission has issued the following cease and desist orders and stipulations:

No. 2018. Trading as **Lincoln Lace & Braid Mfg. Co., Benjamin Gittleman,** Ponagansett Ave. and Barbara St., **Providence, R. I.,** has entered into a stipulation to discontinue certain unfair methods of competition in connection with the sale of shoe laces.

Gittleman agreed to cease using the abbreviation "Mfg." in his trade name and to discontinue employing that abbreviation or the word "Manufacturers" on his stationery, in printed matter, or otherwise, so as to imply that he makes the shoe laces he sells or that he owns or operates a factory in which such products are manufactured, when such is not a fact.

No. 2020. Agreeing to cease certain false and misleading assertions in the advertisement and sale of correspondence courses in civil service subjects, **Civilian Preparatory Service, Inc.,** and **Homer Bruce Crone,** formerly trading as **Economic Research Bureau,** both of **Huntington, W. Va.,** have entered into a stipulation.

Among representations to be discontinued are assertions to the effect that jobs are offered, that men and women are wanted to fill such jobs and that such positions are to be filled through the respondents.

The respondents agree no longer to advertise that the school as operated is representative of or connected with the United States Government or that civil service examinations are held or will be held at frequent intervals in the classifications for which the respondents offer training, or that government positions in such classifications are or will be available and that appointments therein will be made.

No. 2021. Certain unfair methods of competition in the sale of books will be abandoned by **Garden City Publishing Co., Inc., Garden City, N. Y.,** under a stipulation.

The company will stop advertising or selling any book under a name or title different from that under which it previously had been published and sold. The stipulation provides that if the company sells a book under a title other than the original, proper notice of the name previously used shall be printed on the title page and jacket in type as equally conspicuous as that in which the new name appears.

No. 2022. Samuel A. Roth, 328 West Superior Ave., **Cleveland,** trading as **Samuel A. Roth & Co.,** has entered into a stipulation to discontinue representing, without proper qualification, that certain wearing apparel for women is composed of silk.

In his advertising matter, the respondent agrees to stop using the word "silk," either alone or in connection with the word "pure," without qualification, to designate products not made entirely of silk but containing substantial quantities of mineral salts or substances other than silk, such articles being known as weighted silks.

The stipulation provides that if these articles are in fact composed of silk but are weighted to an amount exceeding 15 per cent in black goods or to an amount exceeding 10 per cent in goods other than black, the word "silk," if used to designate them, shall be immediately accompanied by the word "weighted" or other words printed in equally conspicuous type to indicate clearly that the articles are weighted with mineral salts or other weighting substances.

No. 2353. An order has been issued directing discontinuance of certain false and misleading representations in the sale of Kelpe'Koe, an alleged medicinal preparation mined from what are claimed to be crystallized deposits of kelp or seaweed. The order was issued against **Kelpe'Koe, Inc.,** of **Seattle, Wash.,** and **C. C. Hanson,** agent of the **Seattle** firm, with headquarters in **Memphis, Tenn.**

Under the order, the respondents are directed to cease and desist from asserting that the use of their preparation will cure, or will be of substantial benefit in the treatment of nervous disorders, undue fatigue, asthma, neuritis and other ailments, and that the preparation provides the elements required to harmonize glandular activity during childhood or will supply vital elements required in the formation of bone, tissue and cell structures.

No. 2840. An order has been entered directing **NoDoz Laboratories, Inc.,** 307 Mitau Building, **Sacramento, Calif.,** to discontinue representing in advertisments or radio broadcasts that NoDoz Awakeners will counteract or overcome the effect of drinking alcoholic beverages or have any beneficial effects on persons using alcoholic liquors.

The respondent company also is ordered to cease and desist from advertising that its product is manufactured under a formula approved by the United States Pure Food and Drug Administration, and that more than a million automobile drivers, or any other number not established by competent evidence, take the preparation to keep awake during long hours of driving, or approve it as the safe, sure way to stay awake while driving.

Findings are that caffein, which is the active ingredient in the product, will not counteract or overcome the effects of alcoholism, as represented by the respondent company, nor will it sober an intoxicated person.

No. 3115. Certain false and misleading representations made in advertising and selling Lechler 569 Instantaneous Hair Lightener are prohibited under an order to cease and desist entered against **Lechler Laboratories, Inc.,** 334 Audubon Ave., **New York.**

The order directs the respondent company to discontinue representing through price lists, circulars, labels, or any other form of printed matter, or in radio broadcasts, that its preparation does not require or contain peroxide, is superior to products containing peroxide, and that the bleaching agent of the preparation is not similar to peroxide. Findings are that the product contains peroxide and its bleaching action is not chemically different from preparations which include peroxide of like strength as an ingredient.

CASE CLOSED BY FTC

No. 2698. An order has been entered by the Federal Trade Commission closing, without prejudice, its case against **Avalon Candy Corporation, Los Angeles,** which was charged with use of a lottery scheme in connection with the sale of candy.

The case was closed for the reason that the respondent company has neither manufactured nor sold candy since March, 1936; its physical assets have been dismantled and sold, its corporate charter surrendered for non-payment of California State taxes, and it appears that the company is not likely to resume the violations of law alleged in the Commission's complaint.

FEDERAL COMMUNICATIONS COMMISSION ACTION

No hearings are scheduled at the Commission in broadcast cases during the week beginning August 9.

The Broadcast Division has taken the following action:

APPLICATIONS GRANTED

KGU—Marion A. Mulrony & Advertiser Publisher Co., Ltd., Honolulu, T. H.—Granted license to cover C. P. as modified, **750 kc.,** 2½ KW night and day, unlimited.

WMBG—Havens & Martin, Inc., Richmond, Va.—Granted license to cover C. P. as modified, **1350 kc.,** 500 watts, unlimited time, using directional antenna system for both day and night-time operation.

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Granted license to cover C. P., **1500 kc.,** 100 watts night, 250 watts day, unlimited.

KROC—Southern Minn. Broadcasting Co., Rochester, Minn.—Granted license to cover C. P., **1310 kc.,** 100 watts night, 250 watts day, unlimited time.

WMBS—Fayette Broadcasting Corp., Uniontown, Pa.—Granted license to cover C. P. as modified, **1420 kc.,** 250 watts, daytime only.

KMPC—Beverly Hills Broadcasting Corp., Beverly Hills, Calif.—Granted extension of present license for a period of 60 days.

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska.—Granted extension of present license for a period of 60 days.

WTNJ—WOAX, Inc., Trenton, N. J.—Granted extension of present license for a period of 60 days.

WWSW—Walker & Dowling Radio Corp., Pittsburgh, Pa.—Granted extension of present license for a period of 60 days.

KGKY—Hilliard Company, Inc., Scottsbluff, Nebr.—Granted extension of present license for a period of 60 days.

WSJS—Winston-Salem Journal Co., Winston-Salem, N. C.—Granted voluntary assignment of license Piedmont Publishing Co.

WBAL—The WBAL Broadcasting Co., Baltimore, Md.—Granted extension of special experimental authority to operate on **1060 kc.,** 10 KW, simultaneously with KTHS from 6 a. m. to sunset at Hot Springs, Ark., and from sunset at KTHS to 9 p. m., EST, unlimited, synchronously with WJZ on **760 kc.,** with 2½ KW, from 9 p. m., EST, to midnight, with directional antenna, for period August 1, 1937, to February 1, 1938.

KTHS—Hot Springs Chamber of Commerce, Hot Springs National Park, Ark.—Granted extension of special experimental authority for period August 1, 1937, to February 1, 1938, to operate on **1060 kc.,** 10 KW, simultaneously with WBAL from 6 a. m. to local sunset, sharing after sunset (KTHS operates unlimited 8 p. m. to midnight).

KRLD—KRLD Radio Corp., Dallas, Tex.—Granted extension of special experimental authority for period August 1, 1937, to February 1, 1938, to operate simultaneously with WTIC, Hartford, Conn., **1040 kc.,** 10 KW, share KTHS.

WTIC—The Travelers Broadcasting Service Corp., Hartford, Conn.—Granted extension of special experimental authority for period August 1, 1937, to February 1, 1938, to operate simultaneously with KRLD, Dallas, frequency **1040 kc.,** 50 KW.

WESG—Cornell University, Ithaca, N. Y.—Granted extension of special experimental authority for period August 1, 1937, to February 1, 1938, to operate on **850 kc.,** daylight to sunset at New Orleans, La., 1 KW power.

NEW—Central States Broadcasting Co., Omaha, Nebr.—Granted C. P. for new high frequency broadcast station, frequencies **31600, 35600, 38600** and **41000 kc.,** 100 watts.

W3XAU—WCAU Broadcasting Co., Philadelphia, Pa.—Granted modification of license to use frequency **21520 kc.** in addition to the frequencies authorized in the existing license.

NEW—KQV Broadcasting Co., Mobile (Pittsburgh, Pa.).—Granted C. P. and license for new station, frequencies **31100, 34600, 37600** and **40600 kc.,** on experimental basis, 5 watts.

NEW—Lamar Life Ins. Co., Jackson, Miss. (Mobile).—Granted C. P. for new experimental relay broadcast station, frequencies **31100, 34600, 37600** and **40600 kc.,** 2 watts.

NEW—Head of the Lakes Broadcasting Co., Mobile.—Granted C. P. for new experimental relay broadcast station, frequencies **31100, 34600, 37600, 40600 kc.,** on experimental basis, 2 watts.

NEW—Columbia Broadcasting System, Inc., Mobile (vicinity of Los Angeles).—Granted C. P. for new relay broadcast station, frequencies **1646, 2090, 2190, 2830 kc.,** 50 watts.

NEW—Columbia Broadcasting System, Inc., Mobile (vicinity of Washington, D. C.).—Granted C. P. for new relay broadcast station, frequencies **1646, 2090, 2190, 2830 kc.,** 50 watts.

NEW—Columbia Broadcasting System, Inc., Boston, Mass.—Granted C. P. for new high frequency broadcast station, frequencies **88000, 123000, 164000, 205000 kc.,** on experimental basis, 100 watts.

WFOI—Fountain of Youth Properties, Inc., St. Augustine, Fla.—Granted C. P. to make changes in equipment and increase day power from 100 watts to 250 watts.

WJBY—Gadsden Broadcasting Co., Inc., Gadsden, Ala.—Granted C. P. to change transmitter and studio sites locally, make changes in composite equipment, and increase day power from 100 to 250 watts.

WAML—New Laurel Radio Station, Inc., Laurel, Miss.—Granted C. P. to make changes in equipment and increase day power from 100 to 250 watts.

WALA—Pape Broadcasting Corp., Inc., Mobile, Ala.—Granted voluntary assignment of license to W. O. Pape, d/b as Pape Broadcasting Co.; **1380 kc.,** 500 watts night, 1 KW day, unlimited.

KFBK—McClatchy Broadcasting Co., Sacramento, Calif.—Granted C. P. to install new equipment and increase power from 5 to 10 KW.

WPTF—WPTF Radio Co., Raleigh, N. C.—Granted extension of special experimental authority to operate with 5 KW from sunset at KPO to 11 p. m., EST, using directional antenna system, for the period ending February 1, 1938.

WLW—The Crosley Radio Corp., Cincinnati, Ohio.—Granted extension of special experimental authority to operate with 500 KW day and night, using directional antenna at night, for the period August 1, 1937, to February 1, 1938.

KFBB—Buttery Broadcast, Inc., Great Falls, Mont.—Granted modification of license to change power to 1 KW night, 5 KW day.

WBEO—The Lake Superior Broadcasting Co., Marquette, Mich.—Granted modification of license to change hours of operation to: Daily except Sunday, 9:30 a. m. to 1:30 p. m.; 4:30 to 7:30 p. m.; Sundays, 9 a. m. to 1:30 p. m.; all CST.

WWL—Loyola University, New Orleans, La.—Granted extension of special experimental authority to operate unlimited time on **850 kc.,** with 10 KW power, for period August 1, 1937, to February 1, 1938.

KWKH—International Broadcasting Corp., Shreveport, La.—Granted extension of special experimental authority to operate on **1100 kc.,** with 10 KW power, unlimited time, employing directional antenna at night, period August 1, 1937, to February 1, 1938.

KFAB—KFAB Broadcasting Co., Lincoln, Nebr.—Granted extension of special experimental authority to operate synchronously with WBBM, Chicago, from local sunset at Lincoln, Nebr., to 12 midnight, CST, for period August 1, 1937, to February 1, 1938.

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Granted extension of special experimental authority to operate synchronously with KFAB, Lincoln, Nebr., from local sunset at Lincoln, Nebr., to 12 midnight, CST, for period August 1, 1937, to February 1, 1938.

WQDM—Regan & Bostwick, St. Albans, Vt.—Granted amended modification of license authorizing change in time of operation from specified hours to daytime only.

WWJ—The Evening News Assn., Detroit, Mich.—Granted C. P. to use former main transmitter as auxiliary at same location, 1 KW, **920 kc.**, for auxiliary purposes only.

KYA—Hearst Radio, Inc., San Francisco, Calif.—Granted C. P. to move former licensed main transmitter to present transmitter site at Bayview Park, San Francisco, for auxiliary purposes, power 1 KW.

WLBL—State of Wisconsin, Department of Agriculture and Markets, Auburndale, Wis.—Granted modification of C. P. to move transmitter locally.

WIBX—WIBX, Inc., Utica, N. Y.—Granted modification of C. P. to extend completion date from 7-10-37 to 9-10-37.

KOAM—Graham & Baxter, d/b as Pittsburg Broadcasting Co., Pittsburg, Kans.—Granted modification of C. P. approving transmitter near Pittsburg, Kans., studio at 404 Commerce Building. Changes in authorized equipment and vertical radiator.

KOL—Seattle Broadcasting Co., Inc., Seattle, Wash.—Granted authority to install automatic frequency control equipment; **1270 kc.**, 1 KW night, 5 KW day, unlimited time. Also granted license to cover C. P., **1270 kc.**, 1 KW night, 5 KW day, unlimited.

WRTD—The Times Dispatch Publishing Co., Inc., Richmond, Va. —Granted license to cover C. P. as modified covering new station, **1500 kc.**, 100 watts, unlimited time.

KIRO—Queen City Broadcasting Co., Inc., Seattle, Wash.—Granted extension of special experimental authority for period ending February 1, 1938, to operate unlimited time on **710 kc.**, with 1 KW.

NEW—WHEC, Inc., Mobile.—Granted C. P. for new high frequency relay broadcast station, frequencies **31100**, **34600**, **37600**, **40600 kc.**, on experimental basis, 2 watts.

W4XCA—Memphis Commercial Appeal Co., Memphis, Tenn.—Granted C. P. to move station locally and make changes in equipment.

W9XJL—Head of the Lakes Broadcasting Co., Superior, Wis.—Granted modification of license to delete frequencies **31600**, **35600**, **38600**, **41000 kc.** and add **26100 kc.**

WAXD—The Birmingham News Co., Birmingham, Ala. (Mobile). Granted modification of license to delete frequencies **31600**, station, frequencies **1646**, **2090**, **2190**, **2830 kc.**, 20 watts.

W4XKB—Station WIS, Inc., Columbia, S. C. (Mobile).—Granted license to cover C. P. for new experimental relay broadcast station, frequencies **31000**, **34600**, **37600** and **40600 kc.**, 2 watts.

SET FOR HEARING

NEW—WAVE, Inc., Louisville, Ky.—C. P. for new station to operate on **610 kc.**, 250 watts, 500 watts day, unlimited time, transmitter site to be determined in Louisville; approval of studio site at 675 S. Fourth St. at Broadway, Louisville.

NEW—Roberts-MacNab Co., Livingston, Mont.—C. P. for new station, **1310 kc.**, 100 watts night, 250 watts day, unlimited time, exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

WGNY—Peter Goelet, Newburg, N. Y.—C. P. to install new equipment and increase day power from 100 watts to 250 watts.

WPHR—WLBG, Inc., Richmond, Va.—C. P. to install new equipment and directional antenna system for day and night-time operation, and increase in power and time of operation from 500 watts, daytime only, to 1 KW, unlimited time.

WNEL—Juan Piza, San Juan, P. R.—C. P. to make changes in the antenna system and change frequency from **1290 kc.** to **590 kc.**

NEW—S. L. Slover Corp., Norfolk, Va.—C. P. for new station, 100 watts night, 250 watts day, **1370 kc.**, exact transmitter site and type of antenna to be determined with Commission's approval.

NEW—Harwell V. Shepard, Denton, Tex.—C. P. to erect a new station to operate on **1420 kc.**, 100 watts, daytime only.

NEW—W. C. Irvin, Amarillo, Tex.—C. P. for new station, **1500 kc.**, 100 watts night, 250 watts day, unlimited time. Approval of transmitter and studio sites at Adams and NW 2nd Ave., Amarillo.

NEW—Larry Rhine, San Francisco, Calif.—C. P. for new station to operate on **980 kc.**, 250 watts, daytime only, exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

KXBY—First National Television, Inc., Kansas City, Mo.—C. P. to make changes in equipment and experiment with several types of directional antenna, and increase in power from 1 to 5 KW. To be heard before the Broadcast Division.

NEW—Fred M. Weil, Grand Coulee, Wash.—C. P. for new station, **1420 kc.**, 100 watts night, 250 watts day, unlimited time, exact transmitter site to be determined with Commission's approval.

NEW—Carl Latenser, Atchison, Kans.—C. P. for new station, **1420 kc.**, 100 watts, daytime only, exact transmitter site and type of antenna to be determined with Commission's approval.

NEW—Four Lakes Broadcasting Co., Madison, Wis.—C. P. for new station to operate on **830 kc.**, 100 watts, daytime only, exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

W3XAU—WCAU Broadcasting Co., Philadelphia, Pa.—Modification of license requesting **15150 kc.** in addition to frequencies authorized in existing licenses, i.e., **6060 kc** and **9590 kc.** Also modification of license requesting frequency **25750 kc.** in addition to frequencies authorized in existing license.

KYW—Westinghouse Electric and Manufacturing Co., Philadelphia, Pa.—C. P., already in hearing docket, amended so as to request authority to operate on **1020 kc.**; make changes in equipment; change in directional antenna system; and increase in power from 10 to 50 KW.

W1XEH—Travelers Broadcasting Service Corp., Avon, Conn.; W1XLU—Mobile, W1XO—Mobile, W1XT—Mobile, WTIC —Hartford, Conn.—Voluntary assignment of license and special experimental authorization to the Travelers Broadcasting Company.

NEW—W. Va. Broadcasting Corp., Charleston, W. Va.—C. P. for new station to operate on **1500 kc.**, 250 watts day, 100 watts night, unlimited time, exact transmitter and studio sites to be determined with Commission's approval.

NEW—W. Va. Broadcasting Corp., Wheeling, W. Va.—C. P. for new station to operate on **1310 kc.**, 100 watts, unlimited time; exact transmitter and studio sites to be determined with Commission's approval.

NEW—Y. W. Scarborough and J. W. Orvin, Charleston, S. C.—C. P. for new station; **1210 kc.**, 100 watts night, 250 watts day, unlimited time.

KSEI—Radio Service Corp., Pocatello, Idaho.—Modification of license to increase night power to 500 watts.

Walter Biddick Company, Los Angeles, Cal.—Authority to supply electrical transcriptions to Station XEMO, Tia Juana, Mexico, to be delivered by express.

KTUL—Tulsa Broadcasting Co., Inc., Tulsa, Okla.—C. P. to move transmitter to 6 miles n. of Tulsa, 1½ mi. e. of Turley (locally); install new equipment and directional antenna system for nighttime use; increase power to 1 KW night, 5 KW day.

NEW—Martin R. O'Brien, Aurora, Ill.—C. P. already in hearing docket amended to request **1250 kc.**, 250 watts, daytime only, exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

NEW—George B. Storer, Pontiac, Mich.—C. P. already in hearing docket, amended to request **800 kc.**, 1 KW, daytime only; exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

WAAB—The Yankee Network, Inc., Boston, Mass.—Modification of license to increase night power from 500 watts to 1 KW.

WJBK—James F. Hopkins, Inc., Detroit, Mich.—C. P. to install new equipment, change frequency from **1500** to **1510 kc.**, increase power from 100 watts night, 250 watts day, to 1 KW, unlimited time, and move transmitter site locally; exact transmitter site and type of antenna to be determined. To be heard by Broadcast Division.

NEW—John P. Harris, Hutchinson, Kans.—C. P. for new station; **710 kc.**, 1 KW, daytime only. Exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

NEW—Pacific Radio Corp., Grants Pass, Ore.—Denied petition to grant without hearing, application for new station to operate on **1320 kc.**, 500 watts, daytime only. Exact transmitter and studio sites to be determined with Commission's approval.

NEW—Sam Houston Broadcasting Assn., Huntsville, Tex.—C. P. for new station to operate on **1500 kc.**, 100 watts, daytime only. Exact transmitter and studio sites to be determined with Commission's approval.

NEW—O. C. Burke, Dickinson, Tex.—C. P. to erect new station to operate on **1500 kc.**, 100 watts, unlimited time.

NEW—Sims Broadcasting Co., Globe, Ariz.—C. P. to erect a new station to operate on **1210 kc.**, 100 watts night, 250 watts day, unlimited time.

NEW—Louisa B. Thornton & M. E. Thornton, d/b as Port Angeles Broadcasters, Port Angeles, Wash.—C. P. for new station to operate on **1500 kc.**, 100 watts night, 250 watts day, time of operation, unlimited. Exact transmitter and studio sites to be determined.

NEW—Brenau College, Gainesville, Ga.—C. P. for new station to operate on **1420 kc.**, 100 watts night, 250 watts day, unlimited time.

NEW—National Life and Accident Ins. Co., Inc., Nashville, Tenn. —C. P. for new station; frequency **1370 kc.**, 100 watts night, 250 watts day, unlimited time.

NEW—Tri-City Broadcasting Co., Inc., Schenectady, N. Y.—C. P. for new station; **950 kc.**, 1 KW, unlimited time, using directional antenna day and night; transmitter location and studio to be approved.

NEW—Ward Optical Co., Fayetteville, Ark.—C. P. for new station; **1310 kc.**, 100 watts, unlimited time.

NEW—Panama City Broadcasting Co., Panama City, Fla.—C. P. for new station; **1420 kc.**, 100 watts daytime only; exact transmitter and studio sites to be determined.

WBAA—Purdue University, W. Lafayette, Ind.—C. P. to change transmitter site locally; install new equipment and vertical radiator; change power from 500 watts night, 1 KW day, specified hours, to 5 KW daytime only.

KGAR—Tucson Motor Service Co., Tucson, Ariz.—C. P. to move transmitter site locally; install vertical radiator; change frequency from **1370** to **1340 kc.**, and increase night power from 100 watts to 250 watts.

KGMB—Honolulu Broadcasting Co., Ltd., Honolulu, T. H.—Modification of license to change frequency from **1320** to **580 kc.**; also install new vertical radiator.

WNOX—Scripps-Howard Radio, Inc., Knoxville, Tenn.—Modification of license to increase night power from 1 to 5 KW (**1010 kc.**, unlimited time). To be heard before Broadcast Division.

WMT—Iowa Broadcasting Co., Cedar Rapids, Iowa—Modification of license to increase night power from 1 KW to 5 KW using present directional antenna system for nighttime operation. To be heard before Broadcast Division.

First Baptist Church, Pontiac, Mich.—Authority to transmit religious programs to CKLW, Windsor, Ontario, through facilities Michigan Bell Telephone Co.

KFJZ—R. S. Bishop, Fort Worth, Tex.—Authority to transfer control of corporation to Ruth G. Roosevelt. Station operates on **1370 kc.**, 100 watts night, 250 watts LS, unlimited time.

WACO—KTSA Broadcasting Co., Waco, Tex.—Voluntary assignment of license to Hearst Radio, Inc., **1420 kc.**, 100 watts, unlimited time.

KTSA—KTSA Broadcasting Co., San Antonio, Tex.—Voluntary assignment of license to Hearst Radio, Inc., **550 kc.**, 1 KW night, 5 KW day, unlimited time.

KNOW—KUT Broadcasting Co., Austin, Tex.—Voluntary assignment of license to Hearst Radio, Inc., **1500 kc.**, 100 watts, unlimited time.

RENEWAL OF LICENSES

KWJJ—KWJJ Broadcast Company, Inc., Portland, Ore.—Granted renewal of license on a temporary basis only subject to the right of the Commission to make effective any changes or modifications herein which may be necessary in order to comply with any decision of the Commission which may be entered after hearing in any proceeding of which licensee was duly notified or in which licensee participated.

WESG—Cornell University, Elmira, N. Y.—Granted renewal of license on a temporary basis subject to such action as the Commission may take on pending application for renewal.

WJAG—The Norfolk Daily News, Norfolk, Nebr.—Granted renewal of license on a temporary basis subject to such action as the Commission may take on pending application for renewal.

WPRP—Julio M. Conesa, Ponce, P. R.—Granted renewal of license for the period ending January 1, 1938.

KFBI—The Farmers & Bankers Broadcasting Corp., Abilene, Kans. —Granted extension of present license on a temporary basis for the period ending September 1, 1937, pending receipt and/or action on renewal application.

KGPI—Eagle Broadcasting Co., Inc., Corpus Christi, Texas—Granted extension of present license on a temporary basis for the period ending September 1, 1937, pending receipt and/or action on renewal application.

KGBU—Alaska Radio & Service Co., Inc., Ketchikan, Alaska.—Granted extension of present license on a temporary basis for the period ending September 1, 1937, pending receipt and/or action on renewal application.

WAPI—WAPI Broadcasting Corp., Birmingham, Ala.—Granted extension of present license on a temporary basis for the period ending September 1, 1937, pending receipt and/or action on renewal application.

The following stations were granted renewal of licenses on the regular basis:

KGU, Honolulu, T. H.; KSOO, Sioux Falls, S. Dak.; WRUF, Gainesville, Fla., and WSN (auxiliary), Nashville, Tenn.

SPECIAL AUTHORIZATIONS

WMBQ—Joseph Husid, Receiver for Metropolitan Broadcasting Corp., Brooklyn, N. Y.—Granted extension of special temporary authority for Joseph Husid, Receiver for Metropolitan Broadcasting Corporation to operate radio station WMBQ, for the period August 1 to 31, 1937.

WRUF—University of Florida, Gainesville, Fla.—Granted extension of special temporary authority to rebroadcast the Navy time signals from Arlington for the period August 1 to 30, 1937.

KWJJ—KWJJ Broadcast Co., Inc., Portland, Ore.—Granted extension of special temporary authority to operate on **1040 kc.**, limited time, and resume operation from 9 p. m. to 3 a. m., PST, for the period August 1, 1937, to February 1, 1938.

KWLC—Luther College, Decorah, Iowa—Granted special temporary authority to remain silent for the period beginning August 1 and ending August 31, 1937.

WJAG—The Norfolk Daily News, Norfolk, Neb.—Granted extension of special temporary authority to operate on **1060 kc.** with power of 1 KW and limited time for the period beginning 3 a. m., EST, August 1, and ending no later than 3 a. m., February 1, 1938.

WAXB-WAXC—Alford J. Williams, Pittsburgh, Pa.—Granted extension of special temporary authority to operate RCA Type H aircraft transmitter, 5 watts, on board plane NR-1050, by A. J. Williams and RCA Type AVT-7 transmitter portable on ground on frequencies of **1646, 2090, 2190, 2330 kc.**, for the period beginning August 2 to August 31, 1937.

WWJ—The Evening News Assn., Detroit, Mich.—Granted extension of special temporary authority to operate for the period August 2 to 31, 1937, with increased night power to 5 KW to overcome interference.

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Granted extension of special temporary authority to operate with power of 50 watts from local sunset (August sunset, 7:15 p. m.) to 11 p. m., EST, Tuesdays, Thursdays, Saturdays and Sundays, for the period August 3 (Tuesday) and ending no later than August 31 (Tuesday) pending compliance with Rule 131 on modification of license.

WTCN—Minnesota Broadcasting Corp., Minneapolis, Minn.—Granted special temporary authority to operate from 7 to 7:30 p. m., CST, on Fridays only, from August 20 to September 17, 1937, inclusive (provided WLB remains silent), in order to permit WTCN to schedule the NBC program "Robert Ripley and Henry Busse's Orchestra!"

WLB—University of Minnesota, Minneapolis, Minn.—Same as above except to operate from 8 p. m. to 8:30 p. m., CST, (provided WTCN remains silent).

KGGF—Powell & Platz, Coffeyville, Kans.—Granted extension of special temporary authority to operate from 7:15 to 9:15 p. m., CST, August 3, 5, 10, 12, 17, 19, 24, 26 and 31; and from 8:15 to 9:15 p. m., CST, August 4, 11, 18 and 25, 1937 (provided WNAD remains silent), in order that KGGF may broadcast during time WNAD is silent for summer vacation of Oklahoma University.

WNAD—University of Oklahoma, Norman, Okla.—To remain silent on above dates in order to observe summer vacation.

KOTN—Universal Broadcasting Corp., Pine Bluff, Ark.—Granted special temporary authority to operate from 7:30 to 10 p. m. CST, August 9, 10, 11, 12, 21, 26 and 27, 1937, in order to broadcast out of town baseball games played by local team at night.

WGNY—Peter Goelet, Newburg, N. Y.—Granted special temporary authority to operate simultaneously with WFAS from 3 to 4:30 p. m., EDST, Saturday, July 31, in order to broadcast program of The Dutchess County Women's Organization in honor of Mrs. Franklin D. Roosevelt, during which time Mrs. Roosevelt will speak.

WFAA—A. H. Belo Corp., Dallas, Tex.—Granted extension of special temporary authority to use joint call letters WFAA-WBAP and waive requirements of Rule 156 for the period August 1, 1937 to February 1, 1938, or until close of Central Exposition of the Texas Centennial Celebration in Dallas.

WBAP—Carter Publications, Inc., Fort Worth, Tex.—Granted extension of special temporary authority to use joint call letters WFAA-WBAP and waive requirements of Rule 156 for the period August 1, 1937, to February 1, 1938, or until close of Central Exposition of the Texas Centennial Celebration in Dallas.

KFRO—Voice of Longview, Longview, Tex.—Granted special temporary authority to operate from local sunset (August sunset 7 p. m.) to 9 p. m., CST, using power of 100 watts, on Sundays, August 1, 8, 15, 22 and 29, in order to broadcast Church services of the Kelly Memorial Methodist Church.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to operate on **560 kc.** with power of 1 KW at night for the period August 1 to August 31, 1937, inclusive, pending filing of and action on license to cover C. P. for this authority.

WNYC—City of New York, Dept. of Plant and Structures, New York City—Granted extension of special temporary authority to use auxiliary transmitter located in Brooklyn as main transmitter, while moving in accordance with modification of C. P., for period August 1 to October 1, 1937.

WDZ—WDZ Broadcasting Co., Tuscola, Ill.—Granted extension of special temporary authority to operate from 5 to 6 a. m., CST, for the period August 1 to August 30, 1937, in order to reach the farmers in the territory surrounding station WDZ who are in their fields during summer months by 5 a. m.

Henry C. Ross, Columbus, Ohio.—Granted special temporary authority to operate a relay broadcast transmitter on frequencies of **39700, 39900, 40000, 41400 kc.,** 1 watt, for relaying the progress of Inter Lake Regatta from a boat to a public address system on the shore, for the period beginning August 9, 10, and 11th.

WCAX—Burlington Daily News, Inc., Burlington, Vt.—Granted extension of special temporary authority to operate daily except Sunday, 1 to 4:30 p. m., EST, and daily except Friday, Saturday, Sunday, 7 to 9 p. m., EST, for the period August 1 to 31, 1937, in order to broadcast sponsored northern league baseball games.

WSUI—State University of Iowa, Iowa City, Iowa—Granted extension of special temporary authority to operate a minimum of six hours daily, instead of unlimited time, for the period August 1 to 31, 1937, in order to observe the summer vacation period at the State University.

WCBD—WCBD, Inc., Chicago, Ill.—Granted extension of special temporary authority to use transmitter of station WMBI for the period August 1 to August 31, 1937, pending repair to WCBD's transmitter which was destroyed by fire.

WGNY—Peter Goelet, Newburg, N. Y.—Granted special temporary authority to operate simultaneously with WGBB from 1:30 to 3 p. m., EDST; simultaneously with WFAS 3 to 5 p. m., EDST and simultaneously with WBRB 5 to 7 p. m., EDST, Wednesday, August 11, 1937, *or* to operate simultaneously with WFAS 1:30 to 5 p. m., EDST and with WBRB 5 to 7 p. m., EDST, Thursday, August 12, in order to broadcast the Hambletonian Races direct from "Good Time Track" at Goshen, N. Y.

APPLICATIONS DENIED

WTFI—J. K. Patrick & Co., Athens, Ga.—Denied authority to operate former transmitter of WTFI, Athens, Ga., unlimited time on **1310 kc.,** 100 watts night, 250 watts day, pending action of the Commission on application for that authority.

NEW—Meno Schoenbach, Woodward, Okla.—Application for C. P. for **1500 kc.,** 100 watts, 100 watts LS, unlimited time, heretofore set for hearing, was denied as in cases of default for failure of applicant to file an appearance, in accordance with Rule 104.6(c).

APPLICATIONS DISMISSED

WGCM—WGCM, Inc., Mississippi City, Miss.—Application for extension of permit for **1120 kc.,** 500 watts, 500 watts LS, unlimited time except 8 to 9 p. m., CST, Monday and Friday, heretofore set for hearing was dismissed, inasmuch as the permit itself was retired to the closed files, March 16, 1937.

The following applications, heretofore set for hearing, were dismissed at request of applicants:

KMPC—Beverly Hills Broadcasting Corp., Beverly Hills, Cal.—Application B5-SA-114, for **710 kc.,** 500 watts, 500 watts LS, unlimited time.

NEW—State Broadcasting Corp., New Orleans, La.—Application B3-P-1656, for **1500 kc.,** 100 watts, 100 watts LS, unlimited.

WSAZ—WSAZ, Inc., Huntington, W. Va.—Application B2-P-1729, for **1190 kc.,** 1 KW, 5 KW LS, limited time.

APPLICATIONS RETIRED TO CLOSED FILES

Radio Service Corp. of Utah.—Application for C. P. for authority to construct a new relay broadcast experimental station, granted November 10, 1936, and expired July 10, 1937, was retired to closed files as no application for a further extension of time or for a license has been filed.

Stuart Broadcasting Corp.—Application for C. P. for authority to construct a new relay broadcast experimental station, granted November 17, 1936, and expired July 17, 1937, was retired to closed files as no application for further extension of time or for license has been filed.

KGVO—Mosby's Inc., Missoula, Mont.—Application for C. P. requesting changes in equipment was granted September 22, 1936. The required date of commencement was November 22, 1936 and completion May 22, 1937. Inasmuch as no application for extension of time and no application for license has been filed, the application is retired to closed files.

WASH-WOOD—Kunsky-Trendle Broadcasting Corp.—Applications for C. P.'s authorizing increase in daytime power to 1 KW., granted July 2, 1936, contingent upon selection of a satisfactory transmitter site and upon compliance with Rules 131, 132 and 139, was relinquished by applicants, and applications are, therefore, retired to closed files.

MISCELLANEOUS

WJBW—Chas. C. Carlson, New Orleans, La.—Granted petition for leave to file appearance in matter of application for renewal of license, appearance was accepted and motion of Southern Broadcasting Corp. to deny that application for renewal as in default was denied. (Docket 4330); Motion of Southern Broadcasting Corp. to deny as in default application of Chas. C. Carlson for C. P. (Docket 4204) granted and the reply thereto of Carlson dismissed.

WBAA—Purdue University, Lafayette, Ind.—Granted extension of time within which to comply with Rule 131 until such time as action may be had on application requesting change in transmitter site, installation of new antenna and transmitter and increase in power from 1 KW to 5 KW daytime only.

KFYR—Station KFYR, Bismarck, N. Dak.—Granted authority to suspend issuance of C. P. covering local move of station and changes in equipment, until agreement can be reached with Bureau of Air Commerce and Engineering Department as to satisfactory site.

The Broadcast Division denied the petition of Continental Radio Co., Toledo, Ohio, to reopen the hearing upon the application of WALR Broadcasting Corp. (WALR), Zanesville, Ohio, for C. P. to move studio and transmitter to Toledo, Ohio, (Docket 2486), and denied the motion of Continental Radio Co., to reconsider and grant its application for C. P. for new station at Toledo, Ohio, 1200 kilocycles, 100 watts, daytime, Docket 3301.

The Broadcast Division, upon consideration of a petition by South Bend Tribune Co. (WSBT), South Bend, Ind., for reconsideration and grant or in alternative, for further hearing upon its application for C. P. to change operating assignment from 1360 kilocycles, 500 watts, sharing time, to 1010 kilocycles, 1 KW, limited time, using directional antenna (Docket No. 3763), vacated its order of February 23, 1937, in denying the foregoing application, and remanded it to the hearing docket for further hearing.

W2XAL—General Electric Company, Schenectady, N. Y.—Application for C. P. granted September 29, 1936, covering authority to erect a new experimental broadcast station at Schenectady, N. Y., was retired to closed files inasmuch as no extension of time or application for license has been filed.

NEW—Ann Arbor Broadcasting Co., Inc., Ann Arbor, Mich.—Granted petition to accept its answer in the matter of the application of the United Broadcasting Co. Docket 4606.

WABY—Adirondack Broadcasting Co., Albany, N. Y.—Granted petition to intervene in the proceedings upon the application of Citizens Broadcasting Corp. Docket 4508.

WOKO—WOKO, Inc., Albany, N. Y.—Granted petition to intervene in the proceedings upon the application of the Citizens Broadcasting Corp. Docket 4508.

WKBV—Knox Radio Corp., Richmond, Ind.—Granted petition to intervene in the proceedings upon the application of Curtis Radiocasting Corp. Docket 4607.

WRVA—Larus and Brother Co., Inc., Richmond, Va.—Granted petition to reopen hearing upon its application for C. P. to increase power from 5 KW to 50 KW, using directional antenna, for the purpose of introducing testimony upon the modified directive antenna array.

NEW—World Publishing Co., Tulsa, Okla.—Granted petition to intervene in the proceedings upon the application of Harry Schwarts for a new station at Tulsa, Okla., to use **1310 kc.,** 250 watts, daytime.

NEW—City of Jacksonville, Fla.—Granted petition to accept answer in the matter of the application of Illinois Broadcasting Corp. (WTAD), Quincy, Ill., for modification of license to use **900 kc.,** 1 KW, unlimited time. Docket 4599.

WJDX—Lamar Life Ins. Co., Jackson, Miss.—Granted petition to intervene in the application of Attala Broadcasting Corp. (WHEF), for C. P., **1500 kc.,** 100 watts, 250 watts LS, unlimited time, to move to Jackson, Miss. Docket 4651.

NEW—Ann Arbor Broadcasting Co., Inc., Ann Arbor, Mich.—Granted petition to accept answer in the matter of the application of Decatur Newspapers, Inc., for a new station at Decatur, Ill., to use **1550 kc., 1** KW, unlimited time. Docket 4605.

WQXR—Interstate Broadcasting Co., Inc., New York City.—Granted petition for continuance of hearing upon the applications of Decatur Newspapers, Inc., Docket 4605, and United Broadcasting Co., Docket 4606, and the hearing scheduled for Oct. 14, 1937.

WDZ—WDZ Broadcasting Co., Tuscola, Ill.—Granted petition to intervene in the proceedings upon the application of the Decatur Newspapers, Inc., Docket 4605.

KGB—Don Lee Broadcasting System, San Diego, Cal.—Granted petition to intervene in the proceedings upon the application of Airfan Radio Corp., Ltd., for a new station at San Diego, Cal., to use **1420 kc.,** 100 watts, unlimited time.

NEW—Warren B. Worcester—Granted petition to accept answer in re docket 4601 involving application for C. P. of Airfan Radio Corp., Ltd., for new station at San Diego, Cal.

NEW—Radiotel Corp., San Diego, Cal.—Granted motion for continuance of hearing for a period of approximately 90 days from September 21, new hearing date to be fixed by dockets, upon application for new station to use **920 kc.,** 500 watts, unlimited time.

KFPI—Symons Broadcasting Co., Inc., Spokane, Wash.—Granted petition to intervene in the proceedings upon the application of C. P. Sudweeks for a new station at Spokane, Wash., to use **950 kc.,** 500 watts, 1 KW day, unlimited time. Docket 4461.

Honolulu Star-Bulletin, Ltd., and Zion Securities Corp.—Granted petition to intervene in the proceedings upon the application of the Honolulu Broadcasting Co., Ltd., for transfer of control, Docket 3873.

WGAR—WGAR Broadcasting Co., Cleveland, Ohio.—Granted petition to extend time for filing exceptions to Examiner's Report 1-453 involving application of Food Terminal Broadcasting Co., for new station at Cleveland, to use **1500 kc.,** 100 watts daytime, for a period of three weeks.

NEW—W. H. Hartman Co., Waterloo, Iowa.—Granted motion to accept appearance in re application for new station to use **1400 kc.,** 500 watts daytime, Docket 4340, and denied application of The Waterloo Times-Tribune Publishing Co., to deny Hartman application as in cases of default.

WCLS—WCLS, Inc., Joliet, Ill.—The Commission, upon its own motion, continued the hearing upon the application of WCLS, Inc., Docket 4517, from September 7 to September 27, 1937.

WSAU—Northern Broadcasting Co., Wausau, Wis.—Cancelled oral argument scheduled for October 7, 1937, since WMIN, only respondent in hearing, withdrew its request.

WMEX—Northern Corporation, Boston, Mass.—Denied protest and petition to reconsider Commission's action of February 2, 1937, in granting consent to transfer of control in the application of WCOP, Massachusetts Broadcasting Corp.

WHOM—New Jersey Broadcasting Corp., Jersey City, N. J.—Denied motion to dismiss application without prejudice, for C. P. for **1450 kc.,** 250 watts, 1 KW LS, unlimited time.

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—Denied petition to reconsider and grant application for authority to move transmitter site locally, install vertical radiator and increase day power from 1 to 5 KW, without hearing.

WEDC—Emil Denemark, Inc., Chicago, Ill.—The Broadcast Division directed that a modification of license be issued covering change in specified hours (deleting hours of operation after midnight) and installation of new antenna, in conformity with its action of January 19, 1937, inasmuch as applicant has now complied with Rule 131.

RATIFICATIONS

The Broadcast Division ratified the following actions authorized on the dates shown:

WIBW—Radio Station WIBW, Topeka, Kans.—Granted authority to operate with reduced power 1 KW daytime period not to exceed 5 days, pending repair.

WMCA—Knickerbocker Broadcasting Co., Inc., New York City.—Granted special temporary authority to operate the antenna system of WMCA in a non-directional manner with power input determined by indirect method of 1 KW, between hours of 1 and 6 a. m., EDST, during week of July 25 to July 31, 1937, in order to determine efficiency of individual radiators and to secure data on the self and mutual impedance of the radiators, provided schedule is so arranged that no interference is caused to stations maintaining regular programs.

W6XKK—Don Lee Broadcasting System, Los Angeles, Cal.—Granted special temporary authority to operate a composite crystal control 50 watts transmitter in lieu of 100 watts composite equipment covered by license of W6XKK, on frequencies **31100** or **34600 kcs.,** for tests on July 25 and program transmission on August 1, to relay broadcast description of Aquaplane Race from Santa Catalina Island to Hermosa Beach, Cal., for rebroadcast over KHJ and Mutual Broadcasting System.

W3XJ—McNary & Chambers, Washington, D. C.—Granted special temporary authority to extend period of experimental broadcast station W3XJ by the additional time 6 to 10 a. m., EST, on the mornings beginning July 27 and ending no later than July 31, incl. Station to operate simultaneously with WBAL for purposes of making measurements.

WAPO—W. A. Patterson, Chattanooga, Tenn.—Granted special temporary authority to operate unlimited time, using 250 watts day, 100 watts night, for the period beginning July 27, 1937, and ending no later than August 25, 1937.

Granted petition of Glenn Van Auken for extension of time within which to file application for approval of transmitter site and antenna system which was authorized to be determined by C. P. until September 18, 1937.

EXAMINERS' REPORTS RELEASED SINCE JULY 20, 1937

WIOD-WMBF—Ex. Rep. 1-464: Isle of Dreams Broadcasting Corp., Miami, Fla.—Examiner R. H. Hyde recommended grant of modification of license to change frequency from **1300 kc.** to **610 kc.**

WBOW—Ex. Rep. 1-465: Banks of Wabash, Inc., Terre Haute, Ind.—Examiner Melvin H. Dalberg recommended grant of C. P. to change frequency from **1310 kc.** to **1290 kc.,** and power from 100 watts, 250 watts LS, to 500 watts, 1 KW LS; move transmitter and install new equipment.

NEW—Glenn E. Webster, Decatur, Ill.—Examiner Dalberg recommended denial of C. P. for new station to operate on **1290 kc.,** 250 watts, daytime hours.

NEW—Ex. Rep. 1-466: Robert E. Clements, Huntington Park, Calif.—Examiner R. H. Hyde recommended dismissal with prejudice of application for C. P. for new station to operate on **1160 kc.,** 250 watts, daytime.

NEW—Ex. Rep. 1-467: Young People's Assn. for the Propagation of the Gospel, Shark River Bay, N. J.—Examiner Tyler Berry recommended dismissal with prejudice of application for C. P. for new station to operate on **640 kc.,** 5 KW, daytime to local sunset at KFI.

WSPA—Ex. Rep. 1-468: Virgil V. Evans, d/b as The Voice of South Carolina, Spartanburg, S. C.—Examiner Melvin H. Dalberg recommended denial of C. P. to change frequency from **920 kc.** to **880 kc.,** and increase power from 1 KW to 5 KW.

NEW—Ex. Rep. 1-469: John C. Hughes, Phenix City, Ala.—Examiner R. L. Irwin recommended denial of C. P. for new station to operate on **1310 kc.,** 100 watts, daytime hours.

APPLICATIONS RECEIVED

First Zone

WFBR—The Baltimore Radio Show, Inc., Baltimore, Md.—Con-
1270 struction permit to install a new transmitter; increase power from 500 watts, 1 KW day, to 1 KW night, 5 KW day; install directional antenna for day and night use; and move transmitter from 5801 Radio Ave., Baltimore, Md., to Reedbird Avenue and Seamon Avenue, Baltimore, Md.

NEW—Pawtucket Broadcasting Co., Pawtucket, R. I.—Construc-
1390 tion permit for a new station to be operated on **1390 kc.,** 1 KW, unlimited time. To use directional antenna day and night.

NEW—C. M. Jansky, Jr., and Stuart L. Bailey, d/b as Jansky & Bailey, vicinity District of Columbia.—Construction permit for a new high frequency broadcast station (frequency modulation) on the frequencies **40300, 87000, 112000, 174000 224000 kc.,** power up to 5 KW.

NEW—WDRC, Inc., Hartford, Conn.—Construction permit for a new high frequency broadcast station (frequency modulated) on the frequencies **40300, 38500, 109000, 177000, 218000 kc.,** power of 1 KW.

Second Zone

WTAR—WTAR Radio Corporation, Norfolk, Va.—License to
780 cover construction permit (B2-MP-437) for changes in auxiliary equipment, increase in power, use of directional antenna, and move of auxiliary transmitter.

WHAS—The Louisville Times Co., Louisville, Ky.—Modification
820 of construction permit (B2-P-1126) for new antenna and move of transmitter, requesting extension of completion date from 9-5-37 to 12-5-37.

WEST—Associated Broadcasters, Inc., Easton, Pa.—Modification
1200 of license to change hours of operation from share with WKBO to simultaneous day and share with WKBO at night.

WKBO—Keystone Broadcasting Corp.. Harrisburg, Pa.—Modifica-
1200 tion of license to change hours of operation from share with WEST to unlimited day and share with WEST night.

WJIM—Harold F. Gross, Lansing, Mich.—License to cover con-
1210 struction permit (B2-P-1854) for a new transmitter.

WGH—Hampton Roads Broadcasting Corp., Newport News, Va.—
1310 Special experimental authorization to operate a facsimile station from 12 p. m. to 6 a. m., using 100 watts.

WCKY—L. B. Wilson, Inc., Covington, Ky.—License to cover
1490 construction permit (B2-P-1084) for changes in equipment and increase in power.

King-Trendle Broadcasting Corp., Detroit, Mich.—Extension of authority to transmit programs from Station WXYZ to stations of the Canadian Broadcasting Corporation.

W8XNU—The Crosley Radio Corp., Cincinnati, Ohio.—Modification of construction permit (B2-PHB-22) for a new high frequency broadcast station, requesting changes in equipment and increase in power from 200 watts to 1 KW, and extend commencement and completion dates.

Third Zone

NEW—Times Printing Co., Chattanooga, Tenn.—Construction
1120 permit for a new station to be operated on **1120 kc.,** 500 watts night, 1 KW, unlimited time. To use directional antenna day and night.

KTSM—Tri-State Broadcasting Company, Inc., El Paso, Tex.—
1310 Construction permit to change frequency from **1310 kc.** to **1350 kc.;** install a new transmitter; make changes in antenna; increase power from 100 watts, 250 watts day, to 500 watts; change hours of operation from share with WDAH to unlimited; and move transmitter from corner Mills and Oregon Streets, El Paso, Tex., to site to be determined, El Paso, Tex.

KVOL—Evangeline Broadcasting Co., Inc., Lafayette, La.—Con-
1310 struction permit to make changes in equipment; install vertical antenna; increase power from 100 watts to 100 watts night, 250 watts day; and move transmitter from 300 Jefferson Street, Lafayette, La., to 1 mile from city on Scott Road, Lafayette, La.

WDAH—Tri-State Broadcasting Company, Inc., El Paso, Tex.—
1310 Modification of license to change frequency from **1310 kc.** to **1200 kc.,** hours of operation from share with KTSM to unlimited, contingent upon KTSM being granted **1350 kc.**

WCOA—Pensacola Broadcasting Company, Pensacola, Fla.—Modi-
1340 fication of construction permit (B3-P-1422) for approval of vertical antenna, and transmitter site at Pensacola, Fla. (no street address). Amended re antenna.

NEW—W. A. Barnette, Greenwood, S. C.—Construction permit
1370 for a new station to be operated on **1370 kc.,** 250 watts power, daytime operation.

WNBR—Memphis Broadcasting Co., Memphis, Tenn.—Authority
1430 to transfer control of corporation from Memphis Commercial Appeal Company to Memphis Press-Scimitar Company, 200 shares common stock.

WKEU—Radio Station WKEU, Griffin, Ga.—Construction permit
1500 to make changes in equipment; install vertical antenna; change frequency from **1500 kc.** to **1310 kc.,** hours of operation from daytime to unlimited time, power from 100 watts to 100 watts night, 250 watts day; and move transmitter and studio from Griffin Hotel, W. Solomon Street, Griffin, Ga., to Cherry Street and Cotton Avenue, Macon, Ga.

WRGA—Rome Broadcasting Corporation, Rome, Ga.—Construc-
1500 tion permit for changes in transmitting equipment.

WRDW—Augusta Broadcasting Co., Augusta, Ga.—License to
1500 cover construction permit (B3-P-1301) as modified for changes in equipment, move of transmitter, and increase in power.

NEW—Columbia Broadcasting System, Inc., New York, N. Y.—Construction permit for a new relay broadcast station to be operated on **39700, 39900, 40800, 41400 kc.,** 5 watts.

NEW—Columbia Broadcasting System, Inc., New York, N. Y.—Construction permit for a new relay broadcast station to be operated on **39700, 39900, 41400, 40800 kc.,** 55 watts.

NEW—Columbia Broadcasting System, Inc., New York, N. Y.—Construction permit for a new relay broadcast station to be operated on **39700, 39900, 40800, 41400 kc.,** 55 watts.

Fourth Zone

KWNO—Harry Dahl, Otto M. Schlabach, Maxwell H. White, and
1200 Herman R. Wiecking, d/b as Winona Radio Service, Winona, Minn.—Modification of construction permit (B4-P-983) as modified to change authorized transmitter and studio sites from 110 Main St., Winona, Minn., to 216 Center St., Winona, Minn., and extend commencement and completion dates from 8-15-37 to 2-15-38 to 45 days and 180 days, respectively. Amended to change requested transmitter site from 216 Center St. to 831 W. Sarnia St., Winona, Minn.

WHBF—Rock Island Broadcasting Co., Rock Island, Ill.—Con-
1210 struction permit to install vertical antenna and move transmitter from 102 18th Street, Rock Island, Ill., to SE¼ of Section 2, Twp. 17 N, Range 1 W, near Rock Island, Ill.

KVOX—Robert K. Herbst, Moorhead, Minn.—Modification of
1310 construction permit (B4-P-324) for a new station, requesting changes in authorized equipment; increase power from 100 watts to 100 watts night, 250 watts day; change hours of operation from simultaneous day, share night equally with KRMC, to unlimited time; for approval of vertical antenna; approval of transmitter site at 14th Street and 12th Avenue, South, Moorhead, Minn., and studio at Comstock Hotel, 722 Center Avenue, Moorhead, Minn.

WHLB—Head of the Lakes Broadcasting Company, Virginia,
1370 Minn.—License to cover construction permit (B4-P-1789) for changes in equipment and increase in power.

KSTP—National Battery Broadcasting Company, St. Paul, Minn.
1460 —License to cover construction permit (B4-P-1586) for equipment changes.

Fifth Zone

NEW—W. H. Kindig, Hollywood, Calif.—Construction permit
710 new station to be operated on **710 kc.,** 500 watts power, limited time; fac. of KMPC.

NEW—Hollenbeck Heights Christian Church, Los Angeles, Calif.—
1170 Construction permit for new station to be operated on **1170 kc.,** 100 watts power, limited time.

KVEC—Christina M. Jacobson, tr/as The Valley Electric Co., San
1200 Luis Obispo, Calif.—Modification of license to change hours of operation from daytime to unlimited and power from 250 watts to 100 watts, 250 watts day.

KXRO—KXRO, Inc., Aberdeen, Wash.—License to cover construc-
1310 tion permit (B5-P-1533) for changes in equipment, increase in day power, and move of transmitter.

KUJ—KUJ, Inc., Walla Walla, Wash.—Construction permit to
1370 make changes in equipment and increase power from 100 watts to 100 watts night and 250 watts daytime.

NEW—Ben S. McGlashan, Los Angeles, Calif.—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.,** 10 watts.

NEW—Ben S. McGlashan, Los Angeles, Calif.—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.,** 75 watts.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

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WARNING NOT TO SELL OR RENT FAN MAIL

Members are urged not to sell or rent letters received from radio fans. The uses which might be made of the addresses in fan mail are too many and too unethical. The results can be injurious to radio broadcasting. Once released the broadcaster cannot control the use made of such lists but he must be prepared nevertheless to accept his share of the responsibility for uses made of his mail. Of particular significance are the following words appearing in a letter received a few days ago by one of our members—

"Right now, for example, we are trying to get hold of over a million juvenile names—of the type who respond to broadcasts appealing to the ten and fifteen year old group."

We must not allow this type of business in radio broadcasting.

James W. Baldwin.

TO NAME FCC MEMBERS SOON

In answer to an inquiry at his press conference on Tuesday, President Roosevelt said that he hoped to be able to send his nominations for the two existing vacancies on the Federal Communications Commission to the Senate before adjournment.

WHITE RADIO RESOLUTION REPORTED

The Senate Committee on Interstate Commerce on Wednesday made a favorable report on the White radio resolution (S. Res. 149), which was introduced on July 6.

Complete copy of the resolution was contained in Vol. 5, No. 29, of NAB Reports. It calls for a full investigation of radio and broadcasting by the Senate Committee on Interstate Commerce, headed by Senator Wheeler, of Montana.

Members of the committee feel that if the Senate should pass the Resolution at the present session, which appears doubtful, that no actual hearings will be called until the January session of Congress. It is possible, if the resolution should be passed, one of the members of the committee stated, that some "spadework" might be done, by which he meant that an investigator might start work for the committee.

POWER INCREASE RECOMMENDED FOR WEAN

Broadcasting station WEAN, Providence, R. I., operating unlimited time on 780 kilocycles applied to the Federal Communications Commission to increase its power from 1,000 watts to 1,000 watts night and 5,000 watts LS.

Examiner John P. Bramhall in Report No. I-472 recommended that the application be granted. He states that "a need for additional daytime service in the area proposed to be served has been established." The Examiner states further that the interests of Stations WGY, WJZ and WHEB will not be adversely affected by reason of interference. He says that granting of the application will be in the public interest.

ASKS APPROPRIATION FOR RADIO CONFERENCE

Representative McReynolds, of Tennessee, has introduced a joint resolution in the House (H. J. Res. 476) "authorizing participation by the United States in the Inter-American Radio Conference to convene at Habana, Cuba, November 1, 1937." It calls for an appropriation of $15,000 for expenses as suggested by the Secretary of State. The resolution, which has been referred to the House Committee on Foreign Affairs, is as follows:

"That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $15,000, or so much thereof as may be necessary, for the expenses of participation by the United States in the Inter-American Radio Conference

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to be held in 1937 at Habana, Cuba, including personal services in the District of Columbia and elsewhere without reference to the Classification Act of 1923, as amended; stenographic reporting, translating, and other services by contract if deemed necessary, without regard to section 3709 of the Revised Statutes (U. S. C., title 41, sec. 5); rent; traveling expenses; purchase of necessary books, documents, newspapers and periodicals; stationery; official cards; printing and binding; entertainment; and such other expenses as may be authorized by the Secretary of State, including the reimbursement of other appropriations from which payments may have been made for any of the purposes herein specified."

An identical resolution (S. J. Res. 197) has been introduced in the Senate by Senator Pittman, of Nevada, which has been referred to the Senate Committee on Foreign Relations.

A favorable report has been made on the House resolution.

STATUS OF RADIO LITIGATION

The following radio cases are now pending in the United States Court of Appeals for the District of Columbia:

No. 6762—Paul R. Heitmeyer, Cheyenne, Wyo., vs. FCC.

No. 6772—Eastland Company vs. FCC.

No. 6773—Congress Square Hotel Company vs. FCC.

No. 6852—Great Western Broadcasting Association, Logan, Utah, vs. FCC.

No. 6853—Great Western Broadcasting Association, Provo, Utah, vs. FCC.

No. 6854—Intermountain Broadcasting Corporation vs. FCC.

No. 6866—Pulitzer Publishing Company vs. FCC.

No. 6869—Missouri Broadcasting Company vs. FCC.

No. 6906—Red River Broadcasting Company vs. FCC.

No. 6911—Continental Radio Company vs. FCC.

No. 6931—Tri State Broadcasting Company vs. FCC.

No. 6990—Saginaw Broadcasting Company vs. FCC.

No. 6994—Woodmen of the World Life Insurance Assn. vs. FCC.

No. 7008—Ventura County Star, Inc., vs. FCC.

No. 7010—Voice of Brooklyn, Inc., vs. FCC.

No. 7011—United States Broadcasting Corporation vs. FCC.

No. 7016—Pottsville Broadcasting Company vs. FCC.

No. 7017—Power City Broadcasting Corporation vs. FCC.

No. 7018—Southland Industries, Inc., vs. FCC.

In the District Court of the United States for the District of Columbia:

No. 64232—Black River Valley Broadcasts, Inc., vs. Anning S. Prall et al.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3193. Alleging use of unfair methods of competition in the sale of men's ready-made suits, overcoats and top coats, a complaint has been issued against **Joseph Cominsky**, 678 Broadway, **New York City**, trading as **Waverley Tailors, Mayfair Clothing Company**, and **Barclay Clothing Company**.

The respondent is said to sell direct to customers through sales agents whom he furnishes with order blanks which contain directions for taking measurements usually regarded as essential to the tailoring of a garment.

In soliciting customers through his agents, the complaint charges that the respondent represents that he is a tailor or manufacturer; that the ready-made wearing apparel sold and distributed by him is tailored to fit, made to measure, custom-made, or made to order, and that such garments are made in accordance with measurements submitted by his agents and of a cloth having the same grade and texture as the samples displayed and as selected by customers.

No. 3194. A complaint has been issued charging **Franklin Knitting Mills, Inc.**, 180 Madison Ave., **New York**, with use of certain unfair methods of competition in violation of Section 5 of the Federal Trade Commission Act.

Through use of the words "knitting mills" in its corporate name which appears in advertising matter and on letterheads and invoices, the respondent company allegedly represents itself to be the manufacturer of the knitted-wear products it sells in interstate commerce. According to the complaint, the company does not manufacture the knitted-wear merchandise it sells, and does not own, operate or control a mill in which such products are made.

No. 3195. Confectioners Trading Corporation, 380 Throop Ave., **Brooklyn**, is named respondent in a complaint alleging use of certain unfair methods of competition in the interstate sale of candy.

It is charged that the respondent company represents, through its salesmen and on its business stationery and in other printed matter, that it is the direct agent of the concerns manufacturing the candy it sells and also the agent for certain customers and as such manufactures candy to their order.

The complaint avers that the respondent company neither owns nor operates a factory, does not make candy, is not a manufacturer's agent, but only purchases and repacks the candy it sells.

No. 3196. Alleging a combination and conspiracy tending to suppress competition and create monopoly in the sale of paper fasteners, a complaint has been issued against **Daniel A. Brennan**, 10 South LaSalle St., **Chicago**, an inventor, and **Acco Products, Inc.**, 39th Ave. and 24th St., **Long Island City, N. Y.**, said to be the principal paper fastener manufacturer in the United States.

Brennan is said to have invented and obtained patents for certain paper fasteners and to have licensed Acco Products, Inc., to manufacture and sell them, although, according to the complaint, the company has not manufactured any of the fasteners patented by Brennan.

Under an agreement alleged to have been entered into by Brennan and Acco Products, Inc., other paper fastener manufacturers and retailers of these products generally were allegedly circularized by means of letters in Brennan's name threatening suit for infringement of patents owned by Brennan. Such letters were not mailed in good faith, it is charged, and the respondents allegedly had no intention of bringing nor did they institute any such infringement suits. The purpose of the letters, according to the complaint, was to enhance the sale of the Acco company's products and to harass Acco's competitors.

No. 3197. Alleging use of unfair methods of competition in the sale of a bookkeeping system designed primarily for the use of farmers, a complaint has been issued against **Waldo W. Townsley**, P. O. Box 3005, **Kansas City, Mo.**, trading as **Serval-System.**

As an inducement to prospects to enter into contracts to become territorial sales supervisors and to purchase a specified number of Serval-System sets for resale, the respondent allegedly represents that the systems are easy to sell and that he has sold a large number in a community. In support of these representations, the respondent is said to display the signed orders of a number of farmers with whom the prospect is acquainted.

The complaint charges that the systems are not easy to sell, and that sales to local farmers have been made at prices substantially lower than the regular or special prices marked on the sets, a fact which is not made known to the prospective supervisor.

Cease and Desist Orders

The Commission has issued the following cease and desist orders:

No. 2479. Sunnyland Distilling Co., 2119 West Main St., **Louisville, Ky.,** has been ordered to cease and desist from representing that it is a distiller of alcoholic beverages, when such is not a fact.

The respondent company is ordered to discontinue representing through use of the word "Distilling" in its corporate name, in advertising matter, on labels, or otherwise, that it distills whiskies, gins or other spirituous beverages; that it manufactures such products through the process of distillation, or that it owns or operates a distillery, unless it does own or operate such a place.

No. 2740. Under an order to cease and desist, **W. H. Bonifield, Warren, Ind.,** trading as **Chicopee Medicine Co.,** is directed to cease and desist from misrepresenting the therapeutic properties and effects of a medicinal preparation sold in interstate commerce as Chicopee Native Indian Herbs.

The respondent is directed to discontinue advertising that the medicine is composed of native Indian herbs, or entirely of herbs or other vegetable products; that it will relieve any ailment at once, and is the oldest and most reliable medicine known.

Nos. 2814-2815-2816. Three corporations have been ordered to cease and desist from representing as containing gold certain tableware and other articles which are made from an alloy of metals containing no gold and sold in interstate commerce under the designation of "Dirigold."

The respondent corporations, found to have engaged in such unfair methods of competition in violation of Section 5 of the Federal Trade Commission Act, are **The American Dirigold Corporation,** 1142 South Main St., **Kokomo, Ind.; Dirigold Metals Corporation, Barrington, Ill.,** and **Dirigold Distributors, Inc.,** 70 East Jackson Blvd., **Chicago.**

Dirigold and the products made therefrom, according to the findings, do not contain gold, but are composed chiefly of aluminum and copper, such products being highly polished and so finished that they are of the color, luster and appearance of 14-karat or 18-karat gold. The name "Dirigold," it is said, is stamped on the respondents' ware, forms a prominent part of their trademarks, and is used on their letterheads and in other printed matter as a general descriptive term for such ware.

Findings are that advertising matter used in promoting the sale of the ware contained, in connection with the word "Dirigold", such descriptive phrases as "Solid not plated"; "Like the precious metals—Dirigold is solid clear through", and "No home need be denied the rare luxury and beauty of gold on the table and in the home."

No. 2955. Prohibiting certain unfair methods of competition in the sale of aspirin, an order to cease and desist has been issued against **Silver Rod Stores Supply Co., Inc.,** 60 Broadway, **Brooklyn, N. Y.,** and its subsidiary, **Dale Drug Co., Inc.,** of the same address. Both companies sell Dale's Aspirin.

The respondents are directed to stop representing that they are, or that either of them was, the first or original manufacturer of or dealer in aspirin. They are also ordered to desist from the assertion that prices marked or stamped on their products or on the containers thereof, are the regular or customary retail prices, when in fact such amounts as marked are fictitious and greatly in excess of the regular prices at which the products are sold at retail.

The respondents' product was sold as the Original Dale's Aspirin, when, according to findings, the respondents were not the first or original manufacturers of or dealers in aspirin, this product having been introduced in the United States in 1899 by a German company.

No. 3110. Reliable Typewriter & Adding Machine Co., Chicago, has been ordered to cease and desist from using certain unfair trade practices in connection with the interstate sale of a so-called vest pocket type of adding machine designated "Ve-Po-Ad".

The respondent company is ordered to discontinue representing in advertising matter, or otherwise, that its products will perform the same work as adding machines possessing features which its machines lack; that they have many of the features of more expensive adding machines, such as permanent records, sub-totals, or release devices for the correction of errors, or that they are to be considered the equal of machines possessing such features.

No. 3117. An order to cease and desist has been issued against **Adolph Wein,** 41 East 11th St., **New York,** trading as **American Toy Works.**

The order directs the respondent to cease representing through price lists, labels, circulars, containers or other printed matter, or by radio broadcasting, that any of the toys he sells which are made in Japan or another foreign country are manufactured in the United States.

No. 3147. An order has been issued to cease and desist against **H. E. Wagley,** trading as **National Sales** and as **Paramount Sales,** 508 South Dearborn St., **Chicago.** The order prohibits certain unfair competitive methods in the sale of clocks and other merchandise by means of lottery schemes.

Wagley is directed to cease supplying dealers or others with pushcards or similar devices for use in the sale of clocks or other merchandise, and to cease selling or otherwise disposing of clocks and other merchandise by use of such devices.

Stipulations

The Commission has entered into the following stipulations:

No. 01825. Joseph Breyer, P. O. Box 39, Grand Central Annex, New York, trading as Nanta Company, agrees that in the sale of Nanta, a reducing preparation, he will cease representing that the product is an effective remedy for obesity, unless such claim is qualified by a statement to the effect that it is recommended only in cases of excess weight due to overeating, drinking, indiscretion in diet, or toxic condition. The respondent also will stop representing that users of Nanta may expect to reduce weight in any specific amount within a definite period of time. The respondent is not to be prevented from using truthful testimonials properly verified before publication.

No. 01826. James McCreery & Co., 5th Ave. at 34th St., New York, stipulated that in advertising a perfume designated Parfum de Toilette, it will discontinue using the phrase "of France" in connection with the name of the product, so as to imply that the perfume is manufactured or compounded in France.

No. 01827. Prosperity Publishers, Inc., 697 East 219th St., New York, and its president, Albert G. Illich, trading as Prosperity Institute and engaged in the sale of books designated Library of Business Opportunities, will cease representing that their books enable one to operate immediately a producing mail order business without previous experience in such business and to increase his income to $100,000, or any definite or fabulous sum. The respondents will stop advertising that their books contain any scheme or plan whereby one may start making money within a week, or any other definite specified time. They also stipulated that they will desist from using any trade name containing the word "Institute".

No. 01828. G. Knewitz, 1509 Broadway, East St. Louis, Ill., selling medicinal preparations, will discontinue representing that Stopake is a competent treatment for pain, irrespective of its cause, and enables one to avoid misery, suffering or distress. He also will cease using the name Oilax for a laxative remedy he sells, and will stop advertising that such product will prevent constipation and relieve rheumatism, high blood pressure or stomach, kidney or liver disorders.

No. 01829. A stipulation to stop certain false and misleading representations in advertising cosmetics and skin preparations has been entered into by **Muriel Maxwell Harvey,** 233 Grant Ave., **San Francisco,** trading as **Vahrah Beverly.**

The respondent will cease representing that any of her preparations, sold under various designations, will free the neck of double chin or heavy lines or restore its youthful contour; banish wrinkles, crows' feet or sagging muscles; rid the skin of blackheads, or revitalize or rebuild the tissues.

No. 01830. Frank L. Miller and **Alfred C. Schmidt,** trading as **Artists and Models Studio,** Manhattan Bank Building, **Memphis, Tenn.,** have entered into a stipulation to discontinue using false and misleading advertising in connection with the sale of art studies and a correspondence course of instruction in art.

The respondents agreed to cease representing that their so-called sight-correcting art course enables the student instantly to correct mistakes in drawing and to make "big money"; that all necessary materials are included with the course, and that the price charged for the course is a limited offer, unless a definite time limit for the expiration of such offer is determined.

No. 01831. H. Birnbaum, 154 Nassau St., New York, trading as Fashion Jewelry Company, agrees to cease advertising that certain rings and watches sold by him are hand-engraved or chased, unless such is a fact. According to the stipulation, Birnbaum advertised that he would give a watch free to persons purchasing a ring on an installment plan. Admitting that the initial payment entitles the purchaser to the ring only and that the watch is not delivered until the total purchase price is received, the respondent agreed to stop representing that any article or group of articles is sold on an installment plan, unless at the time of the initial payment he delivers to the purchaser such article or group of articles.

No. 01832. Youthful Face & Figure, Inc., 853 Seventh Ave., New York, will discontinue advertising that through use of Dr. Hatch's Formula Massage Cream excess weight can be removed, unless it is clearly shown that the cream is to be used with massage for the removal of superficial fat, and will cease representing that users may lose weight without limiting their diets or while eating what they like.

No. 01833. Louis Tillery, M. D., 4546 South State St., Chicago, selling Vitality Tablets, Laxative Pills, and Diuretic Pills, will stop advertising that these preparations constitute a competent treatment for lost vitality, or will overcome fatigue, eliminate poison from the system, or stimulate all glands. He also agreed to cease representing that any goods are given free, so long as they are given only to reimburse agents for shipping costs on merchandise purchased, or on any other condition whereby the recipient is expected to make any payment or perform any service before qualifying to receive the goods.

No. 01834. Solomon Michelson, 74 Bowery, New York City, trading as The New York Jobbers, will cease representing that the rebuilt watches he sells are new, and, in advertising such watches, will publish in conspicuous type a statement to the effect that they are not new, but are rebuilt. The respondent also will stop asserting that any of the watches he offers for sale are engraved, unless such is a fact.

No. 2023. Samuel Friedman, 121 East 24th St., New York, trading as Brite Specialty Company, will cease stamping or branding wrist watch buckles with the words "gold filled," when such products do not contain a coating of gold of such substantial thickness as to be properly and accurately designated or referred to as gold filled.

No. 2024. Roselux Chemical Company, Inc., 1100 Rockaway Ave., Brooklyn, selling Rose-X, a cleaning compound, agrees to stop using on labels or in any other manner the words "removes stains" so as to imply that the product will remove stains of all types, when such is not a fact. The company also will refrain from using the words "excellent for the hands," as descriptive of Rose-X, so as to imply that the product possesses properties or value of special merit or benefit to the hands, when such is not a fact.

No. 2025. Peter J. Bough, 268 14th Ave., North, Clinton, Iowa, in his stipulation, agrees to stop using in advertising matter or in any other way the phrase "water-proof cement burial vault that endures forever." He will stop employing these or any other words of similar meaning implying that the products to which they refer will remain water-proof for all time, or any fixed period of time, regardless of varying climatic conditions and of chemical and other conditions of the soil in which the products are placed for burial.

No. 2026. A. E. Halperin Company, Inc., 267 Atlantic Ave., Boston, will discontinue representing or advertising that certain bandages it sells are sterilized or sanitary, unless they are sterilized and free from bacteria after they have been packaged and while contained in their original package.

No. 2027. National Plywood Co., Inc., 441 East 19th St., New York, agrees to cease using the words "white pine," either independently or in connection with "California" or other words, as descriptive of products not made of wood derived from trees of the botanical species from which white pine is known to be derived. The respondent company also stipulates that it will similarly stop using the word "walnut" alone or in connection with the word "Oriental," or with other words, as descriptive of products not made of wood derived from trees of the walnut tree family.

No. 2028. Saks & Co., operating two department stores in New York and one in Chicago, agrees to stop certain misrepresentations in the sale of merchandise. The respondent company will no longer use the expression "custom-made" to designate clothing not made to order or to the measure of an individual customer; will cease representations to the effect that certain shirts have a regular or customary retail selling price of a designated amount, when in fact such designated amount is in excess of the prices for which the shirts are regularly sold, and will cease using the word "silk" without qualification to describe products not made entirely of silk, but containing substantial quantities of mineral salts or substances other than silk, such articles being known as "weighted" silks. The stipulation provides for certain qualifications if the products advertised are composed of silk weighted to an amount exceeding 15 per cent in black goods, or to an amount exceeding 10 per cent in goods other than black. The words "silk", "satin", and "crepe", according to the stipulation, will not be used either alone or in connection with other words so as to imply that the products to which they refer are made of silk, when such is not a fact.

No. 2029. Under a stipulation entered into, **Alfred Rugeti,** 606 Maple Ave., **Los Angeles,** trading as **Mission Manufacturing Company,** will discontinue misbranding certain shoe laces he manufactures and sells in interstate commerce.

According to the stipulation, Rugeti used the designation "Art Silk" on shoe laces which were not composed of silk. He agrees to cease using the word "silk" either alone or in connection with the letters "Art," or with any words, so as to imply that the products so branded are composed of silk.

FEDERAL COMMUNICATIONS COMMISSION ACTION

No hearings are scheduled at the Commission in broadcast cases during the week beginning August 16.

The Broadcast Division has taken the following action subject to ratification at its next regular meeting:

APPLICATIONS GRANTED

WMBO—WMBO, Inc., Auburn, N. Y.—Granted extension of program test period 30 days from August 10, 1937.

KMLB—Radio Station KMLB, Monroe, La.—Granted authority to use general radio 547A automatic temperature control chamber with Bliley A cut crystal for period not to exceed 30 days, pending repair to regular authorized chamber.

KGDY—Voice of South Dakota, Huron, S. Dak.—Granted extension special temporary authority to remain silent for the period August 1 to 31, 1937, for the purpose of rebuilding transmitter to comply with Rule 132.

WLS—Agricultural Broadcasting Co., Chicago, Ill.—Granted special temporary authority to waive regularly required sign-off and sign-on announcements during concerts only sponsored by Mayor Kelly of City of Chicago and James C. Petrillo, head of Chicago Union of American Federation of Musicians, commencing at 8 p. m. and for a period not to exceed 30 days, provided proper announcement is made immediately before and after concert.

WENR—National Broadcasting Co., Inc., Chicago, Ill.—Granted special temporary authority to waive regularly required sign-off and sign-on announcements during concerts only sponsored by Mayor Kelly of City of Chicago and James C. Petrillo, head of Chicago Union of American Federation of Musicians, commencing at 8 p. m. and for a period not to exceed 30 days, provided proper announcement is made immediately before and after concert.

WHDF—The Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authority to operate from 7 to 9 a. m., CST, the following Sundays: August 8, 15, 22 and 29, in order to broadcast programs now heard Sunday afternoons, due to belief that audience is larger during mornings than afternoons.

WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to increase power to 1 KW nights in order to counteract interference caused by station CMX, Havana, Cuba, and stations WWJ, Detroit, and KPRC, Houston, for period August 5 to September 1, 1937.

WRAX—WRAX Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to increase power to 1 KW nights in order to counteract interference caused by station CMX, Havana, Cuba, and stations WWJ, Detroit and KPRC, Houston, for period August 5 to September 1, 1935.

WALA—Pape Broadcasting Corp., Mobile, Ala.—Granted special temporary authority to rebroadcast program U. S. Coast Guard Station NROB, **2698 kc.,** giving description of Alabama Deep Sea Fishing Rodeo, period August 9, 10, 11, 1937.

WCBS—WCBS, Inc., Springfield, Ill.—Granted extension special temporary authority to operate from 10 p. m. to 12 midnight CST, Mondays, Tuesdays, Wednesday, Thursdays, Fridays, for period August 5 to September 3, 1937, in order to broadcast Municipal League baseball games only.

WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Granted special temporary authority to operate from local sunset (August sunset 6:45 p. m.) to 7 p. m., CST, August 8 to September 6, 1937, inclusive, in order to broadcast baseball scores and play by play description of games in the Cotton States League.

W7XBD—Oregonian Publishing Co., Portland, Ore.—Granted modification of C. P. to extend commencement date from February 15 to August 15, 1937, and completion date from August 15, 1937, to February 15, 1938.

W7XCY—Oregonian Publishing Co., Mobile, Ore.—Granted license to cover C. P.; frequencies **31100, 34600, 37600, 40600 kc.** on experimental basis; 2 watts, to communicate as relay-broadcast station.

W7XCX—Oregonian Publishing Co., Mobile, Ore.—Granted license to cover C. P.; frequencies **31100, 34600, 37600, 40600 kc.** on experimental basis; 2 watts, to communicate as relay-broadcast station.

W1XNU—City Broadcasting Corp., Mobile.—Granted license to cover C. P. same as above except 10 watts power.

KSTP—Natl. Battery Broadcasting Co., St. Paul, Minn.—Granted license to cover C. P.; **1460 kc.,** 10 KW night, 25 KW day, unlimited time.

WJIM—Harold F. Gross, Lansing, Mich.—Granted license to cover C. P.; **1210 kc.,** 100 watts night, 250 watts day, unlimited time.

WHLB—Head of the Lakes Broadcasting Co., Virginia, Minn.—Granted license to cover C. P.; **1370 kc.,** 100 watts night, 250 watts day, unlimited time.

W2XE—Columbia Broadcasting System, Inc., Wayne, N. J.—Granted license to cover old transmitter formerly used in International Broadcast Station W2XE as an auxiliary, 5 KW transmitter as follows: (a) power 10 KW; (b) auxiliary transmitter 5 KW.

WTAR—WTAR Radio Corp., Norfolk, Va.—Granted license to cover C. P.; **780 kc.,** 1 KW, unlimited time, using directional antenna system for nighttime use.

KMMJ—KMMJ, Inc., Clay Center, Neb.—Granted authority to install automatic frequency control equipment.

WBLK—The Exponent Co., Clarksburg, W. Va.—Granted authority to install automatic frequency control equipment.

KVGB—Ernest Edward Ruehlen, Great Bend, Kans.—Granted authority to install automatic frequency control equipment.

KIT—Carl E. Haymond, Yakima, Wash.—Granted modification of C. P. for approval of transmitter site at Intersection Washington Ave. and Northern Pacific Right of Way, 1 mi. south of city limits of Yakima, Wash.

WOKO—WOKO, Inc., Albany, N. Y.—Granted C. P. to install new equipment.

KFEQ—KFEW, Inc., St. Joseph, Mo.—Granted modification of C. P. extending commencement date to 5 days after grant and completion date to 150 days thereafter, and change transmitter site to 5⅜ mi. SE of St. Joseph, Mo.

Granted motion of the Head-of-the-Lakes Broadcasting Company for extension of time within which to file exceptions to Examiner's Report No. 1-465 until August 27, 1937.

APPLICATIONS RECEIVED

First Zone

NEW—Platt & Platt, Inc., Poughkeepsie, N. Y.—Construction per-
1000 mit for a new broadcast station on **1310 kc.,** 100 watts, 250 watts day, and unlimited hours of operation. Amended: Changes in equipment, change frequency from **1310 kc.** to **1000 kc.,** change power from 100 watts, 250 watts day, to 1 KW, hours of operation from unlimited to limited to local sunset at WHO.

WOV—International Broadcasting Corporation, New York, N. Y.
1130 —Modification of construction permit (B1-P-1223) for changes in equipment, requesting extension of completion date from 8-15-37 to 1-15-38.

WTHT—The Hartford Times, Inc., Hartford, Conn.—License to
1200 cover construction permit (B1-MP-306) for change in hours of operation.

NEW—Auburn Publishing Co., Auburn, N. Y.—Construction per-
1310 mit for a new station to be operated on **1310 kc.,** 100 watts night, 250 watts day, unlimited time. Requests facilities of Station WMBO.

NEW—National Broadcasting Co., Inc., New York, N. Y.—Construction permit for a new experimental broadcast station to be operated on **83500 kc.,** 1 KW.

NEW—National Broadcasting Co., Inc., New York, N. Y.—License to cover above.

NEW—National Broadcasting Co., Inc., New York, N. Y.—Construction permit for a new experimental broadcast station to be operated on **150000 kc.,** 500 watts.

NEW—National Broadcasting Co., Inc., New York, N. Y.—License to cover above.

WASJ—City of New York, Department of Plant and Structures, New York, N. Y.—License to cover construction permit (B1-PRY-37) for a new relay broadcast station.

NEW—Columbia Broadcasting System, Inc., New York. N. Y.—Construction permit for a new high frequency broadcast station on **31100, 34600, 37600, 40600 kc.,** 15 watts, unlimited time.

W2XMN—Edwin H. Armstrong, North of Alpine, New Jersey.—Modification of construction permit to extend commencement date from 2-15-37 to 12-15-37 and completion date from 8-15-37 to six months after date of commencement.

Second Zone

WCHS—Charleston Broadcasting Company, Charleston, W. Va.—
580 Construction permit to install vertical antenna; increase night power from 500 watts to 1 KW. Amended to install directional antenna for night use, install a new transmitter, and move transmitter from 4 miles southwest of Charleston, W. Va., to Huntington Highway, 5 miles west of Charleston, Jefferson District, W. Va.

WCHS—Charleston Broadcasting Company, Charleston, W. Va.—
580 Construction permit to install a new transmitter and vertical antenna and move transmitter from 4 miles southwest of Charleston, W. Va., to Huntington Highway, 5 miles west of Charleston, Jefferson District, W. Va.

WIP—Pennsylvania Broadcasting Company, Philadelphia, Pa.—
610 License to cover construction permit (B2-P-1484) for new transmitter and antenna, and move of transmitter.

NEW—Cadillac Broadcasting Corp., Detroit, Mich.—Construction
1140 permit for a new broadcast station to be operated on **1140 kc.,** 500 watts power, daytime hours of operation.

WGAR—The WGAR Broadcasting Co., Cleveland, Ohio.—Con-
1450 struction permit to make changes in equipment.

NEW—Cuyahoga Valley Broadcasting Company, Cleveland, Ohio.
1500 —Construction permit for a new station on **1500 kc.,** 100 watts power, daytime hours of operation (Section 17(j), (k), 18(o),(p), 20 and site).

W3XPF—Farnsworth Television, Inc., of Pennsylvania, Springfield, Pa.—Modification of construction permit (B2-PF-12) for visual broadcast station, to extend completion date from 9-5-37 to 11-5-37.

W8XOA—WJW, Inc., Akron, Ohio.—Construction permit to make changes in equipment and increase power from 20 to 40 watts.

W8XOA—WJW, Inc., Akron, Ohio.—License to cover above.

NEW—Thumb Broadcasting Co., Inc., by Fred B. Fitch, Sandusky, Mich.—Construction permit for a new broadcast station to be operated on 500 watts night and 1 KW day power, unlimited time, no frequency specified (incomplete).

W8XJV—WJR, The Goodwill Station, Detroit, Mich.—License to cover construction permit (B2-PE-196) as modified, for a new relay broadcast station.

Third Zone

NEW—J. T. Griffin. Fort Smith, Ark.—Construction permit for a
880 new broadcast station to be operated on **880 kc.,** 1 KW power, daytime hours of operation.

NEW—Santo Sottile, Charleston, S. C.—Construction permit to
1200 erect a new station to be operated on **1200 kc.,** 100 watts night, 250 watts daytime power, unlimited hours of operation.

NEW—Valley Publishing Co., Harlingen, Tex.—Construction permit
1200 for a new broadcast station to be operated on **1200 kc.,** 100 watts, 250 watts day, unlimited time.

KOCA—Oil Capital Broadcasting Association, James G. Ulmer,
1210 President, Kilgore, Tex.—License to cover construction permit (B3-P-1807) for equipment changes and increase in power.

NEW—Colonial Broadcasters, Inc., Savannah, Ga.—Construction
1310 permit to erect a new station to be operated on **1310 kc.,** 100 watts power, unlimited time. Amended to make changes in equipment and antenna.

KFRO—Voice of Longview. Longview, Tex.—Authority to transfer
1370 control of corporation from Rogers Lacy to James R. Curtis, 5000 shares of common stock.

WJBO—Baton Rouge Broadcasting Co., Inc., Baton Rouge, La.—
1420 License to cover construction permit (B3-P-975) as modified for changes in frequency, power, hours of operation and equipment.

WAGA—Liberty Broadcasting Co.. Atlanta, Ga.—License to cover
1450 construction permit (B3-P-745) as modified for new equipment, increase in power and move of transmitter and studio.

W4XB—Isle of Dreams Broadcasting Corp., Laurence E. Dutton, Miami Beach, Fla.—Modification of construction permit (B3-PA-15) to move transmitter from Collins Island, Miami Beach, Fla., to N. W. 18th Ave. and 32nd St., Miami, Fla., and extend commencement date from 3-19-37 to 60 days after grant and completion date from 9-19-37 to 180 days after date of commencement.

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Authority to install new automatic frequency control equipment.

NEW—Tri-State Broadcasting Co., Inc., El Paso, Tex.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.,** 3 watts.

Fourth Zone

WIND—Johnson Kennedy Radio Corp., Gary, Ind.—License to
560 cover construction permit (B4-P-1620) for changes in directional antenna.

WLBL—State of Wisconsin, Department of Agriculture and Markets,
900 Stevens Point, Wis.—Modification of license to change power from 2½ KW to 1 KW night and 5 KW day, and specified hours from 8 a. m. to local sunset to 8 a. m. to 10 p. m., CST. Amended: Change requested power from 1 KW night, 5 KW day, to 1 KW night and 2½ KW day, time from 8 a. m. to local sunset to from 6 a. m. to 10 p. m., CST.

WISN—Hearst Radio, Inc., Milwaukee, Wis.—Construction permit
1120 to move old W.E. Type 6-B transmitter from 533 East Wells St., Milwaukee, Wis., to 231 West Michigan Street, Milwaukee, Wis., to be used as an auxiliary transmitter.

KGLO—Mason City Globe Gazette Co., Mason City, Iowa.—
1210 License to cover construction permit (B4-P-1569) as modified for changes in equipment and increase in power.

KSTP—National Battery Broadcasting Company, St. Paul, Minn.
1460 —Special experimental authorization to operate a facsimile station from 1 a. m. to 6 a. m., using 10 KW power.

WAAR—Rockford Broadcasters, Inc., Rockford, Ill.—License to cover construction permit (B4-PRY-22) as modified for a new relay broadcast station.

KIGA—National Battery Broadcasting Company, Mobile.—License to cover above (frequency).

NEW—Woodman of the World Life Insurance Asso., Omaha, Nebr. —Construction permit for a new low frequency relay broadcast station on **1622, 2058, 2150** and **2790 kc.,** 100 watts power (Section 7(d) and 11(b).

KIGA—National Battery Broadcasting Co., Mobile.—Construction permit for a new transmitter, increase power from 7.5 watts to 16 watts (frequency and equipment).

Fifth Zone

KGW—Oregonian Publishing Company, Portland, Ore.—Authority
620 to determine operating power by direct measurement of antenna power.

KNX—Columbia Broadcasting System, Inc., Los Angeles, Calif.—
1050 Construction permit to install a new transmitter, make changes in antenna, move transmitter from 5049 Gloria St., Los Angeles, Calif., to site to be determined. Amended to give transmitter site as 190th St. and Hawthorne Ave., El Nido, Calif.

KGDM—E. F. Peffer, Stockton, Calif.—Construction permit to
1100 install new transmitter; changes in antenna; increase power from 1 to 5 KW; change frequency from **1100 kc.** to **1150 kc.;** change hours of operation from day to limited; and move transmitter from Lots 4 and 5, Clarkadota Subdivision No. 3, Stockton, Calif., to site to be determined, Stockton, Calif.

KOL—Seattle Broadcasting Co., Seattle, Wash.—Modification of
1270 license to change frequency from **1270 kc.** to **1040 kc.** and increase power from 1 KW night, 5 KW day, to 5 KW day and night. Amended to change requested frequency from **1040 kc.** to **1020 kc.**

KMED—Mrs. W. J. Virgin, Medford, Ore.—Construction permit
1410 for increase in power from 250 watts to 1 KW, and install new transmitter (geographic location).

KALO—Intermountain Broadcasting Corporation, Salt Lake City, Utah.—Reinstatement of construction permit (B5-PY-48) for new relay broadcast station on **1606, 2022, 2102, 2758 kc.,** 75 watts, unlimited time.

KALO—Intermountain Broadcasting Corporation, Salt Lake City, Utah.—License to cover the above.

NEW—KLZ Broadcasting Co., Denver, Colo.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.,** 1 watt.

W6XUC—Intermountain Broadcasting Corporation, Salt Lake City, Utah—Construction permit for new high frequency relay broadcast stations on **150000, 200000, 250000** and **300000 kc.,** 5 watts, unlimited time.

NAB REPORTS ★ ★ ★ ★ ★ *SPECIAL*
AUG. 18, 1937

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC.

(SESAC)

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS ★ ★ ★ ★ ★ *SPECIAL*
AUG. 18, 1937
Copyright, 1937. The National Association of Broadcasters

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC. (SESAC)

To All Members:

Frequently we have been asked, "What about the Society of European Stage Authors and Composers, Incorporated?" (SESAC).

In several conversations beginning in January, 1936, we endeavored to obtain from the SESAC a list of the musical selections it owns or controls. The information was not furnished us.

Because of the equivocal terms and phrases contained in the SESAC's license agreements (copies of which marked Exhibits 1 and 2 are attached to and made a part of this report), we were unable to determine from that instrument specifically what the SESAC had to offer.

For these reasons and in order that we might be fully informed, we addressed a letter interrogatory to the SESAC. A copy of this letter dated October 14, 1936, marked Exhibit 3, is attached to and made a part of this report. A copy of this letter was sent to all member stations.

It was our belief that clear and unequivocal answers to the questions contained in our letter to the SESAC were necessary before members could decide whether they need the SESAC music, and whether the price asked is reasonable for such SESAC music as is available to them, and which is usable in building radio programs for American radio listeners.

The SESAC's reply to our letter dated November 19, 1936, was received by us on December 11, 1936. A copy of this letter, marked Exhibit 4, is attached to and made a part of this report.

Previously there had been an exchange of correspondence concerning questions which had arisen from an examination of the SESAC brochure dated June 1, 1936. These letters will be referred to hereafter in this report, and for this reason, copies, marked Exhibit 5 and Exhibit 6, are attached to and made a part of this report.

The reply which we received from the SESAC (Exhibit 4) seemed to us to display a lack of cooperation in supplying to the members necessary information. We believe also that the SESAC's reply was unduly evasive.

Our next step was to make an examination of the musical copyright entries in the United States Library of Congress for the purpose of determining what musical copyright entries, if any, had been entered by or on behalf of the several publishers or organizations identified in the SESAC brochure dated June 1, 1936. A copy of this brochure marked Exhibit 7 is attached to and made a part of this report.

"Me Me Stelnis Manna Stin Amerike"
Don't Send Me Mother to America

During the early days of our investigation of the musical copyright entries in the United States Library of Congress, we discovered the Greek title, which according to the translation contained in the copyright entries reads: "Don't Send Me Mother To America". This selection found accredited to the Apollo Music Company proved to us the correctness of our theory that the broadcaster is entitled to inspect the package he is asked to buy.

The SESAC brochure dated June 1, 1936, contains the names of what appear to be 76 publishers or organizations. Duplications in the items contained in this brochure reduce the number of publishers or organizations to 52. In addition, 17 publishers or organizations were eliminated from consideration by the SESAC's admission (see Exhibits 5 and 6) that these have to do only with "grand rights" or other rights not included in the SESAC license agreement with stations. In other words, broadcasters who entered into license agreements with the SESAC as of about June 1, 1936, apparently acquired the right to perform musical selections of 35 publishers or organizations instead of 76, as displayed in their June 1, 1936 brochure. In this connection broadcasters will observe the statement appearing at the head of the June 1, 1936 brochure, "The following enumeration is the list contained in SESAC's Regular Performance Licenses as supplemented by recent acquisitions".

Under date of January 1, 1937, the SESAC distributed a new brochure, a copy of which, marked Exhibit 8, is attached to and made a part of this report. With the appearance of this January 1, 1937 brochure, which added and deleted certain firms, and subsequent announcements of newly acquired catalogues since that date, the total number of publishers or organizations to be considered in this report aggregate 62 as of April 1, 1937. The broadcasters will observe that in this brochure the SESAC noted certain exceptions to the general statement appearing at the head of their brochure.

We find, on examination of the musical copyright entries in the Library of Congress, that a total of approximately 5,500 unexpired musical copyright entries are credited to these 62 publishers or organizations. The distribution of these musical copyright entries are shown in a statement marked Exhibit 9, which is attached to and made a part of this report.

It will be observed (Exhibit 9), according to our finding, that of these 62 publishers or organizations, 13 were not credited with any musical copyright entries, 3 had not been credited with any musical copyright entries during the last 10 years; and 35 had been credited with a total of less than 50 entries each during the last 10 years. The remaining 11 publishers and the number of musical copyright entries which we found credited to each, as of April 1, 1937, follow:

APOLLO MUSIC PUBLISHING CO. (Greek) a total of 151 entries.
ARCT, M. (Polish) a total of 169 entries.
CALUMET PUBLISHING COMPANY (American) a total of 283 entries.
COLE, M. M. PUBLISHING CO. (American) a total of 104 entries.
GEHRMANS, CARL MUSIKFORLAG (Scandinavian) a total of 147 entries.
GEBETHNER AND WOLFF (Polish) a total of 73 entries.
NOWA SCENA (Polish) a total of 163 entries.
PAGANI, O. AND BROTHERS (Italian) a total of 517 entries.
RONDO VERLAG (German) a total of 291 entries.
SCHUBERTH, EDWARD AND CO. (American) a total of 1283 entries.
VITAK ELSNIC CO. (Polish) a total of 287 entries.

RENEWAL OF COPYRIGHTS

An examination of the catalogues referred to in this report requires that careful consideration be given to the questions which arise in connection with the renewal of copyrights. The copyright in a musical selection protects the owner of the copyright for a period of 28 years. The copyright law of the United States also permits a renewal of the copyright for an additional period of 28 years. The law specifically provides that a renewal of copyright can be made only by the author or composer, his heirs or next of kin (Sections 23 and 24 of the Copyright Act of 1909 as amended). We are confronted with some serious problems in this report because in numerous instances we found that the renewals had been made by persons or firms other than the author or composer, his heirs or next of kin, and there is no information available at the United States Library of Congress to show whether these persons were acting as the authorized agents of the author or composer, or of his heirs or next of kin; and more important whether, if he was duly authorized to make the renewal, he acquired the right to dispense the performing rights in the music.

As indicated in our letter to the ASCAP (Exhibit 10), it is our belief that the performance rights in the composition "Badinage", one of the most popular and best known compositions of Victor Herbert, are controlled only by the ASCAP. Victor Herbert, on August 9, 1895, "sold and assigned for all times and for all countries to Edward Schuberth & Company all my right, title and interest in my composition, bearing in the manuscript the title of 'Badinage'—for orchestra, arrangement for piano by Alex Rihm". A copy of this assignment, marked Exhibit 106, is attached to and made a part of this report. Our search disclosed that "Badinage" was first registered for copyright on September 4, 1895, by Edward Schuberth & Company.

It will be observed that the assignment of "Badinage" was for "all times". The United States Supreme Court established the principle that no assignment of copyright or of the right to copyright can anticipate or assign away the right of renewal which is conferred upon the author, widow, children, next of kin, or executor by statute (Paige v. Banks, 80 U. S. 608).

Our examination of the renewal records in the Copyright Office of the United States Library of Congress disclosed that the only application for renewal of the composition "Badinage" was made by Nathan Burkan, late general counsel of the ASCAP, in the name of Victor Herbert, on September 12, 1922. A copy of this renewal, marked Exhibit 107, is attached to and made a part of this report.

In 1921, 1922 and 1923 Victor Herbert was a member of the ASCAP (since his death his estate has been identified as a member of the ASCAP) and was subject to the clause in the ASCAP contract with each of its members which provides that such member (composer or author) agrees irrevocably to sell, assign, transfer and set over to the Society the entire exclusive right of public performance in each musical composition which he may during the life of the agreement, write, etc., alone, jointly, etc., or in which he may thereafter have any right, title or interest whatsoever, in whole or in part.

Consequently the fact that the assignment of "Badinage" to Edward Schuberth & Company was valid only during the period of the original copyright (1895-1923) and because of the terms of the contract existing between the ASCAP and Victor Herbert it is our belief that the entire and exclusive right of public performance automatically vested in the ASCAP immediately upon the commencement of the second 28-year copyright period, from September 4, 1923. It would appear therefore that only those broadcasters who are licensees of the ASCAP have the right to use "Badinage".

Based on a preliminary investigation, it is our belief that a great many renewals are made by persons without authority who hope to secure subsequent authorization from the rightful owner to dispense the performing and publishing rights in the music.

We have not yet exhausted all means of obtaining information concerning renewals. To do so, we must communicate with the author or composer, or his heirs or next of kin, in the case of each musical selection which has been renewed. This we hope to do, but checking the number of selections involved and ascertaining the correct address of the persons concerned would consume so much time as to destroy the value of this report in all other respects.

WORKS OF ASCAP MEMBERS

It will be observed that some of the musical selections referred to in this report were composed by (a) persons who are identified as members of the ASCAP, and (b) a member of the ASCAP, and a non-member of the ASCAP jointly. These circumstances require an examination of the contract between the ASCAP and its members. Our interpretation of the contract between the ASCAP and its member is that such member (composer or author) agrees irrevocably to sell, assign, transfer and set over to the Society the entire *exclusive* right of public performance in each musical work which he may, during the term of the agreement, write, etc., alone, jointly, etc., or in which he may have any right, title or interest whatsoever. It is our understanding that the exclusive and irrevocable terms of ASCAP contracts with composers and authors were introduced in 1921, are in effect now, and were in effect in the period from January 1, 1931 to December 31, 1935, the period in which the SESAC selections here in question were copyrighted or renewed. It is our belief, therefore, that the musical selections contained in this report which were written either by a member of the ASCAP, or by a member of the ASCAP jointly with a non-member can be performed under an ASCAP license.

This general conclusion was submitted to the ASCAP under date of January 26, 1937, and in reply we were advised by the ASCAP that it was unwilling to take any definite general position, but expressed the willingness to answer the question as to any specific composition by title, and added "but would prefer to answer these questions upon inquiry direct from a licensee". A copy of this letter to the ASCAP and its reply thereto, marked Exhibit 10 and Exhibit 11, are attached to and made a part of this report.

Thereafter, and on February 15, 1937, a similar letter was addressed to the ASCAP by a member station. A copy of this letter and its reply thereto, dated February 16, 1937, marked Exhibit 12 and Exhibit 13, are attached to and made a part of this report. It will be observed by reference to the ASCAP's letter dated February 16, 1937 (Exhibit 13) that it declined to give the member station any general ruling, but stated it would be very glad to analyze any list of works which the member might send them, and would inform the member specifically as to which of them may be considered in the ASCAP repertory and "embraced in its license". Pursuant to this suggestion, the member station addressed a detailed letter to the ASCAP under date of March 1, 1937. A copy of this letter (marked Exhibit 14) is attached to and made a part of this report. So far, this letter, as well as follow-up letters dated April 30, and May 29, have not been answered. These letters should indicate to the members some of the problems involved in a study of this character.

Also, these problems show the urgent need for remedial copyright legislation. In fairness both to the creators of music and to the users of music, the law should prescribe some form of registration which will make known to all concerned the true owners and their authorized agents in all copyrights. *In the absence of complete and authoritative information from each musical licensing society concerning its repertory the user has only the remedy of avoiding the use of any music in question.*

The SESAC in its reply dated November 19, 1936 (Exhibit 4) said, "As you know, the U. S. District Court in the case of Penn Broadcasting Corporation vs. American Society of Composers, Authors and Publishers, ruled, as a matter of law, that such catalogs are not required to be furnished, and that if desired, the purchaser should pay the expense of compilation". In this connection, there is attached hereto and made a part of this report, Exhibit 15 which shows that the Court found that the defendant (ASCAP) must "State the number of musical compositions copyrighted under the laws of the United States the public performance rights to which have been acquired by said Society", and that it must "State the title and composer's name of all copyrighted compositions, copyrighted under the laws of the United States, the public performance rights to which have been acquired by said Society during the period from January 1, 1933, to December 31, 1933". The Court did hold that the cost of compilation should be borne by the plaintiff, and required the defendant to furnish plaintiff an estimate of the cost of making such compilation within ten days; and gave the plaintiff the right to contest the reasonableness of the charges.

MUSICAL SELECTIONS COPYRIGHTED BY SESAC PUBLISHERS

The following chapters, which deal with individual catalogues, under the SESAC, are designed to show to the broadcasters by title, name of author, composer, and publisher, all of the musical selections which we could find credited to these "publishers or organizations" in the musical copyright entries of the United States Library of Congress, as of April 1, 1937. These data should enable the broadcasters to evaluate the need for the music in all these catalogues with the possible exception of the Spanish catalogues. According to popular opinion the tango is Spanish. However, according to a reliable Spanish authority, the tango originated in Argentina. Therefore, to assist the broadcasters in evaluating the need or worth of the approximately 71 selections contained in the eight Spanish catalogues, we offer the information contained in Exhibit 16 which is attached to and made a part of this report.

Some broadcasters may be confused by the fact that the names of many of the Polish composers sometimes have the suffix "iego" or "a" added thereto. These suffixes, "iego" and "a" indicate the possessive. Thus "Z. Bialostocki" and "Z. Bialostockiego" appearing in items 73 and 87 on page 98 are one and the same person. Also "A. Wlast" and "A. Wlasta" appearing in items 87 and 92 are one and the same person.

In addition to searching the musical copyright entries we examined also the assignment records. Copies of all assignments found related to the subject of this report are attached hereto as exhibits. These exhibits are furnished to show the character of the assignment and the names of the persons executing the same. Of unusual interest are those assignments to the SESAC which read for example (Exhibits 59-65 inclusive):

> "Signed A.—B. Carl Gehrmans Musikforlag
>
> By—Society of European Stage Authors and Composers, Inc., Attorneys.
>
> KURT A. JADASSOHN,
> *Vice President.*"

It will be observed that these assignments appear to convey to the SESAC all title and interest in the music named. We have no explanation for the discrepancies between the musical copyright entries and the assignments. In this connection we would point out that of the 1283 musical copyright entries credited to Edward Schuberth and Company, twelve have been assigned to the SESAC and that it was one of these twelve, "As We Part", which was the basis of the suit by the SESAC against the Pennsylvania Hotel in New York City.

The information in this report respecting names of authors, composers and publishers and dates, titles, assignments, etc., was compiled from the records of the United States Library of Congress.

The Managing Director has been assisted in the preparation of this report by Edward J. Fitzgerald, Director of the Bureau of Copyrights and Leonard D. Callahan, Assistant to the Managing Director. It is submitted as of April 1, 1937. Additional data concerning new entries or new catalogues will be made from time to time.

We express our sincere appreciation for the cooperation and courtesies extended to us during the course of this investigation by the officials and employees of the Office of the Register of Copyrights and of the Music Division of the United States Library of Congress and of the Bureau of Foreign and Domestic Commerce of the United States Department of Commerce.

Accordion Music Publishing Company

New York, N. Y.

An examination of the musical copyright entries in the United States Library of Congress as of April 1, 1937, failed to disclose any entries under the name of ACCORDION MUSIC PUBLISHING COMPANY, New York, N. Y., listed in an announcement by the SESAC, dated February 3, 1937, as a publisher or organization included under its license.

Ahn & Simrock Bühnenverlag

Berlin, Germany

An examination of the musical copyright entries in the United States Library of Congress as of April 1, 1937, disclosed the following entries under the name of AHN & SIMROCK, G. m. b. H., Berlin, Germany, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1870–1909

No copyright entries found.

Period 1909–1927

The following list:

1. ACH AMALIA
   aus "Die Kino Konigin" (pf. mit text) by Jean Gilbert, G. Okonkowski, and Julius Freund, arr. by Otto Lindemann. c. Mar. 10, 1913.
2. L'AMOUR ET LA VIE
   (pf.) by Jean Gilbert, arr. by C. Morena. c. Nov. 24, 1911.
3. ANGST (DIE) VON DER EHE
   (pf. mit text, vocal score) by Erich Urban, Louis Taufstein, and E. N. von Reznicek. c. Jan. 18, 1914.
4. ANGST (DIE) VON DER EHE
   (pf. mit text) potpourri, by Erich Urban, Louis Taufstein, and E. N. von Reznicek. c. Apr. 10, 1914.
5. BABY
   (pf. mit text) by Willy Engel-Berger, Fritz Redl, R. Rillo, and Fr. Hirsch. c. Aug. 24, 1925.
6. CASTELL-VAJOUR
   aus "Die Moderne Eva", (salon orch.) by Jean Gilbert, arr. by C. Morena. c. Oct. 16, 1911.
7. CASTELL-VAJOUR
   aus "Die Moderne Eva" (orch.) by Jean Gilbert, arr. by C. Morena. c. Oct. 16, 1911.
8. CASTELL-VAJOUR
   (pf.) by Jean Gilbert, arr. by C. Morena. c. Oct. 16, 1911.
9. CHAMPAGNER MARSCH
   aus "Die Angst Von Der Ehe" (pf. mit text) by Erich Urban, Louis Taufstein, and E. N. von Reznicek, arr. by C. Morena. c. Apr. 15, 1914.
10. DANN MACHT MAN NEN JUPPLALA-JUPPLALA
    aus "Die Kino Konigin" (pf. mit text) by G. Okonkowski, Julius Freund, and Jean Gilbert, arr. by O. Lindemann. c. Mar. 10, 1913.
11. DAS IST DIE MODERNE FRAU
    aus "Die Moderne Eva" (Gesang unde pf.) by Jean Gilbert, G. Okonkowski, and A. Schonfeld. c. Oct. 16, 1911.
12. DAS MUSST' EIN EIGENER ZAUBER SEIN
    aus "Die Angst Von Der Ehe" (pf. mit text) by Erich Urban, Louis Taufstein, and E. N. von Reznicek. c. Apr. 10, 1914.
13. DEM MAI ENTGEGEN
    aus "Die Angst Von Der Ehe" (pf. mit text) by E. N. von Reznicek, arr. by C. Morena. c. April 8, 1914.
14. DIVERTISSEMENT
    aus "Die Moderne Eva" (pf. mit text) by Jean Gilbert, arr. by C. Morena. c. Oct. 21, 1911.
15. EINFACHEN EIN REZITATIVE
    W. A. Mozart's Zu Fegaros Hochzeit, arr. by Geo. Hartmann. c. Oct. 3, 1912.
16. ENTFUHRUNG (DIE) AUS DEM SERAIL
    (recitative mit kl.) by W. A. Mozart and Max Schillings, arr. by E. Gerhauser. c. Aug. 16, 1911.
17. EVA WALZER
    aus "Die Moderne Eva" (orch.) by Jean Gilbert, arr. by C. Morena. c. Nov. 16, 1911.
18. EVA WALZER
    aus "Die Moderne Eva" (salon orch.), by Jean Gilbert, arr. by C. Morena. c. Nov. 16, 1911.
19. EVA WALZER
    aus "Die Moderne Eva" (pf. mit text), by Jean Gilbert. arr. by C. Morena. c. Oct. 16, 1911.
20. FRAU BARBEL
    (pf. mit text) by Jos. Snaga, Max Ed. Fischer and Theo. Halton. c. Sept. 7, 1920.
21. FROSCH TERZETT
    aus "Der Lumpenprinz" (pf. mit text) by Josef Snaga and Leo Kastner. c. June 14, 1912.
22. FROU-FROU-WALZER
    aus "Der Funfuhrtee," by Theodor Blumer. c. Oct. 18, 1911.
23. FUNFUHRTEE (DER)
    potpourri (pf.) by Theodor Blumer. c. Oct. 18, 1911.
24. FUNFUHRTEE (DER)
    (pf.) by Theodor Blumer. c. Oct. 18, 1911.
25. FUNFUHRTEE (DER)
    Gavotte (pf.) by Theo. Blumer. c. Oct. 18, 1911.
26. GEWISSE (DAS) ETWAS
    aus "Die Schone Excellenz," by Benno Sternberg. c. Jan. 16, 1913.
27. GISI WALZER
    aus "Der Lustige Kakadu" (pf. mit text) by Heinz Lewin, arr. by C. Morena. c. Jan. 4, 1912.
28. GRAF (DER) CASTELL VAJOUR
    from "Die Moderne Eva" (pf.) by Jean Gilbert, G. Okonkowski, and A. Schonfeld. c. Oct. 11, 1911.
29. GRAF HABENICHTS
    (pf. mit text) by Robt. Winterberg, Jean Kren, and Bernhard Buchbinder. c. Nov. 20, 1918.
30. HUMSTI BUMSTI
    (kindermarchen in 6 bildern) by Tilla Bunze, Erhard Siedel, and Theo. Mackeben. c. Mar. 3, 1927.
31. IN DER NACHT
    aus "Der Kino Konigin" (pf.) by G. Okonkowski, Julius Freund, and Jean Gilbert, arr. by O. Lindemann. c. Mar. 22, 1913.
32. JEDER MANN, WENN ER KANN, MACHT 'NEN SEITENSPRUNG
    aus "Die Moderne Eva" (pf.) by Jean Gilbert, G. Okonkowski, and A. Schonfeld. Oct. 11, 1911.
33. KAKADU RHEINLANDER
    (Grosses orch.) aus "Der Lustige Kakadu," by Heinz Lewin, arr. by C. Morena. c. Aug. 28, 1912.
34. KAKADU RHEINLANDER
    aus "Der Lustige Kakadu" (pf.) by Heinz Lewin, arr. by C. Morena. c. Jan. 4, 1912.
35. KAKADU RHEINLANDER
    aus "Der Lustige Kakadu" (salon orch.) by Heinz Lewin, arr. by C. Morena. c. Aug. 28, 1912.
36. KINO KONIGIN (DIE)
    potpourri (pf. mit text) by Jean Gilbert, G. Okonkowski, and Julius Freund, arr. by O. Lindemann. c. May 16, 1913.

37. KINO KONIGIN (DIE)
    operette in drei akten (pf. mit text) by Jean Gilbert, G. Okonkowski, and Julius Freund. c. June 10, 1913.
38. KORSISCHE (DAS) GESETZ
    (pf.) by Prosper Merimee and Walter Simon. c. Dec. 31, 1928.
39. LEIBKUTSCHER (DER) DES FREDERICUS REX
    (pf.) by Josef Snaga, Fritz Manninger, and G. Quedenfeldt. c. July 12, 1923.
40. LENE, LOTTE, LIESE
    (pf. mit text) by Jean Gilbert, Robert Gilbert, G. Okonkowski, and Julius Freund. c. Feb. 19, 1926.
41. LETZTE (DER) KUSS
    (pf.) by Robt. Winterburg, Richard Kessler, and Franz Norden. c. Oct. 29, 1925.
42. LIEBE, LIEBE, LIEBE
    Aus "Die Kino Konigin" by Jean Gilbert, G. Okonkowski, and Julius Freund. c. Feb. 1, 1913.
43. LIEBCHEN, LASS UNS TANZEN
    aus "Die Moderne Eva" (salon orch.) by Jean Gilbert, arr. by C. Morena. c. Oct. 16, 1911.
44. LIEBCHEN, LASS UNS TANZEN
    aus "Die Moderne Eva" (orch.) by Jean Gilbert, arr. by C. Morena. c. Oct. 16, 1911.
45. LIEBCHEN, LASS UNS TANZEN
    Aus "Die Moderne Eva" (pf.) by Jean Gilbert, A. Schonfeld, G. Okonkowski. c. Oct. 11, 1911.
46. LIEBLICHE KLEINE DINGERCHEN
    aus "Der Kino Konigin" (march ensemble) by Jean Gilbert, G. Okonkowski, and Julius Freund. c. Dec. 10, 1912.
47. LIEBLICHE KLEINE DINGERCHEN
    (march ensemble) Aus "Die Elfte Muse," by Jean Gilbert and G. Okonkowski. c. Dec. 4, 1912.
48. LIED DER HELENE
    aus "Der Funfuhrtee" (gesang und pf.) by Theodor Blumer. c. Oct. 18, 1911.
49. LISELOTTE UND HEINZ
    Aus "Der Funfuhrtee" (duet) by Theodor Blumer. c. Oct. 18, 1911.
50. LUCIA VON LAMMERMOOR
    (Tragische oper in 3 akten) by S. Cammerano, G. Donizetti, arr. by Max Ettinger. c. Dec. 3, 1928.
51. LUSTIGE (DER) KAKADU
    (pf.) by Wilhelm Jacoby, Arthur Lippschitz, and Heinz Lewin. c. Oct. 27, 1911.
52. MAN LACHT, MAN LEBT, MAN LIEBT
    aus "Die Kino Konigin" by Jean Gilbert and G. Okonkowski. c. Dec. 4, 1912.
53. MAN LACHT, MAN LEBT, MAN LIEBT
    aus "Die Kino Konigin" (pf. mit text) by Jean Gilbert, G. Okonkowski, and Julius Freund, arr. by Otto Lindemann. c. Mar. 10, 1913.
54. MAN LACHT, MAN LEBT, MAN LIEBT
    Aus "Die Kino Konigin" (gesang und pf.) by Jean Gilbert, G. Okonkowski, and Julius Freund. c. Dec. 10, 1912.
55. MANN (DER) DER MANN DER MANN
    aus "Die Moderne Eva" (pf.) by G. Okonkowski, A. Schonfeld, and Jean Gilbert. c. Oct. 16, 1911.
56. MARSCH
    aus "Der Funfuhrtee" (pf.) by Theodor Blumer. c. Oct. 18, 1911.
57. MEINE FRAU-DAS FRAULEIN
    (pf. mit text) by Hermann Beutten and Hans H. Zerlett. c. July 1, 1921.
58. MODERNE (DIE) EVA
    (pf. mit text) by Georg Okonkowski, Alfred Schonfeld, and Jean Gilbert, arr. by C. Morena. c. Dec. 15, 1911.
59. MODERNE (DIE) EVA
    (pf.) by Georg Okonkowski, Alfred Schonfeld, and Jean Gilbert. c. Nov. 24, 1911.
60. NOTHEMD (DAS)
    (pf. mit text) by Victor v. Woikowsky-Biedau. c. Sept. 18, 1913.
61. ORIENTALISCHER TANZ
    aus "Zuleima" (orch.) by Heinrich Bienstock. c. Aug. 2, 1913.
62. POTPOURRI
    aus "Der Lustige Kakadu" (pf. mit text) by Heinz Lewin, arr. by C. Morena. c. June 14, 1912.
63. DER RICHTER VON KASCHAU
    oper in drei akten (orch.) by Otto Neitzel. c. Apr. 1, 1916.
64. SCHNEIDER VON MALTA
    oper buffa in drei akten (vocal score) by Richard Schotte and Waldemar Wendland. c. Aug. 28, 1912.
65. SCHONE (DIE) EXCELLENZ
    (pf. mit text) by Josej Siener and Benno Sternberg. c. Feb. 8, 1913.
66. SCHONSTE (DIE) VON ALLEN
    (pf. mit text) by George Okonkowski, Jean Gilbert, and Rolf Beeneken. c. June 1, 1919.
67. SCHUSTERKOMTESSE (DIE)
    (pf. mit text) by Albert Mattausch and Pordes-Milo. c. May 26, 1924.
68. SCHWESTERLEIN-GAVOTTE
    Aus "Die Moderne Eva" (pf. mit text) by J. Gilbert, arr. by C. Morena. c. Dec. 27, 1911.
69. SELIGER (EIN) AUGENBLICK
    Intermezzo aus "Der Funfuhrtee" (pf.) by Thedor Blumer, arr. by C. Morena. c. June 5, 1912
70. SELIGER (EIN) AUGENBLICK
    Intermezzo aus "Der Funfuhrtee" (Streich. orch. mit Harfe und Glocken) by Theodor Blumer, arr. by C. Morena. c. June 14, 1912.
71. TANTE SIMONA
    Komische oper in einem akt (pf. mit text) by Viktor Heindl and Ernst von Dohnanyi. c. Mar. 21, 1912.
72. TANTE SIMONA
    overture, (pf.) by Ernst von Dohnanyi, arr. by Max Trapp. c. Dec. 29, 1913.
73. TRUDE
    aus "Der Lustige Kakadu" (pf. mit text) by Heinz Lewin, arr. by C. Morena. c. June 17, 1913.
74. TWO STEP UND WALZER
    aus "Die Schone Excellenz" (pf.) by Benno Sternberg. c. Nov. 23, 1912.
75. WALZER-ENTR'ACT
    aus "Die Angst von der Ehe" (pf.) by E. N. von Reznicek, arr. by C. Morena. c. Apr. 10, 1914.
76. WENN IM FRUHLING DER HOLUNDER
    (pf. mit text) by W. Jacoby, A. Lippschitz, and Heinz Lewin. c. Oct. 10, 1917.
77. WER GELD HAT, IST EIN FEINER MANN
    aus "Die Kino Konigin" (gesang und pf.) by Jean Gilbert, G. Okonkowski, and Julius Freund. c. Feb. 1, 1913.
78. WIE LERNT MAN LIEBEN
    (pf. mit text) by Edgar Istel. c. Sept. 22, 1930.
79. ZARTLICH SUSS UND LEISE
    aus "Die Elfte Musik" by G. Okonkowski and Jean Gilbert. c. Dec. 4, 1912.
80. ZARTLICH SUSS UND LEISE
    aus "Die Kino Konigin" by G. Okonkowski, Jean Gilbert, and J. Freund. c. Dec. 10, 1912.

Period 1928–April 1, 1937

No copyright entries found.

An examination of the assignment records in the United States Library of Congress shows that of the above, thirty have been assigned to the SESAC and eight have been assigned to Nathan Burkan, late general counsel of the ASCAP. Copies of these assignments marked Exhibits 17 to 19 inclusive, are attached to and made a part of this report. The assignments made to Mr. Burkan in 1931 are shown here to enable broadcasters to evaluate the statement contained in Item 14 of the SESAC letter dated November 19, 1936 (Exhibit 4) that "*as to all the following (and this embraces some 50 repertories), we control the complete body of radio performing rights: Ahn u Simrock Buhnenverlag, Berlin* * * *."

From a reliable source we are informed "this firm does not handle orchestral, classical or popular sheet music. It publishes (and acts as jobber for) theater plays."

Of further interest to broadcasters should be the statement contained in a letter received from AHN AND SIMROCK BUHNENVERLAG dated September 22, 1936 that after December 31, 1937, AHN AND SIMROCK BUHNENVERLAG would be represented by the ASCAP. A copy of this letter marked Exhibit 20, is attached to and made a part of this report.

This catalogue may be of value to those broadcasters who cannot operate in the public interest, convenience and necessity without the use of German music taken largely from German theater plays written prior to 1927.

J. Altschuler

Warsaw, Poland

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entry under the name of J. ALTSCHULER, Warsaw, Poland, listed in the SESAC brochure dated January 1, 1937 as a publisher or organization included under its license.

1870–1934

No copyright entries found.

1935–April 1, 1937

1. (1) W NIEDZIELE (2) WACUS (3) NIE MOGE ZYC BEZ CIEBIE
   piosenki z filmu (voice & pf.) by W. Dan and Oldlen. c. Dec. 27, 1935.

The compositions contained in this catalogue probably have a certain performance value to those broadcasters who cannot operate in the public interest, convenience and necessity without using this type of Polish music.

Apollo Music Company

2137 Cortelyou Road, Brooklyn, N. Y.
301 W. 41st Street, New York City

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of APOLLO MUSIC COMPANY, listed in the SESAC brochure dated June 1, 1936 as a "publisher or organization" included under its license.

Period 1870–1926

No copyright entries found.

Period 1927–April 1, 1937

The following list: ((E2) indicates unpublished copyright entries.)

Title Phonetically Spelled

1. ADELINA (E2)
   (violin) by Antonio Bosignore. c. Sept. 13, 1928.
2. AEDONIA
   (song) by S. S. Lontos-Sagiaxis. c. Sept. 29, 1933.
3. AGAPA ME
   by S. Joannidi-Matsa. c. June 10, 1936.
4. AGAPIS LOGIA
   by Hadjiapostolou. c. Aug. 21, 1935.
5. AH YERNA PISO
   by S. Stangalis-Vlyssidis. c. May 5, 1934.
6. AL SMITH (E2)
   (song) by June Barry. c. Aug. 10, 1928.
7. AMAMI (E2)
   (pf.) by Alberto Rizzi. c. Apr. 16, 1928.
8. AMANTE DEL CUORE (E2)
   (violin) by Vincenzo Paladino. c. Oct. 8, 1930.
9. AMERICAN BEAUTIES (E2)
   (violin) by Alberto Rizzi. c. Sept. 13, 1928.
10. AMERICANA
    (song) by Demosthenes Zattas, Aristides Chrysakos and Georges Buyukas. c. Mar. 1, 1937.
11. AMIALI MIKROULA
    by Hadjiapostolou-Matsa. c. Dec. 27, 1934.
12. AMORE INFRANTO (E2)
    (pf.) by Guido Falrinoli. c. June 27, 1930.
13. ANOIXIS
    (song) by John and Thiophrastos Sakellaridis and Costis Palamas. c. Mar. 1, 1937.
14. ANTHISMENE ANUGDALIA
    (Greek song) by Markianos and Buyukas. c. Dec. 10, 1934.
15. APOLLONIAN EDITIONS OF GREEK-AMERICAN SONGS FOR SCHOOL, HOME, FOR SINGING AND PLAYING ON MANDOLIN, VIOLIN, AND CLARINET
    compiled by Geo. Buyukas. c. Aug. 18, 1936.
16. APPASSIONATA (E2)
    (violin) by Francesco Rizzi. c. June 27, 1930.
17. ARABIAN SERENADE
    (song) by Buyukas and Raptis. c. Dec. 1, 1934.
18. ASMA TON LEM BOUCHON TOU VOLGA
    (song) arr. by S. Becatoros. c. Dec. 27, 1934.
19. ASTROLACU (E2)
    (violin) by Sasa' B. Gagliano. c. June 29, 1928.
20. BALOS
    (pf.) arr. by Antonios X. Sakelarion. c. Aug. 21, 1935.
21. BELLA DEL MULINO (E2)
    (pf.) by Alfredo Cibelli. c. June 29, 1928.
22. BETTINA MIA (E2)
    (violin) by Ida DeFeo. c. Dec. 2, 1927.
23. BOSK OPOULA AND ENAS ALTOS
    (pf.) arr by Becatoros. c. Dec. 27, 1934.
24. CANARINO (E2)
    (ocarina) by Alberto Rizzi. c. Apr. 16, 1928.
25. CAPINERA (E2)
    (ocarina) by Alberto Rizzi. c. Apr. 16, 1928.
26. CARNEVALE DI VENEZIA (E2)
    (ocarina) by Alberto Rizzi. c. June 29, 1928.
27. CAROTSIERIS
    (pf.) arr. by Buyukas. c. Aug. 21, 1935.
28. CHASIPICOS HOROS
    (pf.) by Sapellariou, Eptaminetis and Buyukas. c. Sept. 15, 1936.
29. CHICKEN COOP (E2)
    (pf. and accd.) by Eric Olzen. c. Sept. 28, 1927.
30. CHOROSSYRTOS POLITIKOS
    arr. by Becatoros. c. Aug. 18, 1936.
31. CONCA D'ORO (E2)
    (mandolin) by Guilis Nicastro. c. Mar. 5, 1927.
32. CUOR CONTENTO (E2)
    (mandolino) by Guisippe Tavarone. c. Feb. 15, 1927.
33. DAMPEI MES TO GIXLO (SANTA LUCIA)
    arr. by Buyukas and Christodoulidou. c. Aug. 21, 1935.
34. DIAVOLETTO (E2)
    (violin) by Flaminio Pignoloni. c. Apr. 29, 1929.
35. DUO ASTRA OPOPSE LEIPOUNE
    by Lontos. c. Sept. 29, 1933.
36. ELA NA FILITHOUME
    (song) by Toni Farouggias and Emachis Sarrides. c. Mar. 1, 1937.
37. ENA EARABI APO TE XIO
    (Greek song) by A. Politis and Buyukas. c. Dec. 10, 1934.
38. ERENAKU
    by Xirellis. c. June 10, 1936.
39. EROTISA T'ASTERIA
    (Greek song) by Lontos and Perdikidis. c. May 5, 1934.
40. ETHNIK OS HYMNOS (Greek National Anthem)
    (orch) by N. Mantzarou, arr. by Seredy. c. Mar. 15, 1932.
41. ETNA (E2)
    (violin conductor pt.) by A. Bonsignore and Flaminio Pignoloni. c. Dec. 17, 1927.
42. FAVORITE ITALIAN MELODIES (E2)
    (medley) by Alfred Cibelli. c. Feb 15, 1927.
43. FIOR DI SPAGNA (E2)
    (violin) by Alberto Rizzi. c. Feb. 20, 1929.
44. FIORE SOLITARIO (E2)
    (violin) by Lorenzo Morelli. c. Sept. 13, 1929.
45. FLAPPER (E2)
    (violin) by Frank Pedina. c. Aug. 16, 1927.
46. FRA DUE GUANCIALI (E2)
    (violin) by Gerardo Iasilli. c. Sept. 13, 1928.
47. GIATI THEN THELEIS
    (Greek song) by Stangalis-Ulyssidis. c. May 5, 1934.
48. GLUKEIA RETZINA
    (Greek song) by Constantinides. c. June 10, 1936.
49. GRAND WALTZ (E2)
    (pf. conductor) by Alfredo Cibelli. c. June 29, 1928.
50. HARIKLAKI
    (Greek song) by Zattas and Sountas. c. Jan. 2, 1935.

51. HORIAMOU SIMON' E ORA (Greek song) by Hatziapostolou and Thanon. c. Sept. 15, 1936.
52. HYMNOS TIS NEASGENEAS (Greek and American hymn) by Becatoros and Vlakos. c. Feb. 10, 1928.
53. INCANTO (E2) (serenata, conzone) by Costa Rizzi. c. Feb. 20, 1929.
54. INFLATION (IF I ONLY HAD THE MONEY) by Zattas Katsaros and Buyukas. c. Sept. 29, 1933.
55. INNAMORATA (E2) (violin) by Alberto Rizzi. c. Feb. 20, 1929.
56. JOY NOW IS MINE (song) by Alfred G. Robyn. c. Apr. 15, 1935.
57. KAKOURGA PETHERA (song) arr. by Becatoros. c. Dec. 27, 1934.
58. KALAMATIANOS arr. by Liapis. c. Dec. 27, 1934.
59. KALAMATIANOS INSTRUMENTA by Antonios X. Sakelarion. c. Dec. 27, 1934.
60. KARMELA (Greek song) arr. by Komminos. c. Dec. 27, 1934.
61. KAUMENO TO GADOURAKA by Becatoros. c. Aug. 21, 1935.
62. KERNO TON PONO MOU KRESI (song) by Iren T. Farouggias and Geo. Olimpiou. c. Mar. 1, 1937.
63. LEMONAKI AND EICHA MIAN AGAPE by Badget-Kokkinios. c. Aug. 21, 1935.
64. LOLA (E2) (pf.) by Lorenzo Morelli. c. June 27, 1930.
65. LOTTA DI BACCI (E2) (pf.) by Alberto Rizzi. c. June 29, 1928.
66. LOU LOUKA (song) by Badget and Kakkinos. c. Aug. 21, 1935.
67. LOVE & KISSES (E2) (violin) by Alberto Rizzi. c. Nov. 11, 1933.
68. LISMONISE (Greek song) by Hadjiapostolu c. Aug. 21, 1935.
69. M PERATI INSTRUMENTA by Antonios X. Sakelarion. c. Dec. 27, 1934.
70. MALIA (E) (violin) by P. Miniati. c. Dec. 2, 1927.
71. MARGHERITA (E2) (violino) by Alberto Rizzi. c. Dec. 2, 1927.
72. MES TIS NYHTIAS TI SIGALIA (song) by Nicholas Hatziapostolou and Orpheas Karavias. c. Mar. 1, 1937.
73. MY LONAS by Nouros-Abas. c. Aug. 21, 1935.
74. MARITSA (song) by Buyukas and Sakellaridis. c. Aug. 21, 1935.
75. MATIA PLANA (song) by Sylinou and Joannides. c. Aug. 21, 1935.
76. MAVRODAPHNE (Greek song) by Markianos. c. May 5, 1934.
77. MAUR' EIN' E NUXTA (Greek National March) (orch.) by Geo. Sailor arr. J. S. Seredy. c. Mar. 15, 1932.
78. MAUR' EIN HE NUXTA STA BOUNA (pf.) arr. by Buyukas. c. Dec. 27, 1934.
79. MAURA MATIA (DARK EYES) (song) arr. by Buyukas and Ministrie. c. Feb. 14, 1933.
80. ME ME STELNIS MANNA STIN AMERIKE (DON'T SEND ME MOTHER TO AMERICA) (Greek song) by Semisi and Kamvisi. c. June 10, 1936.
81. MERRY CHRISTMAS (E2) (pf. conductor) by Alberto Rizzi. c. Sept. 13, 1928.
82. MESANIHTA (Greek song) by Nattsas. c. Jan. 2, 1935.
83. MIAN MONIN POTHO KE LATREVO (Greek song) by Stephanahis and Becatoros. c. Jan. 2, 1935.
84. MN ME PWTAS (FALLING IN LOVE) (song) by Joannidis, Theodoridis and Buyukas. c. Jan. 2, 1935.
85. MONNA LISA (E2) (violin) by Vincenzo Paladino. c. Nov. 30, 1929.
86. MONTE BELLO (E2) (violin conductor pt.) by Theodor Barra. c. Dec. 2, 1927.
87. MOTHISTROULA (Greek song) by Hatziapostolou. c. Dec. 15, 1935.
88. MPARMPA LIANNES (UNCLE JOHN'S BIRTHDAY) (Greek song) by E. Pitropakis and Buyukas. c. Jan. 2, 1935.
89. PROTE AGAPE by Hadjiapostolou. c. Aug. 21, 1935.
90. NEL PAESE DEL SOLE (E2) (pf.) by Guido Tutrinoli. c. June 27, 1930.
91. NEROMENO KRASI (song) by Nicholas Hatziapostolou and John Polemis. c. Mar. 1, 1937.
92. NICOLLETTA (E2) (violin) by Giovanni Lippolisc. c. Aug. 26, 1927.
93. NOTTE D' INCANTO (E2) (violin) by Vincenzo Paladino. c. Oct. 12, 1931.
94. NOTTE VENEZIANE (E2) (violin) by Flaminio Pignoloni. c. Feb. 20, 1929.
95. NTANELIS by Antonios X. Sakelarion. c. Dec. 27, 1934.
96. ONEIRODES RALS (Greek song) by Buyukas. c. Jan. 2, 1935.
97. PALIA TAVERNA (Greek song) by Vitalis-Melas. c. May 5, 1934.
98. PALOMA (Greek translation of La Paloma) by Buyukas. c. Aug. 21, 1934.
99. PANTREUOUN TBN AGAPE MOU (THEY ARE GIVING MY SWEETHEART AWAY) (Greek song) by Callinicos-Buyukas. c. June 10, 1936.
100. PEDIA M' SAN THETE LEENTIA AND KETSOS (Greek song) by Constantinidou and Eliopoullion. c. Sept. 15, 1936.
101. PENA D'AMORE (E2) (violin) by Vincenzo Paladino. c. Apr. 29, 1929.
102. PIANO ALBUM 10 PIECES by Alberto Rizzi. c. Dec. 24, 1927.
103. PIES GLUKO PRASI (Greek song) by Katriuanou-Nikalaidis. c. Aug. 21, 1935.
104. PLAKAS TA STENA (Greek song) by Farloulia. c. Aug. 21, 1935.
105. POLITIKOS SYRTOS (inst.) by Antonios X. Sakelarion. c. Dec. 27, 1934.
106. PROFUMI PRIMA VERILE (E2) (violin) by Guido Tutrinoli. c. Apr. 29, 1929.
107. RERY RERY RIKA from the Operetta "Ririka Mos," by Mastora and Fotos. c. June 15, 1936.
108. RODO SKOR PO STO DIABA SAS (Greek song) by Liapis. c. Jan. 2, 1935.
109. ROSA (E2) (violin) by Alfredo Fasano. c. Apr. 29, 1929.
110. ROTHO NANARI by Lontos, McPherson and Valaoritis. c. Sept. 15, 1936.
111. SAMIOTISSA (Greek song) arr. by Becatoros. c. Dec. 27, 1934.
112. SANTA CLAUS SONG by Leapis Buyukas. c. Dec. 1, 1934.
113. SEDUCENTE (E2) (violin) by Frank Pedina. c. Aug. 16, 1927.
114. SFIXE ME (song) by Sakellaridis and Laskaris. c. Dec. 27, 1934.
115. SI O NO? (E2) (violin) by Ida DeFeo. c. Feb. 25, 1929.

116. SINCERITA (E2)
(pf.) Flaminio Pignoloni. c. Jan. 28, 1928.

117. SKLIRI KARTHEA
(Greek song) by Karrinas. c. June 10, 1936.

118. SOAVITA (E2)
(violin) by Frank Pedina. c. Apr. 29, 1929.

119. SOGNI DI GIOVENTU (E2)
(B flat clarinet) by Francesco Rizzi. c. Aug. 26, 1927.

120. SPANIOLOS
(Greek song) by Hatziapostolou. c. Dec. 27, 1934.

121. SPITI MON GAUKO (HOME SWEET HOME)
arr. by Buyukas and Becatoros. c. Feb. 14, 1933.

122. STEN KENTEMENE SOU PODIA
(song and dance) by Zattas and Sakellariou. c. Jan. 2, 1935.

123. STOUS DIKAOUS MON (OLD FOLKS AT HOME)
arr. by Buyukas and Seredy. c. Feb. 14, 1933.

124. T'AKOUT' ARACHOBITISES (E2)
(song) by George Buyukas. c. May 5, 1932.

125. THA FUGO KORE MON STA XENA
(Greek song) by Polemis and Becatoros. c. Aug. 21, 1935.

126. THA GYRISIS
(Greek song) by Uton Sefer and Spartakan. c. June 10, 1936.

127. THA KOPSO ROTHA
(Greek song) by Polemis and Hatziapostolou. c. Aug. 18, 1936.

128. THALASSA LEBENTOPNICHTRA
(Greek song) by Sideri. c. Oct. 15, 1936.

129. THELO
(Greek song from "He Blamisa") by Hatziapostlou. c. Dec. 27, 1934.

130. THIO GLYKA MATAKIA
(Greek song) arr. by Politis and Polemos. c. Aug. 21, 1935.

131. THUMASAI
(Greek sentimental tango song) by Nattsa. c. Aug. 21, 1935.

132. TI EHIS KIOLO KLES
(song) by Theodor Papadopoulos, Kostas Kiousis and Spiros Petras. c. Mar. 1, 1937.

133. TI SE MELIE ESENANE AND TA MALLIA SOU TA KOMMENA
(pf.) arr. by Becatoros. c. Dec. 27, 1934.

134. TRITSIM BETHAS
by Antonios X. Sakelarion. c. Dec. 27, 1934.

135. U-LA-LA (E2)
(violin) by Alberto Rizzi. c. Dec. 2, 1927.

136. USIGNUOLO (E2)
(ocarina and pf.) by Alberto Rizzi. c. June 27, 1930.

137. VITA MIA (E2)
(violin) by L. Fiorillo and F. Pignoloni. c. Feb. 10, 1933.

138. VITA SPAGNOLA (E2)
(violin) by Alberto Rizzi. c. Feb. 20, 1929.

139. XECHASE ME
by Giammidis and Giamonkakis. c. Aug. 21, 1935.

140. XENITEIA ME HERETE
(Greek song) by Xirellis. c. June 10, 1936.

141. XIPNA
(Greek song) by Zattas and Chrischoos. c. Jan. 2, 1935.

142. XIPNA GLIKIA MOU AGAPI
by Lontos and Typaldou. c. May 5, 1934.

143. YA-YA (E2)
(violin) by Alberto Rizzi. c. Nov. 11, 1933.

144. YATI YATI
(song) by Costas Giannidis. c. Mar. 1, 1937.

145. YELEKAKI (TO)
(Greek song) by Spiros Allanthezos and George Buyukas. c. May 5, 1934.

146. YIATI NA FIGIS
by Martino Geammoukakis and Nikalaidi. c. June 10, 1936.

147. YO-YO (E2)
(violin) by Alberto Rizzi. c. Nov. 11, 1933.

148. ZETO NA VRO TEN EFTHITNA
(Greek song) by Lontos and Hakapoulos. c. May 5, 1934.

149. ZILENO
(song) by Taki Marinos and George Povleti. c. Mar. 1, 1937.

150. ZUPNA GLYKEIA MOW PARTHENA
(song) arr. by Costas Aslanidis. c. Mar. 1, 1937.

151. VIOLETTA (E2)
(violin) by Flaminio Pignoloni. c. Feb. 20, 1929.

The 146 selections represented in the above 151 entries are divided as follows: 71 original published selections; 52 unpublished selections; 23 republished musical selections, (Public Domain) the copyrights in which are based either on translations of the original English words into the Greek language or on the basis of new arrangements. Of the entire list, only 3 selections are arranged for orchestra.

Except in 2 or 3 instances, the copyright entries are in the Greek language.

The extent to which the music contained in the APOLLO MUSIC COMPANY catalogue is usable in building radio programs for American radio listeners, is indicated by the following 3 samples which give both the Greek and English titles of the selections:

Greek Title Phonetically	*English Translation*
Me Me Stelnis Manna Stin Amerike..	Don't Send Me Mother to America
Mparmpa Liannes	Uncle John's Birthday.
Pantreuon Tbn Agape Mou.........	They Are Giving My Sweetheart Away

The need for a license to perform all of the musical selections contained in the APOLLO MUSIC COMPANY catalogue is indicated by the following 4 selections, the copyrights in which the APOLLO MUSIC COMPANY has obtained on the basis of a new arrangement and a translation into the Greek language:

"Dark Eyes"
"La Paloma"
"Home Sweet Home"
"Old Folks At Home"

Each of these is available in English under an ASCAP license.

Samples of the catalogues contained in the APOLLO MUSIC COMPANY repertory are marked Exhibit 21 and Exhibit 22 and are attached to and made a part of this report. These can be used by the broadcasters to determine the availability of the music in these catalogues.

M. Arct

Warsaw, Poland

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of M. ARCT, Warsaw, Poland, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1870–1933

No copyright entries found.

Period 1934–April 1, 1937

The following list:

1. A JA NIC, TYLKO TY
   (orch.) by A. T. Muller and M. Hemar. c. Dec. 4, 1935.
2. A JA NIC, TYLKO TY
   (vocal and pf.) by A. T. Muller and M. Hemar. c. Dec. 4, 1935.
3. AMOUR! DESIRS! FOLIE!
   (orch.) arr. by Sterny and Andre De Badet. c. Dec. 28, 1935.
4. ANI SLOWA O MILOSCI
   (orch.) by J. Front, St. Ferszko, and E. Schlechter. c. Apr. 2, 1934.
5. ANI SLOWA O MILOSCI
   (pf. and vocal) by J. Front, St. Ferszko and E. Schlechter. c. Apr. 2, 1934.
6. BARBARA
   (orch.) by W. Dan and E. Schlechter. c. May 1, 1934.
7. BARBARA
   (pf. and vocal) by W. Dan and E. Schlechter. c. May 1, 1934.
8. BIALE PRELUDIUM
   (ork. strony) by Fred Scher. c. Jan. 26, 1937.
9. BLONDYNECZKA
   (orch.) by St. Szebego and E. Schlechter, arr. by Wl. Eiger. c. Aug. 12, 1935.
10. BLONDYNECZKA
    (pf. and vocal) by St. Szebego and E. Schlechter. c. Aug. 12, 1935.
11. CALUJ MNIE
    (orch.) by J. Petersburski and E. Schlechter. c. Apr. 2, 1934.
12. CALUJ MNIE
    (pf. and vocal) by J. Petersburski and E. Schlechter. c. Apr. 2, 1934.
13. CHCESZ TO MNIE BIERZ
    (orch.) by Z. Karasinski, E. Schlechter and S. Kataszka. c. Dec. 30, 1933.
14. CHCESZ TO MNIE BIERZ
    (pf. and vocal) by Z. Karasinski, E. Schlechter and S. Kataszka. c. Dec. 30, 1933.
15. CO BEZ MILOSCI WART JEST SWIAT
    (pf. and vocal) by H. Wars, K. Tom and E. Schlechter. c. Mar. 7, 1935.
16. COZ BEZ MILOSCI WART JEST SWIAT (and) U-DI-RADI-RADI-RIDA
    (orch.) by H. Wars, E. Schlechter and K. Tom. c. Mar. 7, 1935.
17. CZY TO WARTO
    (pf. and vocal) by H. Wars and K. Tom. c. Dec. 4, 1935.
18. CZY TO WARTO
    (orch.) by H. Wars and K. Tom. c. Dec. 4, 1935.
19. DAREMNIE PROSISZ
    (orch.) by W. Krupinski, A. Wlast, arr. by Wl. Eiger. c. Aug. 21, 1935.
20. DAREMNIE PROSISZ
    (pf. and vocal) by W. Krupinski and A. Wlast. c. Aug. 21, 1935.
21. DLA CIEBIE CHCE BYC BIALA
    by H. Wars, K. Tom and E. Schlechter. c. Dec. 13, 1934.
22. DLA CIEBIE ZROBIA WSZYSTKO
    (pf. and vocal) by Henry Gold and E. Schlechter. c. July 10, 1934.
23. DO SZCZESCIA BRAK MI CIEBIE MALENKA
    (orch.) by J. Boczkowski and Jurandot, arr. by Wl. Eiger. c. July 3, 1936.
24. DO SZCZESCIA BRAK MI CIEBIE MALENKA
    (pf. and vocal) by J. Boczkowski and Jurandot. c. July 3, 1936.
25. DOWIDZENIA
    (orch.) by Adam Lenczowski and J. Stepowski, arr. by Wl. Eiger. c. Mar. 7, 1935.
26. DOWIDZENIA
    (pf. and vocal) by Adam Lenczowski and J. Stepowski. c. Mar. 7, 1935.
27. DZIS JESTES OBCA MI
    (orch.) by A. Zerynger and A. Polonski, arr. by Wl. Eiger. c. Jan. 26, 1937.
28. DZIS ZESTES OBCA MI
    (vocal and pf.) by A. Zerynger and A. Polonski. c. Dec. 18, 1936.
29. DZIS JESTES PRZY MNIE
    (orch.) by R. Berlins and Jerry, arr. by Wl. Eiger. c. Dec. 4, 1935.
30. DZIS JESTES PRZY MNIE
    (pf. and vocal) by R. Berlins and Jerry. c. Dec. 4, 1935.
31. DZIS LUB NIGDY
    (pf. and vocal) by J. Front, St. Ferszko, and Jerry. c. Dec. 22, 1933.
32. FEBBRE DI RITMO
    (orch.) by Gian Paolo Grandi. c. Dec. 27, 1934.
33. GDYBY SZCZESCIE PRZYSZLO DZIS
    (pf. and vocal) by H. Wars and M. Hemar. c. Dec. 4, 1935.
34. GDYBY SZCZESCIE PRZYSZLO DZIS
    (orch.) by H. Wars and M. Hemar. c. Dec. 4, 1935.
35. GWIAZDKA
    (orch.) by Zygmunt Wiehler and Adam Lech. c. Jan. 26, 1937.
36. JA I TY
    (orch.) by F. Melodyst and A. Wlast, arr. by Wl. Eiger. c. Mar. 4, 1935.
37. JA I TY
    (pf. and vocal) by F. Melodyst and A. Wlast. c. Mar. 4, 1935.
38. JAK CICHO
    (orch.) by P. Silby and B. Zegota, arr. by Wl. Eiger. c. Jan. 26, 1937.
39. JAK CICHO
    (vocal and pf.) by P. Silby and B. Zegota. c. Jan. 26, 1937.
40. JA MAM CZAS JA POCZEKAM
    (orch.) by M. Mierzejewski and E. Schlechter, arr. by H. Wars. c. Mar. 4, 1935.
41. JA MAM CZAS JA POCZEKAM
    (pf. and vocal) by M. Mierzejewski and E. Schlechter. c. Mar. 4, 1935.
42. JAK SEN
    (orch.) by A. Lewandowski, A. Wlast, arr. by Wl. Eiger. c. Feb. 27, 1936.
43. JAK TRUDNO JEST ZAPOMNIEC
    (orch.) by H. Wars and Jurandot. c. Mar. 9, 1936.

43a. JAK TRUDNO JEST ZAPOMNIEC
    (vocal and pf.) by H. Wars and Jurandot. c. Mar. 9, 1936.

44. JAK ZA DAWNYCH LAT
    (pf. and vocal) by H. Wars and Jurandot. c. Dec. 27, 1935.
45. JAK ZA DAWNYCH LAT
    (orch.) by H. Wars and Jurandot. Mar. 9, 1936.
46. JAK ZABAWA-TO ZABAWA
    (orch.) Adam Lewandowski, Jerry and Szelengl, arr. by Wl. Eiger. c. Oct. 28, 1936.

47. JAK ZABAWA-TO ZABAWA
(pf. and vocal) by Adam Lewandowski, Jerry and Szelengl. c. Oct. 28, 1936.

48. JAKGDYBY NIGDY NIC
(orch.) by Fred Scher and Jerry, arr. by J. Wesby. c. July 3, 1936.

49. JAKGDYBY NIGDY NIC
(pf. and vocal) by Fred Scher and Jerry. c. July 3, 1936.

50. JEDNO Z NAS
(pf. and vocal) by K. Englarda and T. Stacha. c. Dec. 30, 1933.

51. JEDNO Z NAS
(orch.) by K. Englarda and T. Stacha. c. June 15, 1934.

52. JESLI KOCHASZ SIE W DZIEWCZYNIE
(pf. and vocal) by Wl. Szpilman and E. Schlechter. c. July 3, 1936.

53. JESLI KOCHASZ SIE W DZIEWCZYNIE
(orch.) by Wl. Szpilman and E. Schlechter, arr. by Wl. Eiger. c. July 3, 1936.

54. JESZCZE JEDEN RAZ
(orch.) by Z. Karasinski and St. Felix. c. Dec. 30, 1933.

55. JESZCZE JEDEN RAZ
(pf. and vocal) by Z. Karasinski and St. Felix. c. Dec. 30, 1933.

56. JUZ NI KOCHAM CIE
by Artur Gold and Andrezja Wlast. c. July 10, 1934.

57. JUZ WIEM
(pf. and vocal) by W. Dan, E. Schlechter and Szer-Szenia. c. May 1, 1934.

58. JUZ WIEM
(orch.) by W. Dan, E. Schlechter and Szer-Szenia. c. May 1, 1934.

59. KINO I ZYCIE
(orch.) by Jotar and T. Stach. c. Dec. 22, 1933.

60. KINO I ZYCIE
(pf. and vocal) by Jotar and T. Stach. c. Dec. 22, 1933.

61. KOBIETA ZAWSZE JEST DO WZIECIA
(orch.) by St. Ferszko and Jerry. c. Dec. 30, 1933.

62. KOBIETA ZAWSZE JEST DO WZIECIA
(pf. and vocal) by St. Ferszko and Jerry. c. Dec. 30, 1933.

63. KOCHA LUBI SZANUJE (and) KRYZYS
(orch.) (1) and (2) by H. Wars, K. Tom and E. Schlechter. c. May 1, 1934.

64. KOCHA LUBI SZANUJE
(pf. and vocal) (1) and (2) by H. Wars, K. Tom and E. Schlechter. c. May 1, 1934.

65. KOCHAJ MNIE JAK DAWNIEJ
(orch.) by Artur Gold and A. Wlast, arr. by Wl. Eiger. c. Aug. 30, 1935.

66. KOCHAJ MNIE JAK DAWNIEJ
(pf. and vocal) by Artur Gold and A. Wlast. c. Aug. 30, 1935.

67. KOCHASZ-TO WROC
(pf. and vocal) by W. Dan and E. Schlechter. c. Dec. 30, 1933.

68. KOCHASZ-TO WROC
(orch.) by W. Dan and E. Schlechter. c. Dec. 30, 1933.

69. KRYZYS
(pf. and vocal) by H. Wars, K. Tom and E. Schlechter. c. May 1, 1934.

70. KTO USTA TWE CALOWAL
(orch.) by H. Wars and Oldlena, arr. by H. Wars. c. Mar. 4, 1935.

71. KTO USTA TWE CALOWAL
(pf. and vocal) by H. Wars and Oldlena. c. Mar. 4, 1935.

72. MALA UWERTURA
(orch.) by Roman Palester. c. Feb. 8, 1937.

73. MALENKA
(pf. and vocal) by St. Ferszko, L. Brodzinski and J. Krzewinski. c. Oct. 23, 1934.

74. MALENKA
(orch.) by St. Ferszko, L. Brodzinski and J. Krzewinski. c. Oct. 23, 1934.

75. MALENKA
(orch.) dal'l op. "Caccia Al Leopardo," arr. by M. Moretti. c. Dec. 27, 1934.

76. MILOSC TO CALY SWIAT
(orch.) by H. Wars and E. Schlechter. c. Dec. 4, 1935.

77. MILOSC TO CALY SWIAT
(pf. and vocal) by H. Wars and E. Schlechter. c. Dec. 4, 1935.

78. NA ZAWSZE
(pf. and vocal) by J. Petersburski and T. Stach. c. Mar. 4, 1935.

79. NA ZAWSZE
(orch.) by J. Petersburski and T. Stach, arr. by Wl. Eiger. c. Mar. 4, 1935.

80. NIE DRECZ MNIE (and) TYS JEST DLA MNIE TAJEMNICA
(orch.) (1) by Z. Karasinski, S. Kataszka, and J. Nel, (2) by Z. Karasinski, S. Kataszka and Jerry, (1) and (2) arr. by T. Kwiecinski. c. Dec. 30, 1933.

81. NIE DRECZ MNIE
(pf. and vocal) by Z. Karasinski, S. Kataszka and J. Nel. c. Dec. 30, 1933.

82. NIE JA-NIE TY
(orch.) by J. Petersburski and E. Schlechter. c. Apr. 2, 1934.

83. NIE JA-NIE TY
(pf. and vocal) by J. Petersburski and E. Schlechter. c. Apr. 2, 1934.

84. NIE MOW ZE MNIE KOCHASZ
(pf. and vocal) by L. Szmaragd and S. Kataszka. c. Dec. 30, 1933.

85. NIE MOW ZE MNIE KOCHASZ
(orch.) by S. Kataszka and L. Szmaragd, arr. by L. Heller. c. Dec. 30, 1933.

86. NIE PLACZ
(orch.) by J. Front, St. Ferszko and Jerry. c. Dec. 22, 1933.

87. NIE PLACZ
(pf. and vocal) by J. Front, St. Ferszko and Jerry. c. Dec. 22, 1933.

88. NIE PRZEBACZE CI
(orch.) by Igo Kranowski. c. Apr. 24, 1934.

89. NIE PRZEBACZE CI
(pf. and vocal) by Igo Kranowski. c. Apr. 24, 1934.

90. NIEMA SILNIEJSZEGO NIC OD MILOSCI
(pf. and vocal) by H. Wars and E. Schlechter. c. May 11, 1936.

91. NIEMA SILNIEJSZEGO NIC OD MILOSCI
(orch.) by H. Wars and E. Schlechter. c. May 11, 1936.

92. NIEZAPOMINAJKI
(orch.) by Henry Gold and A. Wlast, arr. by Wl. Eiger. c. July 3, 1936.

93. NIEZAPOMINAJKI
(pf. and vocal) by Henry Gold and A. Wlast. c. July 3, 1936.

94. NIGDY
(orch.) by W. Dana (Wladyslaw Daniloski), arr. by Wl. Eiger. c. June 14, 1934.

95. NIGDY
(pf. and vocal) by W. Dana. c. June 14, 1934.

96. O KEY
(orch.) by K. Tom, E. Schlechter and H. Wars, arr. by Wl. Eiger. c. Nov. 5, 1934.

97. O KEY
(pf. and vocal) by K. Tom, E. Schlechter and H. Wars. c. Nov. 5, 1934.

98. OJ, NIEDOBRZE
(pf. and vocal) by E. Schlechter, Szer-Szenia and W. Dan. c. May 1, 1934.

99. OJ, NIEDOBRZE
(orch.) by W. Dan, E. Schlechter and Szer-Szenia, arr. by Wl. Eiger. c. May 1, 1934.

100. OSTATNIE SLOWO
(pf. and vocal) by L. Heller and A. Orlana. c. Dec. 30, 1933.

101. OSTATNIE SLOWO
(orch.) by L. Heller and A. Orlana. c. Dec. 30, 1933.

102. PATRZ NA MNIE I USMIECHNIJ SIE
(orch.) by S. Kataszka and St. Felix. c. Dec. 30, 1933.

103. PATRZ NA MNIE I USMIECHNIJ SIE
(pf. and vocal) by S. Kataszka and St. Felix. c. Dec. 30, 1933.

104. PIEKNA, ALE ZLA
(orch.) by Igo Kranowski, arr. by Wl. Eiger. c. Dec. 15, 1934.

105. PIEKNA, ALE ZLA
(pf. and vocal) by Igo Kranowski. c. Nov. 5, 1934.

106. PIOSENKA FAL
(pf. and vocal) by Tad. Gorzynski, and Jurandot. c. Dec. 4, 1935.

107. PIOSENKA FAL
(orch.) by Tad. Gorzynski and Jurandot, arr. by Wl. Eiger. c. Dec. 4, 1935.

108. PIRAT MILOSCI
(orch.) by J. Gabel and E. Schlechter, arr. by Wl. Eiger. c. Nov. 5, 1934.

109. PIRAT MILOSCI
(pf. and vocal) by J. Gabel and E. Schlechter. c. Nov. 5, 1934.

110. POCKER
(pf. and vocal) by J. Petersburski and T. Stach. c. Mar. 7, 1935.

111. PRZY KOMINKU
(orch.) by A. Wlast and Artur Gold, arr. by Wl. Eiger. c. Oct. 28, 1936.

112. PRZY KOMINKU
(vocal and pf.) by A. Wlast and Artur Gold. c. Oct. 28, 1936.

113. SIEMIECZKI
(orch.) by Fanny Gordon and A. Wlast, arr. by Wl. Eiger. c. Dec. 4, 1935.

114. SIEMIECZKI
(pf. and vocal) by Fanny Gordon and A. Wlast. c. Dec. 4, 1935.

115. SPLEEN
(pf. and vocal) by J. Petersburski and T. Stach. c. Feb. 6, 1935.

116. SPLEEN
(orch.) by T. Stach and J. Petersburski, arr. by Wl. Eiger. c. Dec. 31, 1934.

117. SWIAT SIE ZACZAL DZIS
(pf. and vocal) by H. Wars and E. Schlechter. c. Dec. 4, 1935.

118. SWIAT SIE ZACZAL DZIS
(orch.) by H. Wars and E. Schlechter. c. Dec. 4, 1935.

119. SZCZESCIE RAZ SIE USMIECHA
(orch.) by H. Wars and E. Schlechter. c. Mar. 4, 1936.

120. SZCZESCIE RAZ SIE USMIECHA
(pf. and vocal) by H. Wars and E. Schlechter. c. Mar. 4, 1936.

121. TAK SIE BRONILAM
(orch.) by M. Jaworski and St. Bartlewiecz, arr. by Wl. Eiger. c. Feb. 6, 1935.

122. TAK SIE BRONILAM
(pf. and vocal) by M. Jaworski and St. Bartlewiecz. c. Dec. 13, 1934.

123. TAKA NOC I WALC I MY
(pf. and vocal) by H. Wars and Jurandot. c. Mar. 4, 1936

124. TAKA NOC I WALC I MY
(orch.) by H. Wars and Jurandot. c. Mar. 4, 1936.

125. TAKIE COS!
(pf. and vocal) by H. Wars and E. Schlechter. c. Dec. 20, 1935.

126. TAKIE COS (and) TO NIE TY
(orch.) (1) and (2) by E. Schlechter and H. Wars. c. Dec. 20, 1935.

127. TESKNO MI
(orch.) by A. Wlast and Adam Lewandowski, arr. by Wl. Eiger. c. Oct. 23, 1934.

128. TESKNO MI
(pf. and vocal) by Adam Lewandowski and A. Wlast. c. Oct. 23, 1934.

129. TO DZISIAJ PIERWSZY RAZ
(orch.) by K. Tom, J. Petersburski, E. Schlechter and Z. Wiehler, arr. by Wl. Eiger. c. June 14, 1934.

130. TO DZISIAJ PIERWSZY RAZ
(pf. and vocal) by J. Petersburski, Z. Wiehler, K. Tom and E. Schlechter. c. June 14, 1934.

131. TO NIE TY
(pf. and vocal) by H. Wars and E. Schlechter. c. Dec. 20, 1935.

132. TO TANGO JEST DLA MOJEJ MATKI
(pf. and vocal) by S. Kataszka and Z. Friedwald. c. Dec. 15, 1934.

133. TO TANGO JEST DLA MOJEJ MATKI
(orch.) by S. Kataszka and Z. Friedwald, arr. by Wl. Eiger. c. Feb. 6, 1935.

134. TRA-LI-LA-LA
(orch.) by Fred Scher and Jerry, arr. by Wl. Eiger. c. Aug. 30, 1935.

135. TRA-LI-LA-LA
(pf. and vocal) by Fred Scher and Jerry. c. Aug. 30, 1935.

136. TRUDNO
(pf. and vocal) by A. T. Muller and E. Schlechter. c. Mar. 9, 1936.

137. TRUDNO
(orch.) A. T. Muller and E. Schlechter. c. Mar. 9, 1936.

138. TYS JEST DLA MNIE TAJEMNICA
(pf. and vocal) by Z. Karasinski, S. Kataszka, and Jerry. c. Dec. 30, 1933.

139. U-DI-RADI-RADI-RIDA
(pf. and vocal) by H. Wars, E. Schlechter, and K. Tom. c. Mar. 7, 1935.

140. UMARL MACIEK UMARL
(pf.) by Z. Wiehler. c. Feb. 8, 1937.

141. VALSE FANTASTIQUE
(orch.) by Z. Gorzynski and Oldlena, arr. by T. Sygietynski. c. Apr. 2, 1934.

142. VALSE FANTASTIQUE
(pf. and vocal) by Z. Gorzynski and Oldlena. c. Apr. 2, 1934.

143. W DOMU CZEKA MOJA MILA
(orch.) by Z. Gorzynski and E. Schlechter, arr. by Wl. Eiger. c. Nov. 5, 1934.

144. W DOMU CZEKA MOJA MILA
(pf. and vocal) by S. Gorzynski and E. Schlechter. c. Nov. 5, 1934.

145. W HAWAJSKA NOC
(pf. and vocal) by H. Wars, E. Schlechter, and K. Tom. c. Dec. 3, 1934.

146. W. HAWAJSKA NOC (and) DLA CIEBIE CHCE BYC BIALA
(orch.) (1) and (2) by H. Wars, E. Schlechter and K. Tom, arr. by H. Wars. c. Feb. 6, 1935.

147. W TWOICH RAMIONACH
(pf. and vocal) by Mieczyslaw Mierzejewski and A. Wlast. c. May 11, 1936.

148. W TWOICH RAMIONACH
(orch.) by Mieczyslaw Mierzejewski and A. Wlast, arr. by Wl. Eiger. c. May 11, 1936.

149. WALC MELANCHOLIJNY
(pf. and vocal) by A. Gold and A. Wlast. c. Dec. 18, 1936.

150. WALC MELANCHOLIJNY
(orch.) by A. Gold and A. Wlast, arr. by Wl. Eiger. c. Dec. 18, 1936.

151. WIESZ TY O TEM ZE JA W NOCY PLACZE
(pf. and vocal) by A. T. Muller and J. Walden. c. Dec. 4, 1935.

152. WIESZ TY O TEM ZE JA W NOCY PLACZE
(orch.) by A. T. Muller and J. Walden, arr. by Wl. Eiger. c. Dec. 4, 1935.

153. WRACAJA SLOWA
(orch.) by S. Kataszek and W. Stepien, arr. by Wl. Eiger. c. Jan. 26. 1937.

154. WRACAJA SLOWA
(pf. and vocal) by S. Kataszek and W. Stepien. c. Jan. 26, 1937.

155. WYSTARCZY TYLKO ZEBYS MNIE KOCHALA
(pf. and vocal) by L. Leski, Wl. Eiger and Jerry. c. Dec. 22, 1933.

156. WYSTARCZY TYLKO ZEBYS MNIE KOCHALA (and) DZIS LUB NIGDY
(orch.) (1) by L. Leski, Jerry and Wl. Eiger, (2) by J. Front, J. St. Ferszko and Jerry. c. Dec. 22, 1933.

157. ZAGADKA
(pf. and vocal) by Igo Kranowski and Artur Gold. c. Apr. 2, 1934.

158. ZAGADKA
(orch.) by Artur Gold and I. Kranowski, arr. by Wl. Eiger. c. Apr. 2, 1934.

159. ZAKOCHAJ SIE
(orch.) by J. Petersburski and T. Stach, arr. by Wl. Eiger. c. Mar. 4, 1935.

160. ZAKOCHAJ SIE
(pf. and vocal) by J. Petersburski and T. Stach. c. Mar. 4, 1935.

161. ZAMIENMY SIE USTAMI
(orch.) by W. Dana and Oldlena. c. Dec. 30, 1933.

162. ZAMIENMY SIE USTAMI
(pf. and vocal) by W. Dana and Oldlena. c. Dec. 30, 1933.

163. ZAPOZNO
(pf. and vocal) by Z. Karasinski and Jerry. c. Dec. 30, 1933.

164. ZLACZYLA NAS PIOSENKA
(pf. and vocal) by B. Horowicz. c. Aug. 12, 1935.

165. ZLACZYLA NAS PIOSENKA
(orch.) by B. Horowicz, arr. by H. Wars. c. Aug. 12, 1935.

166. ZLOTE WINO
(orch.) by E. Schlechter, Jotar, and St. Ferszko, arr. by Wl. Eiger. c. Oct. 23, 1934.

167. ZLOTE WINO
(pf. and vocal) by E. Schlechter, Jotar, and St. Ferszko. c. Oct. 23, 1934.

168. ZLUDZENIE
(orch.) by A. Wlast and Fanny Gordon, arr. by Wl. Eiger. c. Oct. 28, 1936.

169. ZLUDZENIE
(pf. and vocal) by Fanny Gordon and A. Wlast. c. Oct. 28, 1936.

An examination of the assignment records of the United States Library of Congress disclosed certain assignments which have been made by M. ARCT to the SESAC. Copies of these assignments, marked Exhibits 23 to 34 inclusive, are attached to and made a part of this report.

The musical selections controlled by M. ARCT which have been assigned to the SESAC represent Polish music, the titles of which are in the Polish language.

From a reliable source we are informed that M. ARCT, Warsaw, Poland, is one of the leading book stores in Poland engaged as an importer and wholesaler of books, music and magazines; publisher and wholesaler of classical and popular sheet music, symphonic music and chamber music; has been in existence since 1836; and employs 200 traveling salesmen. It is interesting to note that the United States completed reciprocal agreements with Poland on February 14, 1927 and, notwithstanding the availability of a new market in 1927, the copyrighting by M. ARCT of these Polish selections here under consideration was deferred until 1934—the year in which SESAC began to license American broadcasting stations for the public performance of music.

These selections probably have a certain performance value to those radio broadcasters who cannot operate in the public interest, convenience and necessity without using this type of Polish music.

K. T. Barwicki

Poznan, Poland

An examination of the musical copyright entries in the United States Library of Congress as of April 1, 1937 failed to disclose any entries under the name of K. T. BARWICKI, Poznan, Poland, listed in the SESAC brochure dated January 1, 1937 as a publisher or organization included under its license.

Max Beck Verlag

Leipzig, Germany

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of MAX BECK VERLAG, listed in the SESAC brochure dated June 1, 1936, as a publisher or organization included under its license.

Period 1870–1925

No copyright entries found.

Period 1926–1932

The following list:

1. ICH FANG' IM HAUS MIR KEIN VERHALTNIS AN
   (shimmy lied) by Hans May, E. Wengraf, and Max Steiner-Kaiser. c. July 20, 1926.
2. IN DER EINZAHL KANN ICH NICHT LIEBEN
   (shimmy lied) by Hans May, E. Wengraf, and Max Steiner-Kaiser. c. July 20, 1926.
3. LUXUSKABINE (DIE)
   operette in 3 akten (klavierauzug mit text) by A. Neidhart and Leon Jessel. c. Oct. 1, 1929.
4. MANN (DER) IM GELBEM MANTEL
   operette in 3 akten (vollstandiger klavierauzug mit text) by Max Spilcker and Walther Brugmann. c. Jan. 20, 1932.
5. PHIPS, LASS DICH NICHT ERWISCHEN
   schwank-operette in 3 akten (klavier zum dirigieren eingericht et mit text) by S. Ehrlich and Karl Bretschnieder. c. Apr. 1, 1930.
6. RICHTERIN (DIE)
   opera in 3 akten (klavier mit text) by Hermann Grabner and Frans A. Beyerlein. c. Apr. 1, 1930.
7. RITTER ROLAND
   (klavierauzug mit text) by Haydn, heroisch-comische oper v. Nunziato Porta, fur die deutsche buhne. Arr. by Ernst Latzko. c. Jan. 20, 1932.
8. SEI DOCH NUR EIN KLEINES BISSCHEN LIEB ZU MIR
   (lied) by Hans May, E. Wengraf, and Max-Steiner-Kaiser. c. July 20, 1926.

Period 1933–April 1, 1937

No copyright entries found.

An examination of the assignment records of the United States Library of Congress disclosed an assignment which was made by MAX BECK VERLAG to the SESAC. A copy of this assignment, marked Exhibit 35, is attached to and made a part of this report.

(When our investigation was started, the SESAC claimed this music as a part of their repertory. Doubtless, stations have observed that the SESAC brochure dated January 1, 1937, omits this publisher.)

Alfred Becker

Berlin, Germany

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, failed to disclose any copyright entries under the name of ALFRED BECKER, Berlin, listed in the SESAC brochure dated June 1, 1936, as a publisher or organization included under its license.

From a reliable source, we are informed that "this firm was liquidated some time ago."

Hubert J. Braun

Chicago, Illinois

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of HUBERT J. BRAUN, Chicago, listed in the SESAC brochure dated June 1, 1936 as HUBERT J. BRAUN, Chicago, and THE BRAUN ORGANIZATION, Chicago, a publisher or organization included under its license. (No musical copyright entries were found entered in the name of THE BRAUN ORGANIZATION.)

Period 1870–1933

No copyright entries found.

Period 1934–April 1, 1937

The following list:

((E2) indicates unpublished copyright entries.)

1. BABY AT THE ZOO song (ukelele arr.) by Wm. Ortmann and Darrel Ware. c. May 6, 1935.
2. BABY AT THE ZOO (E2) (song) by Wm. Ortmann and Darrel Ware. c. Apr. 8, 1935.
3. BABY AT THE ZOO (band) by Wm. Ortmann and Darrel Ware, arr. by Harry L. Alford. c. May 4, 1936.
4. BLACK FOREST WALTZ (E2) (song) by Wm. Ortmann, Carl Pegenau and Ned Bradley. c. June 18, 1934.
5. BLACK FOREST WALTZ (orch.) by Carl Pegenau and Ned Bradley, arr. by Lon Halmy. c. Mar. 10, 1936.
6. DEALER OF DREAMS song (guitar arr.) by Wm. Ortmann and Gray Sundeen. c. July 15, 1935.
7. DEVIL OF THE FLORA DEE (song) by F. Francis Hayden and Joseph Mendelssohn. c. Jan. 20, 1937.
8. DRINK YOUR CO-CA COLA (E2) (song) by Wm. Ortmann and Louise Bascom Barratt. c. Mar. 10, 1934.
9. GAY LITTLE BIRD (song) by Howard L. Peterson. c. July 12, 1935.
10. GOOD MORNING! MISTAH GABRIEL (song) by F. Francis Hayden and Joseph Mendelsohn. c. Jan. 20, 1937
11. I FOUND MY WAY TODAY (song) by Wm. Ortmann and Louise Bascom Barratt. c. Mar. 22, 1935.
12. I WONDER IF YOU CAN BE HAPPY WITHOUT ME (E2) (song) by Lucky Roberts and Louise Bascom Barratt. c. Feb. 26, 1936.
13. I WONDER IF YOU CAN BE HAPPY WITHOUT ME song (guitar arr.) by Lucky Roberts and Louise Bascom Barratt. c. Apr. 28, 1936.
14. I'M A MILLIONAIRE song (guitar arr.) by Barry Hubbs. c. June 18, 1936.
15. IN THE SUMMER OF THE HEART song (guitar arr.) by Wm. Ortmann and Henry Hammer. c. July 15, 1935.
16. INDIAN SLUMBER SONG (song) by F. Francis Hayden and Joseph Mendelssohn. c. Jan. 20, 1937.
17. JOHNNY IS O. K. (E2) (song) by Wm. Ortmann and V. M. Sundeen. c. Nov. 26, 1934.
18. LAWD, PLEASE TAKE ME BACK (song) by F. Francis Hayden and Joseph Mendelssohn. c. Jan. 20, 1937.
19. LITTLE COWBOY (song) by Wm. Ortmann and Harlan Ware. c. Apr. 2, 1935.
20. LITTLE GIRL, COME DRY YOUR TEARS song (uke acc.) by Wm. Ortmann and Spencer Whedon. c. Dec. 24, 1934.
21. LITTLE GIRL, COME DRY YOUR TEARS (E2) (song) by Wm. Ortmann and Spencer Whedon. c. Nov. 16, 1934.
22. MY DESERT CARAVAN (song) by F. Francis Hayden and Joseph Mendellssohn. c. Jan. 20, 1937.
23. MY LOVELY ONE (song) by F. Francis Hayden and Joseph Mendelssohn. c. Jan. 20, 1937.
24. OLD STORY (song) by Edgar A. Guest and Wm. Ortmann. c. Jan. 27, 1936.
25. STRANGER WHO MUST HAVE DIED (song) by Edgar A. Guest and Wm. Ortmann. c. Jan. 27, 1936.
26. SUNSHINE SALLY (E2) (song) by Terry Shand. c. Nov. 27, 1936.
27. SUNSHINE SALLY FROM SUNSHINE VALLEY song (guitar arr.) by Terry Shand. c. Mar. 29, 1937.
28. TABLE UNDER A TREE song (guitar arr.) by Jack Lawrence and Terry Shand. c. Nov. 10, 1936.
29. TABLE UNDER A TREE (orch.) by Jack Lawrence and Terry Shand, arr. by Lon Halmy. c. Jan. 18, 1937.
30. TEMPTATION (song) by Edgar A. Guest and Wm. Ortmann. c. Jan. 27, 1936.
31. THINKING IT OVER song (guitar) by Sid Stewart and Billy Kaye. c. June 18, 1936.
32. WAIT song (guitar) by Sid Stewart and Billy Kaye. c. Oct. 20, 1936.
33. WATCHING FOR YOUR SHADOW song (guitar arr) by Asge Lorenzo, Herb Jones, Leonard MacKenzie, Jr. and Paul R. Lebzelter. c. Mar. 10, 1937.

In only two of these entries are orchestra parts available. (See items 5 and 29 in the list of copyright entries.)

This list will enable each broadcaster to measure the popularity and performance value of the selections here under consideration.

Bryant Music Company

New York, N. Y.

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of BRYANT MUSIC COMPANY, New York, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1870–1916

No copyright entries found.

Period 1917–1922

The following list:

1. ALWAYS (song) by Mrs. Martha N. Thomas. c. Oct. 30, 1922.
2. AMAR Y SUFFRIR (song) arr. by Nicholas de Vore and Edith Sanford Tillotson. c. Mar. 12, 1918.
3. BURNING BUSH (song) by Alexander Pero and Jas. M. Hayes. c. Mar. 12, 1913.
4. DEMOCRACY CALLS (song) by John Morison. c. Sept. 11, 1917.
5. DEVILS ARE AMUSED (pf.) arr. by Nicholas de Vore. c. Mar. 12, 1918.
6. DI CARNEVALE by Luigi Romaniello, arr. by Nicholas de Vore. c. Oct. 15, 1917.
7. DUSK IN JUNE (song) by Fay Foster and Sara Teasdale. c. Dec. 15, 1917.
8. FETE EN ETE (pf.) by Arthur Gray (Nicholas de Vore). c. Mar. 12, 1918.
9. FLEUR DE LYS (pf.) by Alfred D. Steckel. c. Mar. 15, 1920.
10. GERBE DE ROSES (pf.) arr. by Irenee Berge and Nicholas de Vore. c. Mar. 9, 1921.
11. HEARTS DESIRE (song) by G. Ferrata and Edith Tillotson. c. Mar. 9, 1921.
12. I LOVE A FLOWER (song) by Vincente Scaramuzza and Edith Tillotson. c. Feb. 14, 1918.
13. I LOVE MY JEAN (song) by Lulu Jones Downing and Nicholas de Vore. c. Feb. 2, 1918.
14. IN EXCHANGE (song) by Arthur Gray (Nicholas de Vore) and Edith Tillotson. c. Feb. 14, 1918.
15. IN GEORGIA (pf.) by Mortimer Wilson. c. July 30, 1917.
16. IRISH LOVE SONG (song) by Mrs. M. N. Thomas. c. Oct. 30, 1922.
17. JUNE (song) by Mrs. Lulu Jones Downing. c. Mar. 15, 1917.
18. LIFE (song) by Mrs. M. N. Thomas. c. Oct. 30, 1922.
19. LINNET (song) by Alexander Pero and J. E. Flecker. c. Mar. 9, 1921.
20. LISTEN TO GRANDMOTHER (pf.) by Irenee Berge. c. June 7, 1920.
21. LOVE AND LIFE (song) by Frank H. Sweet and Nicholas de Vore. c. Feb. 14, 1918.
22. LOVE'S MEANING (song) by Mrs. M. N. Thomas. c. Oct. 30, 1922.
23. MAZURKA IN E MAJOR (pf.) by V. Scaramuzza. c. Feb. 14, 1918.
24. MEMORIES (song) by A. Pero and Jas. M. Hayes. c. Mar. 9, 1921.
25. MEMORY'S FLOWER (pf.) by Antonio Bruno. c. Mar. 15, 1920.
26. NEREIDES (THE) (pf.) by Arthur Gray (Nicholas de Vore). c. Mar. 12, 1918.
27. NIGHT WIND (song) by Harvey W. Loomis and Robert Louis Stevenson. c. Mar. 9, 1921.
28. PATH TO THE WEST (song) by Homer M. Bartlett and Edith S. Tillotson. c. Oct. 30, 1922.
29. PENE D'AMORE (song) by L. Romaniello, arr. by Nicholas de Vore. c. Oct. 15, 1917.
30. PLAINTIVE CHANSON (song) by Irenee Berge. c. Feb. 14, 1918.
31. PROCESSION OF THE SPECTRES (pf.) by Th. Gray. c. Oct. 30, 1922.
32. ROMANCE (violin or cello) by L. Romaniello. c. Feb. 14, 1918.
33. SERENADE (pf.) by Irenee Berge. c. Mar. 9, 1921.
34. SERENATA ROMANESCA (pf.) by G. Ferrata. c. Feb. 14, 1918.
35. SLUMBER MY TREASURE (pf.) by Irenee Berge and Edith S. Tillotson. c. Feb. 2, 1918.
36. SLUMBER SONG (song) by Mrs. M. N. Thomas. c. Oct. 30, 1922.
37. TWO SONG MINIATURES (songs) "A Phantasy" and "In Explanation," by A. Walter Kramer and W. Learned. c. Mar. 9, 1921.
38. UNSEEN GARDEN (song) by Mrs. Archer M. Huntingdon and G. Ferrata. c. Oct. 22, 1917.
39. VILLAGIO ALPESTRE (pf.) by L. Romaniello, arr. by Nicholas de Vore. c. Oct. 15, 1917.

Period 1923–April 1, 1937

No copyright entries found.

It will be observed that no copyright entries were found after the year 1922.

An examination of the assignment records of the United States Library of Congress disclosed an assignment which was made by BRYANT MUSIC COMPANY to the SESAC. A copy of this assignment, marked Exhibit 36, is attached to and made a part of this report. It will be observed that with the execption of one composition, all of the music contained in this assignment is for the piano or piano and vocal.

This list will enable each broadcaster to measure the popularity and performance value of the selections here under consideration.

Calumet Music Company

Chicago, Illinois

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of CALUMET MUSIC COMPANY, Chicago, Illinois, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1870–1934

No copyright entries found.

Period 1935–April 1, 1937

The following list:

1. ABDUL, THE BULBUL AMEER song (pf. with guitar solo) arr. by Jim Smock. c. Feb. 19, 1935.
2. ABIDE WITH ME song (pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 25, 1935.
3. ALBUMBLATT (pf.) by L. Beethoven, arr. by Mort Glickman. c. Mar. 6, 1935.
4. ALICE, WHERE ART THOU? (pf. with guitar solo) arr. by Nick Manoloff and Jerry Castillo. c. Feb. 19, 1935.
5. ALOHA OE (pf. with guitar solo) by Queen Liliuokalani, arr. by Bob Kaai and Jim Smock. c. Feb. 19, 1935.
6. AMARYLLIS (pf.) by Henri Ghys, arr. by Mort Glickman. c. Jan. 27, 1936.
7. ANDANTINO (pf.) by Ed. H. Lemare, arr. by Mort Glickman. c. Mar. 6, 1935.
8. ANITRA'S DANCE (pf.) by Edvard Grieg, arr. by Mort Glickman. c. Mar. 6, 1935.
9. ANNIE LAURIE (pf. with guitar solo) arr. by Nick Manoloff and Jerry Castillo. c. Feb. 19, 1935.
10. APACHE DANCE (pf.) by J. Offenbach, arr. by Mort Glickman. c. Jan. 27, 1936.
11. APACHE DANCE (pf.) by J. Offenbach, arr. by Bernice Manoloff. c. June 24, 1936.
12. ASE'S DEATH (pf.) by Edvard Grieg, arr. by Mort Glickman. c. Jan. 24, 1936.
13. AULD LANG SYNE (pf. with guitar solo) arr. by Nick Manoloff and Jerry Castillo. c. Feb. 19, 1935.
14. AVE MARIA (pf. with guitar solo) by Franz Schubert, arr. by Jim Smock. c. Feb. 19, 1935.
15. AY AY AY (pf. with guitar solo) arr. by Jerry Castillo. c. Feb. 19, 1935.
16. IL BACIO (pf.) by Luigi Arditi, arr. by Mort Glickman. c. Sept. 11, 1935.
17. BAND PLAYED ON (pf. with guitar solo) arr. by V. G. Ganeff and Nick Manoloff. c. June 22, 1936.
18. BARBARA ALLEN (pf. with guitar solo) arr. by Nick Manoloff. c. Feb. 19, 1935.
19. BARCAROLLE from Tales of Hoffman (pf. with guitar solo) by J. Offenbach, arr. by Nick Manoloff and Jerry Castillo. c. Feb. 19, 1935.
20. BEAUTIFUL BLUE DANUBE (pf.) by Johann Strauss, arr. by Mort Glickman. c. Mar. 6, 1935.
21. BEAUTIFUL DREAMER (pf. with guitar solo) by Stephen C. Foster, arr. by Bernice and Nick Manoloff. c. Dec. 5, 1936.
22. BEE (THE) (pf.) by Franz Schubert, arr. by Bernice Manoloff. c. Mar. 16, 1937.
23. BELIEVE ME IF ALL THOSE ENDEARING YOUNG CHARMS (pf. with guitar solo) arr. by Jerry Castillo. c. Feb. 9, 1935.
24. BICYCLE BUILT FOR TWO (pf. with guitar solo) by Harry Dacre, arr. by Nick Manoloff. c. Feb. 19, 1935.
25. BILLIE BOY (pf. with guitar solo) arr. by Nick Manoloff. c. Feb. 19, 1935.
26. BIRMINGHAM JAIL (pf. with guitar solo) arr. by Nick Manoloff. c. May 17, 1935.
27. BLACK HAWK WALTZ (pf.) by Mary E. Walsh, arr. by Mort Glickman. c. Apr. 4, 1935.
28. BLUE DANUBE WALTZ (pf. with guitar solo) by Johann Strauss, arr. by Jim Smock. c. Feb. 19, 1935.
29. BOWERY (THE) (pf. with guitar solo) arr. by Nick Manoloff. c. Apr. 30, 1935.
30. BRIGHT MOHAWK VALLEY (pf. with guitar solo) arr. by Nick Manoloff. c. May 17, 1935.
31. BRINGING IN THE SHEAVES (pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 26, 1935.
32. BRONCHO BUSTER (pf. with guitar solo) arr. by Mort H. Glickman. c. May 17, 1935.
33. BRONK THAT WOULDN'T BUST (pf. with guitar solo) arr. by Mort H. Glickman. c. Apr. 30, 1935.
34. BUFFALO GALS (pf. with guitar solo) arr. by Mort H. Glickman. c. Apr. 30, 1935.
35. BURY ME OUT ON THE PRAIRIE (pf. with guitar solo) arr. by Nick Manoloff. c. Feb. 19, 1935.
36. BY THE SILVERY RIO GRANDE (pf. with guitar solo) arr. by Nick Manoloff. c. Apr. 30, 1935.
37. CALUMET PIANO SOLOS book no. 1 (pf.) by Mort Glickman. c. Apr. 16, 1935.
38. CALVARY (pf. with guitar solo) by Paul Rodney, arr. by Bernice and Nick Manoloff. c. Nov. 9, 1935.
39. CAN I SLEEP IN YOUR BARN TONIGHT MISTER? (pf. with guitar solo) arr. by Nick Manoloff. c. June 12, 1935.
40. CARRY ME BACK TO OLD VIRGINNY (pf. with guitar solo) by James A. Bland, arr. by Nick Manoloff. c. Feb. 19, 1935.
41. CHANSON TRIESTE (pf.) by Peter Tschaikowsky, arr. by Mort Glickman. c. Jan. 17, 1936.
42. CHOCLO (EL) (pf. with guitar solo) by A. Villoldo, arr. by Bob Kaai and Jerry Castillo. c. Feb. 19, 1935.

43. CHOCLO (EL)
(pf.) by A. Villoldo, arr. by Mort Glickman. c. Apr. 4, 1935.

44. CHOPSTICKS
(pf.) by Arthur De Lulli, arr. by Mort Glickman. c. Apr. 4, 1935.

45. CHURCH IN THE WILDWOOD
(pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 26, 1935.

46. CIELITO LINDO
(pf. with guitar solo) by G. Fernandez, arr. by Jerry Castillo. c. Feb. 19, 1935.

47. CIRIBIRIBIN
(pf. with guitar solo) by A. Pestalozza, arr. by Jim Smock. c. Feb. 19, 1935.

48. CLAYTON'S GRAND MARCH
(pf.) by Blake, arr. by Mort H. Glickman. c. Feb. 10, 1936.

49. CLIMBING UP THE GOLDEN STAIRS
(pf. with guitar solo) arr. by Nick Manoloff. c. Feb. 19, 1935.

50. COME BACK TO ERIN
(pf. with guitar solo) by Claribel, arr. by Jim Smock. c. Feb. 19, 1935.

51. CONVENT BELLS
(pf) by Henry Bollman, arr. by Mort Glickman. c. Mar. 6, 1935.

52. COWBOY AT CHURCH
(pf. with guitar solo) arr. by Nick Manoloff and Mort Glickman. c. Apr. 30, 1935.

53. COWBOY'S MEDITATION
(pf. with guitar solo) arr. by Nick Manoloff. c. Apr. 24, 1935.

54. CRADLE SONG—(WIEGENLIED)
(pf. with guitar solo) by J. Brahms, arr. by Jim Smock. c. Feb. 19, 1935.

55. CUCARACHA
(pf. with guitar solo) arr. by Carl Field and Nick Manoloff. c. May 29, 1935.

56. DANCING DOLL
(pf.) by Ed. Poldini, arr. by Mort Glickman. c. Sept. 11, 1935.

57. DANUBE WAVES
(pf.) by I. Ivanovici, arr. by Mort Glickman. c. Apr. 4, 1935.

58. DARK EYES
(pf. with guitar solo) arr. by Nick Manoloff. c. Feb. 19, 1935.

59. DEEP RIVER
(pf. with guitar solo) arr. by Jim Smock. c. Feb. 19, 1935.

60. DO THEY THINK OF ME AT HOME
(pf. with guitar solo) arr. by Nick Manoloff. c. Apr. 24, 1935.

61. DOWN IN ALABAM
(pf. with guitar solo) by J. Warner, arr. by Nick Manoloff. c. Nov. 19, 1936.

62. DOWN WENT McGINTY
(pf. with guitar solo) arr. by Nick Manoloff and V. G. Ganeff. c. June 23, 1936.

63. DRINK TO ME ONLY WITH THINE EYES
(pf. with guitar solo) arr. by Nick Manoloff. c. Dec. 4, 1936.

64. DYING COWBOY
(pf. with guitar solo) arr. by Nick Manoloff. c. Apr. 24, 1935.

65. EAST BOUND TRAIN (THE)
(pf. with guitar solo) arr. by Nick Manoloff. c. Feb. 19, 1935.

66. EAST BOUND TRAIN (THE)
(pf. with guitar solo) arr. by Nick Manoloff. c. Feb. 19, 1935.

67. EDELWEISS GLIDE
(pf.) by F. E. Vanderbeck, arr. by Mort H. Glickman. c. Aug. 28, 1935.

68. ELEGIE
(pf. with guitar solo) by J. Massenet, English words by Jerry Castillo, arr. by Bob Kaai and Jim Smock. c. Feb. 19, 1935

69. ELI ELI
(pf. with guitar solo) arr. by Mort H. Glickman and Nick Manoloff. c. Jan. 14, 1936.

70. FAIRY WEDDING WALTZ
(pf.) by J. W. Turner, arr. by Mort Glickman. c. Apr. 4, 1935.

71. FALLING WATERS
(pf.) by J. L. Truax, arr. by Mort Glickman. c. Apr. 4, 1935.

72. FAUST WALTZ
(pf.) by C. Gounod, arr. by Mort Glickman. c. Mar. 6, 1935.

73. FIFTH NOCTURNE
(pf.) by J. Leybach, arr. by Mort Glickman. c. Mar. 6, 1935.

74. FLATTERER
(pf.) by C. Chaminade, arr. by Mort Glickman. Mar. 6, 1935.

75. FLIGHT OF THE BUMBLE BEE
(pf.) by N. Rimsky-Korsakov, arr. by Mort Glickman. c. Jan. 30, 1936.

76. FLOWER SONG
(pf.) by Gustav Lange, arr. by Mort Glickman. c. Mar. 6, 1935.

77. FLOWERS THAT BLOOM IN THE SPRING
from "The Mikado" (pf. with guitar solo) arr. by Bernice and Nick Manoloff. c. Dec. 4, 1936.

78. FOR HE'S A JOLLY GOOD FELLOW
(pf. with guitar solo) arr. by Nick Manoloff. c. Nov. 14, 1936.

79. FORTUNE TELLER
(pf. with guitar solo) arr. by Bernice and Nick Manoloff. c. Dec. 5, 1936.

80. FOUR THOUSAND YEARS AGO
(pf. with guitar solo) arr. by Nick Manoloff. c. Apr. 24, 1935.

81. FRANKIE AND JOHNNY
(pf. with guitar solo) arr. by Jim Smock and Bob Kaai. c. Feb. 19, 1935.

82. FUNERAL MARCH
(pf.) by F. Chopin, arr. by Mort Glickman. c. Jan. 27, 1936.

83. FUNICULI FUNICULA
(pf. with guitar solo) by Luigi Denza, arr. by Mort Glickman and Nick Manoloff. c. Apr. 24, 1935.

84. GARLAND OF ROSES
(pf) by L. Streaborg, arr. by Mort Glickman. c. July 7, 1935.

85. GENERAL GRANT'S GRAND MARCH
(pf.) by E. Mack, arr. by Mort Glickman. c. Mar. 6, 1935.

86. GIPSY DANCE
(pf.) by H. Lichner, arr. by Mort Glickman. c. Mar. 6 1935.

87. GIPSY RONDO
(pf.) by J. Haydn, arr. by Mort Glickman. c. Mar. 6, 1935.

88. GIT ON BOARD
(pf. with guitar solo) arr. by Nick Manoloff. c. Dec. 8, 1936.

89. GIVE MY LOVE TO NELL
(pf. with guitar solo) arr. by Mort Glickman. c. Feb. 19, 1935.

90. GO DOWN MOSES
(pf. with guitar solo) arr. by Mort Glickman. c. Feb. 19, 1935.

91. GOD BE WITH YOU 'TILL WE MEET AGAIN
(pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 17, 1935.

92. GOLD AND SILVER
(pf.) by Franz Lehar, arr. by Mort Glickman. c. Jan. 10, 1936.

93. GOLDEN SLIPPERS
(pf. with guitar solo) arr. by Nick Manoloff. c. May 25, 1935.

94. GOLDEN WEDDING
(pf.) by Gabriel-Marie, arr. by Mort Glickman. c. Jan. 15, 1936.

95. GOLONDRINA (LA)
(pf.) by N Serradel, arr. by Mort Glickman. c. Mar. 6, 1935.

96. GOLONDRINA (LA)
(pf. with guitar solo) by N. Serradel, arr. by Jerry Castillo and Bob Kaai. c. June 27, 1935.

97. GOODBYE
(pf. with guitar solo) by F. P. Tosti, arr. by Jim Smock and Bob Kaai. c. Feb. 19, 1935.

98. GOODBYE MY LOVER GOODBYE
(pf. with guitar solo) arr. by Nick Manoloff. c. Feb. 19, 1935.

99. GRANDFATHER'S CLOCK (pf. with guitar solo) arr. by Nick Manoloff. c. Jan. 14, 1936.
100. HABANERA from "Carmen" (pf.) by Georges Bizet, arr. by Mort Glickman. c. Jan. 13, 1936.
101. HALLELUJA, I'M A BUM (pf. with guitar solo) arr. by Nick Manoloff. c. Feb. 19, 1935.
102. HAND ME DOWN MY WALKING CANE (pf. with guitar solo) arr. by Nick Manoloff. c. Feb. 19, 1935.
103. HARK THE HERALD ANGELS SING (pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 25, 1935.
104. HE LEADETH ME (pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 26, 1935.
105. HEAVEN, HEAVEN (pf. with guitar solo) arr. by Nick Manoloff. c. Feb. 19, 1935.
106. HELL BOUND TRAIN (pf. with guitar solo) arr. by Nick Manoloff. c. Feb. 19, 1935.
107. HOLY, HOLY, HOLY (pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 18, 1935.
108. HOME IN THE WEST (pf. with guitar solo) by J. M. Hubbard and Dr. Hubbard Smith, arr. by Mort Glickman and Nick Manoloff. c. Apr. 6, 1936.
109. HOME ON THE RANGE (pf. with guitar solo) arr. by Nick Manoloff. c. Feb. 19, 1935.
110. HOW CAN I LEAVE THEE (pf. with guitar solo) by C. Cramer, arr. by Mort Glickman and Nick Manoloff. c. Apr. 4, 1936.
111. HUMORESKE (pf.) by Anton Dvorak, arr. by Mort Glickman. c. Mar. 6, 1935.
112. HUMORESQUE (pf. with guitar solo) by Anton Dvorak and Jerry Castillo, arr. by Jim Smock and Bob Kaai. c. June 12, 1935.
113. HUNGARIAN DANCE NO 5 (pf.) by J. Brahms, arr. by Mort Glickman. c. Mar. 6, 1935.
114. HYMN TO THE SUN (pf.) arr. by Mort Glickman. c. Jan. 12, 1936.
115. I AM CAPTAIN OF THE PINAFORE from "Pinafore" (pf.) arr. by Nick and Bernice Manoloff. c. Dec. 4, 1936.
116. I CANNOT SING THE OLD SONGS (pf. with guitar solo) arr. by Jerry Castillo and Nick Manoloff. c. Jan. 8, 1936.
117. I DREAMT THAT I DWELT IN MARBLE HALLS (pf. with guitar solo) by Michael W. Balfe, arr. by Jerry Castillo. c. Feb. 19, 1935.
118. I'LL SING THEE SONGS OF ARABY (pf. with guitar solo) arr. by Nick Manoloff and Jerry Castillo. c. Jan. 8, 1936.
119. I'LL TAKE YOU HOME AGAIN KATHLEEN (pf. with guitar solo) arr. by Nick Manoloff. c. May 29, 1935.
120. I LOVE TO TELL THE STORY (pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 16, 1935.
121. I'M A PILGRIM (pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 18, 1935.
122. I'M CALLED LITTLE BUTTERCUP from "Pinafore" (pf. with guitar solo) arr. by Bernice and Nick Manoloff. c. Dec. 4, 1936.
123. I'VE BEEN WORKING ON THE RAILROAD (pf. with guitar solo) arr. by Nick Manoloff. c. Nov. 17, 1936.
124. I WHISTLE AND WAIT FOR KATIE (pf. with guitar solo) by M. Nolan, arr. by Bernice and Nick Manoloff. c. Nov. 19, 1936.
125. I WISH I WAS SINGLE AGAIN (pf. with guitar solo) arr. by Nick Manoloff. c. Feb. 19, 1935.
126. IDAHO (pf. with guitar solo) by Frank French, arr. by Mort Glickman and Nick Manoloff. c. Apr. 6, 1936.
127. IN OLD MADRID (pf. with guitar solo) by H. Trotere and Jerry Castillo, arr. by Bob Kaai. c. May 29, 1935.
128. IN THE EVENING BY THE MOONLIGHT (pf. with guitar solo) by James A. Bland, arr. by Bernice and Nick Manoloff. c. Dec. 8, 1936.
129. IN THE GLOAMING (pf. with guitar solo) by Annie F. Harrison, arr. by Bob Kaai and Jim Smock. c. May 29, 1935.
130. IRISH WASHERWOMAN (pf.) arr. by Mort Glickman. c. May 17, 1935.
131. JERUSALEM THE GOLDEN (pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 26, 1935.
132. JESUS, LOVER OF MY SOUL (pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 17, 1935.
133. JESUS LOVES ME (pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 16, 1935.
134. JINGLE BELLS (pf. with guitar solo) arr. by Nick Manoloff. c. Nov. 1, 1935.
135. JOLLY COPPERSMITH (pf.) by C. Peter, arr. by Mort Glickman. c. Jan. 14, 1936.
136. JUANITA (pf. with guitar solo) arr. by Bob Kaai and Jerry Castillo. c. June 27, 1935.
137. JUST TELL THEM THAT YOU SAW ME (pf. with guitar solo) arr. by V. G. Ganeff and Nick Manoloff. c. June 22, 1936.
138. KATHLEEN MAVOURNEEN (pf. with guitar solo) by J. Crouch, arr. by Mort Glickman. c. Feb. 19, 1935.
139. KOL NIDRE (pf. with guitar solo) arr. by Nick Manoloff and Mort Glickman. c. Jan. 14, 1936.
140. LARGO (pf. with guitar solo) by Anton Dvorak, arr. by Mort Glickman. c. Jan. 11, 1936.
141. LAST GREAT ROUND-UP (pf. with guitar solo) arr. by Nick Manoloff. c. Feb. 19, 1935.
142. LAST ROSE OF SUMMER from "Martha" (pf. with guitar solo) by Von Flotow, arr. by Nick Manoloff. c. June 12, 1935.
143. LEAD KINDLY LIGHT (pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 26, 1935.
144. LET THE LOWER LIGHTS BE BURNING (pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 16, 1935.
145. LETTER EDGED IN BLACK (pf. with guitar solo) arr. by Nick Manoloff. c. Feb. 19, 1935.
146. LETTER THAT NEVER CAME (pf. with guitar solo) arr. by Nick Manoloff and Mort Glickman. c. June 12, 1935.
147. LIEBESTRAUM (pf.) by Franz Liszt, arr. by Mort Glickman. c. Mar. 6, 1935.
148. LIEBESTRAUM (pf. with guitar solo) by Franz Liszt, arr. by Jim Smock. c. Feb. 19, 1935.
149. LISTEN TO THE MOCKING BIRD (pf.) by Alice Hawthorne, arr. by Mort Glickman. c. Mar. 6, 1935.

150. LISTEN TO THE MOCKING BIRD
(pf. with guitar solo) by Alice Hawthorne, arr. by Mort Glickman and Nick Manoloff. c. Apr. 4, 1936.

151. LITTLE FAIRY
(pf.) by L. Streabbog, arr. by Mort Glickman. c. Mar. 6, 1935.

152. LITTLE FAIRY POLKA
(pf.) by L. Streabbog, arr. by Mort Glickman. c. Mar. 6, 1935.

153. LITTLE OLD LOG CABIN IN THE LANE
(pf. with guitar solo) by Will S. Hayes, arr. by Nick Manoloff. c. Feb. 19, 1935.

154. LITTLE OLD SHANTY ON THE CLAIM
(pf. with guitar solo) arr. by Mort Glickman and Nick Manoloff. c. June 27, 1935.

155. LITTLE ROSEWOOD CASKET
(pf. with guitar solo) arr. by Nick Manoloff and Mort Glickman. c. June 12, 1935.

156. LONDONDERRY AIR
(pf. with guitar solo) by Katherine Tynan Hinkson, arr. by Jim Smock. c. Feb. 19, 1936.

157. LORD IS MY SHEPHERD
(pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 16, 1935.

158. LOST CHORD
(pf. with guitar solo) by Sir Arthur Sullivan and A. A. Proctor, arr. by Mort Glickman. c. June 12, 1935.

159. LOVE'S DREAMLAND
(pf.) by Otto Roeder, arr. by Mort Glickman. c. Sept. 16, 1935.

160. LOVE'S OLD SWEET SONG
(pf. with guitar solo) by J. L. Molloy, arr. by Bob Kaai and Jim Smock. c. Feb. 19, 1935.

161. LUSTPIEL OVERTURE
(pf.) by Keler-Bela, arr. by Mort Glickman. c. Mar. 6, 1935.

162. MAIDEN'S PRAYER
(pf. by Thecla Badarzewska, arr. by Mort Glickman. c. Mar. 6, 1935.

163. MAN ON THE FLYING TRAPEZE
(pf. with guitar solo) arr. by Nick Manoloff. c. May 17, 1935.

164. MAN WHO BROKE THE BANK AT MONTE CARLO
(pf. with guitar solo) by Fred Gilbert, arr. by Mort Glickman and Nick Manoloff. c. June 12, 1935.

165. MARCH OF THE DWARFS
(pf.) by Edvard Grieg, arr. by Mort Glickman. c. Sept. 11, 1935.

166. MARCHE MILITAIRE
(pf.) by Franz Schubert, arr. by Mort Glickman. c. Mar. 6, 1935.

167. MELODIE
(pf.) by Jules Massenet, arr. by Mort Glickman. c. Apr. 4, 1935.

168. MELODY IN F
(pf.) by Anton Rubinstein, arr. by Mort Glickman. c. Mar. 6, 1935.

169. MELODY IN F
(pf. with guitar solo) by Anton Rubinstein, arr. by Jim Smock. c. Feb. 19, 1935.

170. MERRY WIDOW
(pf. with guitar solo) by Franz Lehar, arr. by Nick Manoloff. c. Feb. 25, 1935.

171. MERRY WIDOW WALTZ
(pf.) by Franz Lehar, arr. by Mort Glickman. c. Mar. 6, 1935.

172. MINUET
(pf.) by I. J. Paderewski, arr. by Mort Glickman. c. Mar. 6, 1935.

173. MINUET IN G
(pf.) by Ludwig Van Beethoven, arr. by Mort Glickman. c. Mar. 6, 1935.

174. MOMENTS MUSICAUX
(pf. by Franz Schubert, arr. by Mort Glickman. c. Mar. 6, 1935.

175. MOONLIGHT SONATA
(pf.) by Ludwig Van Beethoven, arr. by Mort Glickman. c. Jan. 14, 1936.

176. MORNING PRAYER
(pf. with guitar solo) by L. Streabbog, arr. by Mort Glickman. c. May 25, 1935.

177. MY BONNIE
(pf. with guitar solo) arr. by Nick Manoloff. c. Nov. 17, 1936.

178. MY FAITH LOOKS UP TO THEE
(pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 25, 1935.

179. MY HEART AT THY SWEET VOICE
(pf. with guitar solo) by C. Saint-Saëns, arr. by Jerry Castillo and Bob Kaai. c. May 29, 1935.

180. MY HORSES AIN'T HUNGRY
(pf. with guitar solo) arr. by Nick Manoloff. c. June 12, 1935.

181. MY SWEETHEART'S THE MAN IN THE MOON
(pf. with guitar solo) arr. by V. G. Ganeff and Nick Manoloff. c. June 23, 1936.

182. NEARER MY GOD TO THEE
(pf.) by Lowell Mason, arr. by Mort Glickman. c. Apr. 16, 1935.

183. NEARER MY GOD TO THEE
(pf. with guitar solo) by Lowell Mason, arr. by Nick Manoloff. c. Oct. 18, 1935.

184. NOBODY KNOWS THE TROUBLE I'VE SEEN
(pf. with guitar solo) arr. by Jim Smock and Bob Kaai. c. May 29, 1935.

185. NONE BUT THE LONELY HEART
(pf. with guitar solo) by Peter Tschaikowsky, arr. by Jerry Castillo and Nick Manoloff. c. June 12, 1935.

186. NOW THE DAY IS OVER
(pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 26, 1935.

187. O COME ALL YE FAITHFUL
(pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 25, 1935.

188. O SOLE MIO
(pf. with guitar solo) by E. De Capua, arr. by Jerry Castillo and Jim Smock. c. May 25, 1935.

189. OH MARIE
(pf. with guitar solo) by E. De Capua, arr. by Nick Manoloff and Jerry Castillo. c. June 12, 1935.

190. OH SUSANNA
(pf. with guitar solo) by Stephen Foster, arr. by Nick Manoloff and Mort Glickman. c. June 12, 1935.

191. OLD MACDONALD HAD A FARM
(pf. with guitar solo) arr. by Nick Manoloff and Mort Glickman. c. June 12, 1935.

192. OLD OAKEN BUCKET
(pf. with guitar solo) arr. by Nick Manoloff and Jerry Castillo. c. Jan. 10, 1936.

193. ON THE MEADOW
(pf. with guitar solo) by H. Lichner, arr. by Mort Glickman. c. Apr. 16, 1935.

194. ONE SWEETLY SOLEMN THOUGHT
(pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 30, 1935.

195. ONWARD CHRISTIAN SOLDIERS
(pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 25, 1935.

196. ORANGE BLOSSOM WALTZ
(pf.) by G. Ludovic, arr. by Mort Glickman. c. May 2, 1935.

197. OVER THE WAVES
(pf.) by J. Rosas, arr. by Mort Glickman. c. Apr. 16, 1935.

198. PALMS (THE)
(pf. with guitar solo) by J. Faure, arr. by Bernice and Nick Manoloff. c. Nov. 9, 1935.

199. PALOMA (LA)
(pf.) by Sebastian De Yradier, arr. by Mort Glickman. c. Mar. 6, 1935.

200. PALOMA (LA)
(pf. with guitar solo) by Sebastian De Yradier, and Jerry Castillo, arr. by Bob Kaai. c. June 27, 1935.

201. PAPILLON
(pf.) by Edvard Grieg, arr. by Mort Glickman. c. May 5, 1935.

202. PASS AROUND THE BOTTLE
(pf. with guitar solo) arr. by Nick Manoloff. c. June 12, 1935.

203. PEARL BRYAN
(pf. with guitar solo) arr. by Nick Manoloff. c. June 12, 1935.

204. POEME
(pf.) by Z. Fibich, arr. by Mort Glickman. c. Jan. 15, 1936.

205. POET AND PEASANT
(pf.) by F. Von Suppe, arr. by Mort Glickman. c. May 13, 1935.

206. POLISH DANCE
(pf.) by X. Scharwenka, arr. by Mort Glickman. c. Sept. 11, 1935.

207. POLLY WOLLY DOODLE
(pf. with guitar solo) arr. by Nick Manoloff. c. Jan. 14, 1936.

208. PRELUDE IN C SHARP MINOR
(pf.) by S. Rachmaninoff, arr. by Mort Glickman. c. May 15, 1936.

209. PRELUDE IN G MINOR
(pf.) by S. Rachmaninoff, arr. by Mort Glickman. c. May 2, 1935.

210. RED RIVER VALLEY
(pf. with guitar solo) arr. by Nick Manoloff. c. May 25, 1935.

211. RIPPLING WAVES
(pf.) by G. Millward, arr. by Mort Glickman. c. Apr. 13, 1935.

212. ROBIN'S RETURN
(pf.) by Leander Fischer, arr. by Mort Glickman. c. Apr. 16, 1935.

213. ROCK OF AGES
(pf. with guitar solo) by Thomas Hastings, arr. by Nick Manoloff. c. May 25, 1935.

214. ROCKED IN THE CRADLE OF THE DEEP
(pf. with guitar solo) by J. P. Knight, arr. by Jerry Castillo and Nick Manoloff. c. June 12, 1935.

215. ROLL ON SILVER MOON
(pf. with guitar solo) arr. by Jerry Castillo and Nick Manoloff. c. Jan. 8, 1936.

216. ROSE OF TRALEE
(pf. with guitar solo) by C. W. Glover and C. M. Spencer, arr. by Bob Kaai and Jim Smock. c. May 25, 1935.

217. ROVIN' GAMBLER
(pf. with guitar solo) arr. by Nick Manoloff. c. May 25, 1935.

218. RUSTIC DANCE
(pf.) by C. R. Howell, arr. by Mort Glickman. c. May 13, 1935.

219. RUSTLE OF SPRING
(pf.) by C. Sinding, arr. by Mort Glickman. c. Apr. 12, 1935.

220. SACK WALTZ
(pf.) by J. A. Metcalf, arr. by Mort Glickman. c. May 3, 1935.

221. SAILING
(pf. with guitar solo) by Godfrey Marks, arr. by Mort Glickman and Nick Manoloff. c. Apr. 4, 1936.

222. SALLY IN OUR ALLEY
(pf. with guitar solo) arr. by Jerry Castillo and Nick Manoloff. c. Jan. 8, 1936.

223. SCARF DANCE
(pf.) by C. Chaminade, arr. by Mort Glickman. c. June 18, 1935.

224. SECOND VALSE
(pf.) by August Durand, arr. by Mort Glickman. c. Sept. 11, 1935.

225. SERENADE
(pf.) by Franz Schubert, arr. by Mort Glickman. c. June 4, 1935.

226. SERENADE
(pf. with guitar solo) by Franz Schubert, arr. by Jim Smock. c. Feb. 19, 1935.

227. SERENATA
(pf.) by M. Moszkowski, arr. by Mort Glickman. c. Apr. 15, 1935.

228. SHE WAS HAPPY TILL SHE MET YOU
(pf. with guitar solo) arr. by V. G. Ganeff and Nick Manoloff. c. June 23, 1936.

229. SHE'LL BE COMIN' ROUND THE MOUNTAIN
(pf. with guitar solo) arr. by Nick Manoloff. c. Feb. 19, 1935.

230. SILENT NIGHT, HOLY NIGHT
(pf. with guitar solo) arr. by Nick Manoloff. c. June 12, 1935.

231. SILVER THREADS AMONG THE GOLD
(pf. with guitar solo) by E. E. Rexford and E. P. Danks, arr. by Nick Manoloff. c. Feb. 19, 1935.

232. SIMPLE AVEU
(pf.) by F. Thome, arr. by Mort Glickman. c. Jan. 29, 1936.

233. SKATER'S WALTZ
(pf.) by E. Waldteufel, arr. by Mort Glickman. c. Apr. 4, 1935.

234. SONG OF INDIA
(pf.) by N. Rimsky-Korsakov, arr. by Mort Glickman. c. Apr. 3, 1935.

235. SONG OF INDIA
(pf. with guitar solo) by N. Rimsky-Korsakov and Jerry Castillo, arr. by Jim Smock and Bob Kaai. c. Feb 19, 1935.

236. SONG OF THE VOLGA BOATMEN
(pf. with guitar solo) arr. by Bernice and Nick Manoloff. c. May 25, 1935.

237. SONGS MY MOTHER TAUGHT ME
(pf. with guitar solo) by Anton Dvorak, arr. by Jim Smock. c. Feb. 19, 1935.

238. SOUVENIR
(pf.) by F. Drdla, arr. by Mort Glickman. c. Apr. 4, 1935.

239. SOUVENIR
(pf. with guitar solo) by F. Drdla and Jerry Castillo, arr. by Jim Smock and Bob Kaai. c. Feb. 19, 1935.

240. SPAGNOLA (LA)
(pf. with guitar solo) arr. by Bob Kaai. c. Feb. 19, 1935.

241. SPANISH CAVALIER
(pf. with guitar solo) arr. by Bob Kaai and Jerry Castillo. c. Feb. 19, 1935.

242. SPRING SONG
(pf.) by F. Mendelssohn, arr. by Mort Glickman. c. Apr. 4, 1935.

243. SPRING SONG
(pf. with guitar solo) by F. Mendelssohn and Jerry Castillo, arr. by Jim Smock and Bob Kaai. c. Feb. 19, 1935.

244. STILL AS THE NIGHT
(pf. with guitar solo) by Carl Bohm, arr. by Jerry Castillo. c. June 12, 1935.

245. STORM
(pf.) by Henry Weber, arr. by Mort Glickman. c. Apr. 4, 1935.

246. SUN OF MY SOUL
(pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 18, 1935.

247. SWAN (THE)
(pf.) by C. Saint-Saëns, arr. by Mort Glickman. c. Jan. 24, 1936.

248. SWEET AND LOW
(pf. with guitar solo) arr. by Jerry Castillo. c. June 12, 1935.

249. SWEET BYE AND BYE
(pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 26, 1935.

250. SWEET GENEVIEVE
(pf. with guitar solo) by Henry Tucker, arr. by Jim Smock and Bob Kaai. c. Feb. 19, 1935.

251. SWING LOW SWEET CHARIOT
(pf. with guitar solo) arr. by Jim Smock and Bob Kaai. c. May 17, 1935.

252. THAT BIG ROCK CANDY MOUNTAIN
(pf. with guitar solo) arr. by Nick Manoloff. c. Feb. 19, 1935.

253. THEN YOU'LL REMEMBER ME
(pf. with guitar solo) by M. W. Balfe, arr. by Bob Kaai and Jim Smock. c. May 17, 1935.

254. TIT WILLOW
from "Mikado" (pf. with guitar solo) arr. by Bernice and Nick Manoloff. c. Dec. 5, 1936.

255. TO THE EVENING STAR
(pf.) arr. by Mort Glickman. c. Oct. 25, 1935.

256. TOREADOR SONG
from "Carmen" (pf. with guitar solo) by Georges Bizet, arr. by Jerry Castillo. c. June 12, 1935.

257. TRAIN THAT NEVER RETURNED
(pf. with guitar solo) arr. by Nick Manoloff. c. May 25, 1935.

258. TRAUMEREI
(pf.) by R. Schumann, arr. by Mort Glickman. c. Apr. 4, 1935.

259. TWO GUITARS
(pf. with guitar solo) English lyrics by Bernice Manoloff, arr. by Nick Manoloff. c. May 17, 1935.

260. TWO GUITARS
(pf.) arr. by Mort Glickman. c. Apr. 4, 1935.

261. UNDER THE DOUBLE EAGLE
(pf.) by J. F. Wagner, arr. by Mort Glickman. c. Apr. 4, 1935.

262. VALSE CHROMATIQUE
(pf.) by B. Godard, arr. by Mort Glickman. c. Sept. 12, 1935.

263. VALSE IN D FLAT
(pf.) by F. Chopin, arr. by Mort Glickman. c. Sept. 13, 1935.

264. VALSE IN E FLAT
(pf.) by A. Durand, arr. by Mort Glickman. c. Apr. 4, 1935.

265. VILIA
(pf. with guitar solo) by Franz Lehar and Carl Field, arr. by Nick Manoloff. c. May 17, 1935.

266. WALTZ IN A FLAT
(pf.) by Johannes Brahms, arr. by Mort Glickman. c. Sept. 11, 1935.

267. WAY DOWN UPON THE SWANEE RIVER
(pf. with guitar solo) by Stephen C. Foster, arr. by Jerry Castillo. c. June 12, 1935.

268. WE SAIL THE OCEAN BLUE
from "Pinafore" (pf. with guitar solo) arr. by Bernice and Nick Manoloff. c. Dec. 5, 1936.

269. WE SAT BENEATH THE MAPLE ON THE HILL
(pf. with guitar solo) arr. by Nick Manoloff and Mort Glickman. c. Jan. 27, 1936.

270. WEDDING MARCH
from "Midsummer Night's Dream" (pf.) by F. Mendelssohn, arr. by Mort Glickman. c. Mar. 6, 1935.

271. WEDDING MARCH
from "Midsummer Night's Dream" (pf. with guitar solo) by F. Mendelssohn and Jerry Castillo, arr. by Jim Smock and Bob Kaai. c. June 12, 1935.

272. WHAT A FRIEND WE HAVE IN JESUS
(pf. with guitar solo) arr. by Nick Manoloff. c. Oct. 17, 1935.

273. WHEN THE WORK'S ALL DONE THIS FALL
(pf. with guitar solo) arr. by Nick Manoloff. c. June 12, 1935.

274. WHEN YOU AND I WERE YOUNG MAGGIE
(pf.) by J. A. Butterfield, arr. by Mort Glickman. c. Apr. 4, 1935.

275. WHEN YOU AND I WERE YOUNG MAGGIE
(pf. with guitar solo) by J. A. Butterfield, arr. by Jim Smock and Bob Kaai. c. June 12, 1935.

276. WHERE IS MY WANDERING BOY TONIGHT?
(pf. with guitar solo) by Rev. R. Lowry, arr. by Nick Manoloff. c. Jan. 29, 1936.

277. WHISPERING HOPE
(pf. with guitar solo) arr. by Nick Manoloff. c. June 12, 1935.

278. WHO IS SYLVIA?
(pf. with guitar solo) by Franz Schubert, arr. by Bob Kaai and Jim Smock. c. June 12, 1935.

279. WILL YOU BUY A LITTLE VIOLET?
(pf. with guitar solo) arr. by Nick Manoloff and Jerry Castillo. c. Jan. 15, 1936.

280. WILLIAM TELL OVERTURE
(pf.) by G. Rossini, arr. by Mort Glickman. c. Apr. 4, 1935.

281. WOODMAN SPARE THAT TREE
(pf. with guitar solo) arr. by V. G. Ganeff and Nick Manoloff. c. June 23, 1936.

282. YELLOW ROSE OF TEXAS
(pf. with guitar solo) arr. by Nick Manoloff. c. Apr. 6, 1936.

283. YOU AND I WALTZ
(pf.) by Claribel, arr. by Mort Glickman. c. Apr. 4, 1935.

An examination of the above 283 copyright entries discloses that similar arrangements of each of these musical selections are available from one or more ASCAP publishers except in the following 11 cases:

EAST BOUND TRAIN (entries 65 and 66).
FOUR THOUSAND YEARS AGO (entry 80).
HELL BOUND TRAIN (entry 106).
HOME IN THE WEST (entry 108).
IDAHO (entry 126).
MY HORSES AIN'T HUNGRY (entry 180).
PASS AROUND THE BOTTLE (entry 202).
PEARL BRYAN (entry 203).
WE SAIL THE OCEAN BLUE (entry 268).
WE SAT BENEATH THE MAPLE ON THE HILL (entry 269).
YELLOW ROSE OF TEXAS (entry 282).

M. M. Cole Publishing Company

Chicago, Illinois

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of M. M. COLE PUBLISHING COMPANY, Chicago, Illinois, listed in the SESAC brochure dated June 1, 1936 as a "publisher or organization" included under its license.

Period 1870–1929

No copyright entries found.

Period 1930–April 1, 1937

The following list:

((E2) indicates unpublished copyright entries.)

1. BLUE WATERS (pf.) by Clarke Fortner. c. May 19, 1934.
2. BUZZING AROUND (orch.) by Ivan Lehrer. c. Dec. 4, 1934.
3. BUZZING AROUND (pf.) by Ivan Lehrer. c. Dec. 14, 1934.
4. CIELITO LINDO (pf. with guitar solo) arr. by Nick Manoloff. c. Feb. 7, 1935.
5. COWBOY'S HEAVEN (pf. with guitar solo) by Gene Autry and Frankie Marvin. c. Oct. 25, 1934.
6. CUCARACHA (pf. accordion) arr. by Jerome Damonte. c. Dec. 14, 1934.
7. DANCE OF THE KUTIE KIDS (pf. with plectrum guitar) arr. by Nick Manoloff. c. Dec. 17, 1935.
8. DARK EYES (pf. accordion) arr. by Jerome Damonte. c. Nov. 22, 1934.
9. DEAR OLD WESTERN SKIES (pf. with guitar) by Gene Autry. c. Dec. 5, 1934.
10. FANTAISIE PETITE (pf.) by Bill Krenz. c. Feb. 4, 1935.
11. FREE AND EASY (pf.) by Hunter Kahler. c. July 2, 1934.
12. GLIDANOLA (pf.) by Ivan Lehrer. c. Dec. 14, 1934.
13. GRANDFATHER'S MUSIC BOX (pf.) by Ivan Lehrer. c. Dec. 14, 1934.
14. GUNS AND GUITARS (pf. with guitar) by Gene Autry and Oliver Drake. c. Nov. 5, 1936.
15. HILL BILLY WEDDING IN JUNE (pf. with guitar) by Freddie Owen and Frankie More, arr. by Jean Walz. c. June 9, 1933.
16. HILL BILLY WEDDING IN JUNE (pf. with guitar) by Freddie Owen and Frankie More. c. June 9, 1933.
17. I HAD BUT FIFTY CENTS (pf. with guitar) arr. by Nick Manoloff. c. Sept. 20, 1933.
18. I'LL TAKE YOU HOME AGAIN KATHLEEN (pf. accordian) arr. by J. Damonte. c. Nov. 27, 1934.
19. I LOST MY LOVE IN THE OHIO FLOOD (pf. with guitar solo) by Gene Arnold. c. Feb. 17, 1937.
20. I'M GETTING A MOON'S EYE VIEW OF THE WORLD from "Phantom Empire" (pf. with guitar) by Gene Autry and Smiley Burnette. c. Apr. 10, 1935.
21. I'M OSCAR, I'M PETE from "Phantom Empire" (pf. with guitar) by Gene Autry and Smiley Burnette. c. Apr. 10, 1935.
22. IN THAT LITTLE GREEN VALLEY SCHOOL (pf. with guitar) by Fred Howard and Nat Vincent. c. Feb. 12, 1935.
23. ITS TIME TO SAY ALOHA TO YOU (pf. with guitar) arr. by L. D. Richardson and G. A. Bronson. c. Aug. 27, 1935.
24. JESUS MY SAVIOUR NIGHT AND DAY (pf. with guitar and male quartet arr.) by Jack Turner. c. July 1, 1933.
25. JOHN DILLINGER (pf. with guitar solo) by Riley Lausch and Cliff Grey. c. Sept. 13, 1934.
26. JUST AN EVENING AT HOME (orch.) arr. by Paul Weirick. c. Apr. 4, 1935.
27. JUST AN EVENING AT HOME (pf. with guitar) by Henry Russell and Murray Martin. c. Apr. 4, 1935.
28. JUST COME ON BACK from "Phantom Empire" (pf. with guitar) by Gene Autry and Smiley Burnette. c. Apr. 1, 1935.
29. KEEP A LIGHT IN YOUR WINDOW TONIGHT (E2) (song) by Robt. A. Gardner and L. McFarland. c. Feb. 17, 1933.
30. KEEP A LIGHT IN YOUR WINDOW TONIGHT (pf. with guitar) by L. McFarland, Robert Gardner and Happy Jack Turner, arr. by Jean Walz and N. Manaloff. c. Apr. 4, 1933.
31. KEYBOARD KAPERS (pf.) by H. Kohler. c. July 2, 1934.
32. KISS ME QUICK AND GO (pf. with guitar). c. Jan. 17, 1936.
33. KLEVER KAPERS (pf.) by H. Kohler. c. July 2, 1934.
34. LITTLE HOME OF LONG AGO (pf. with guitar) by Shelley Lee Alley. c. Dec. 27, 1934.
35. LONESOME AND BLUE (pf. with guitar) by Edwin Tillman. c. Jan. 9, 1933.
36. MAMA DONT LIKE MUSIC (pf. with uke and guitar) by Gene Autry and Smiley Burnette. c. April 26, 1935.
37. MARITA (pf.) by B. Krenz. c. Dec. 14, 1934.
38. ME AND MY BURRO (orch.) arr. by Art Seegar. c. July 15, 1935.
39. MERRY WIDOW (and) LA SPAGNOLA WALTZES (pf. accordion) arr. by J. Damonte. c. Dec. 14, 1934.
40. MEXICALI ROSE (orch.) arr. by Paul Weirick. c. Jan. 20, 1936.
41. MEXICALI ROSE (male quartette) arr. by Allen Stone. c. Sept. 30, 1936.
42. MISSISSIPPI SAWYER (pf. with violin and guitar chords.) c. Jan. 17, 1936.
43. MY CROSS EYED GAL (pf. with guitar solo) arr. by Nick Manaloff. c. Apr. 10, 1935.
44. MY DEAR OLD ARIZONA HOME (orch.) by Fred Howard and Nat Vincent, arr. by Art Seegar. c. Aug. 5, 1935.

45. MY DEAR OLD ARIZONA HOME
    (pf. with guitar) by Fred Howard and Nat Vincent. c. Aug. 14, 1935.
46. MY FATHER'S GROWING OLD
    (pf. with guitar.) c. Jan. 17, 1936.
47. MY HEART-MY HAND-MY LOVE
    (pf. with guitar solo) by H. L. Kahler and Bobby Brown. c. Apr. 13, 1935.
48. MY HEART-MY HAND-MY LOVE
    (orch.) by H. L. Kahler and Bobby Brown, arr. by Paul Weirick. c. Aug. 25, 1935.
49. NANA
    (pf.) by H. Kahler. c. July 2, 1934.
50. NANA
    (orch.) by H. Kahler, arr. by P. Weirick. c. Dec. 1, 1934.
51. NO NEED TO WORRY
    from "Phantom Empire" (pf. with guitar) by Gene Autry and Smiley Burnette. c. Apr. 10, 1935.
52. OLD BARN GATE
    (pf. with guitar.) c. Jan. 17, 1936.
53. OLD BUCK-A-ROO
    (pf. with guitar solo) by Fleming Allen. c. March 4, 1937.
54. OLD CORRAL (THE)
    (pf. with guitar) by W. Hirsch. c. Mar. 9, 1936.
55. ON A LITTLE FARM IN IOW-A
    (pf. with guitar) by Fred Howard and Nat Vincent. c. Mar. 12, 1936.
56. ON THE GOLDEN SHORES OF LAKE LOUISE
    (pf. with guitar) by Fred Howard and Nat Vincent. c. Feb. 12, 1935.
57. ORIGINOLA
    (pf.) by H. Kahler. c. July 2, 1934.
58. ORIGINOLA
    (orch.) arr. by H. Kahler. c. Nov. 15, 1934.
59. PLAY AND SING
    (old time songs and mountain songs.) c. Feb. 26, 1930.
60. RAMBLING KEYS
    (pf.) by I. Lehrer. c. Dec. 14, 1934.
61. RAMBLING KEYS
    (orch.) arr. by I. Lehrer. c. Nov. 26, 1934.
62. RAPIDITY
    (pf.) by I. Lehrer. c. Dec. 16. 1934.
63. RED RIVER VALLEY
    (pf. accordian) arr. by J. Damonte. c. Nov. 15, 1934.
64. RIDGE RUNNIN' ROAN
    (pf. with guitar) by Curley Fletcher. c. Oct. 24, 1935.
65. RIDIN' DOWN THE CANYON WHEN THE DESERT SUN GOES DOWN from "Tumblin'-Tumbleweeds"
    (pf. with guitar solo) by Gene Autry and Smiley Burnett. c. Apr. 10, 1936.
66. RIDIN' ON MY WAY
    (pf. with guitar) by Mort Schaeffer. c. May 5, 1936.
67. RIPPLES
    (pf.) by H. Kahler. c. July 2, 1934.
68. RIPPLES
    (orch.) arr. by H. Kahler. c. Oct. 3, 1934.
69. ROCHELLE
    (pf.) by B. Krenz. c. Dec. 15, 1934.
70. RUSSIAN NIGHTS
    (pf. with guitar solo) arr. by Nick Manaloff. c. Feb. 7, 1935.
71. SANTA LUCIA
    (pf. with guitar solo) arr. by Nick Manaloff. c. Feb. 7, 1935.
72. SCOUTS' RETURN (THE)
    (pf. with guitar solo) by Nick Manaloff. c. Feb. 7, 1935.
73. SILENT NIGHT, HOLY NIGHT
    (pf. with guitar solo) arr. by Nick Manaloff. c. Nov. 16, 1934.
74. SING ME TO SLEEP WITH A LOVE LULLABY
    (male quartette) arr. by Rio Fletcher. c. Sept. 30, 1936.
75. SING ME TO SLEEP WITH A LOVE LULLABY
    (orch.) arr. by Archie Bleyer. c. Oct. 5, 1936.
76. SING ME TO SLEEP WITH A LOVE LULLABY
    (pf. with guitar) by Vincent Rose, Arthur Terker and Lou Singer. c. Aug. 18, 1936.
77. SINGING FROM THE MOUNTAIN TOPS
    (pf. with guitar) by John Shaver. c. Nov. 5, 1932.
78. SIZZLING FINGERS
    (pf.) by I. Lehrer. c. Dec. 14, 1934.
79. SIZZLING FINGERS
    (orch.) arr. by Charlie Cook. c. Jan. 10, 1934.
80. SOPHISTICATED RHYTHM
    (pf.) by B. Krenz. c. Jan. 22, 1935.
81. SPARKING SUNDAY NIGHT
    (pf. with guitar solo.) c. Jan. 18, 1936.
82. SWEET DREAMS, SWEETHEART
    (pf. with guitar) by Fred Howard and Nat Vincent. c. Feb. 12, 1935.
83. SWEET SOMETHING
    (pf. with guitar) by Leo Wolf and S. Gerber. c. Oct. 18, 1932.
84. TAKE ME BACK TO RENFRO VALLEY
    (pf. with guitar) by John Lair. c. Nov. 8, 1935.
85. TAKE ME TO THY BOSOM JESUS
    (pf. with guitar) by Jack Turner. c. July 7, 1933.
86. TELL MY MOTHER I'M IN HEAVEN (E2)
    (pf. with guitar) by Gene Arnold and Jean Walz. c. Feb. 23, 1933.
87. TELL MY MOTHER I'M IN HEAVEN
    (pf. with guitar) by Gene Arnold. c. Mar. 15, 1933.
88. TELL MY MOTHER I'M IN HEAVEN
    (pf. with uke) by Gene Arnold c. Apr. 25, 1933.
89. THERE IS A TAVERN IN THE TOWN
    (pf. with guitar solo) arr. by Nick Manaloff. c. Nov. 22, 1934.
90. THERE'S AN EMPTY COT IN THE BUNK HOUSE TONIGHT
    (pf. with guitar) by Gene Autry. c. Dec. 1, 1934.
91. TIDEO
    (Violin, pf. and guitar arr.) c. Jan. 17, 1936.
92. UNCLE HENRY'S VACATION
    from "Phantom Empire" (pf. with guitar solo) by Gene Autry and Smiley Burnett. c. Apr. 1, 1935.
93. UNCLE NOAH'S ARK from "Phantom Empire"
    (pf. with guitar solo) by Gene Autry and Smiley Burnett. c. Apr. 10, 1935.
94. VILIA
    (pf. accordian) arr. by J. Damonte. c. Nov. 22, 1934.
95. WALTZING THE BLUES
    (pf.) arr. by Lehrer. c. Dec. 4, 1934.
96. WE BURIED HER BENEATH THE WILLOW
    (pf. with guitar solo) by Cumberland Ridge Runners. c. Feb. 5, 1936.
97. WEEVILY WHEAT
    (violin, pf. and guitar arr.) c. Jan. 17, 1936.
98. WHEN IT'S PRAYER MEETING TIME IN THE HOLLOW
    (pf. accordian) arr. by J. Damonte. c. Nov. 22, 1934.
99. WHEN IT'S PRAYER MEETING TIME IN THE HOLLOW
    (pf.) by A. Rice and Fleming Allan. c. Nov. 18, 1933.
100. YESTERDAY, TODAY, TOMORROW YOURE MINE DEAR, FOREVER MINE
    (orch.) arr. by P. Weirick. c. Nov. 13, 1934.

101. YESTERDAY, TODAY, TOMORROW, YOUR MINE DEAR, FOREVER MINE
(pf. with guitar) by Gertrude Lincoff and Carl Field, arr. by N. Manaloff. c. Oct. 17, 1934.

102. YOU'RE A FLOWER BLOOMING IN THE WILDWOOD
(pf. with guitar) by Joy White (Cousin Emmy) Frankie More and Alfred Hunt. c. Aug. 18, 1936.

103. YVONETTE
(pf.) by B. Krenz. c. Feb. 1, 1935.

104. ZEPHYR
(pf.) by B. Krenz. c. Feb. 12, 1935.

We call attention to the fact that in the cases of the following selections, the composers Walter Hirsch, Vincent Rose and Nathaniel H. Vincent are listed in the ASCAP directory (1931 and 1936 editions) as members of the ASCAP:

TITLE—COMPOSER AND AUTHOR

IN THAT LITTLE GREEN VALLEY SCHOOL
Fred Howard and Nat Vincent
MY DEAR OLD ARIZONA HOME
Fred Howard and Nat Vincent
THE OLD CORRAL
Walter Hirsch
ON A LITTLE FARM IN IOWA
Fred Howard and Nat Vincent
ON THE GOLDEN SHORES OF LAKE LOUISE
Fred Howard and Nat Vincent
SING ME TO SLEEP WITH A LOVE LULLABY
Vincent Rose, A. Terber and Lou Singer
SWEET DREAMS
Fred Howard and Nat Vincent

The complications arising out of the fact that several of the authors and composers of selections in this catalogue are members of the ASCAP are discussed in the foreword of this report.

The M. M. Cole Publishing Company owns and controls the following SESAC publishers or organizations referred to in this report:

Calumet Music Company
Moderne Edition
Moderne Publications
Hearst Music Publishing Company, Ltd. of Canada
Vincent, Howard and Preeman, Ltd.
Happy Chappies

Cross & Winge, Inc.

Portland, Oregon

An examination of the musical copyright entries of the United States Library of Congress, as of April 1, 1937, disclosed the following entries in the name of CROSS & WINGE, INCORPORATED, Portland, Oregon, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1870–1934

No copyright entries found.

Period 1935–April 1, 1937

The following list:

((E2) indicates unpublished copyright entries.)

1. A HIDE-A-WAY IN HAPPY VALLEY from “Melody of The Plains” (song with guitar), by Don Swander and June Hershey. c. Mar. 24, 1937.
2. BLUE BONNET GIRL (song, guitar) by Glenn Spencer. c. May 1, 1936.
3. BLUE PRAIRIE (E2) (song) by Vern Spencer. c. Mar. 3, 1936.
4. BLUE PRAIRIE (song, guitar) by Vern Spencer and Bob Nolan. c. May 8, 1936.
5. CHANT OF THE PLAINS, I NEED YOU (song, guitar) by Bob Nolan. c. June 15, 1936.
6. COOL WATER (song, guitar) by Bob Nolan. c. Nov. 23, 1936.
7. DARLING ELLA MAY (song, guitar) by G. S. Piermont, J. Trent and Jules Le Mare. c. Oct. 24, 1935.
8. DREAMING OF MY ROCKY MOUNTAIN HOME (song, guitar) by Alva Woodward and Adah Dalby. c. Dec. 1, 1936.
9. FAITH (song) by Mat. A. Howard, Sylvester Long Cross and Mary M. Murphy. c. Nov. 27, 1935.
10. GARDEN IN MOROCCO (song) by Carl Winge and Oliver Wallace. c. May 23, 1935.
11. HEADIN' FOR THE BIG CORRAL (song, guitar) by Niles Kinney. c. Dec. 1, 1936
12. HOLD THAT CRITTER DOWN (E2) (song) by Bob Nolan. c. May 7, 1936.
13. HOOFBEATS ON THE PRAIRIE (song, guitar) by Vern (Tim) Spencer. c. July 24, 1936.
14. LITTLE BLACK BRONC from “Rootin' Tootin' Rhythm” (song with guitar), by Tex Hoepner and Al Clauser. c. Mar. 24, 1937.
15. MOTHER'S LITTLE SWEETHEART, DADDY'S LITTLE PAL (song, uke.) by Charles Rosoff and Harry Tobias. c. May 15, 1935.
16. RIDE, RANGER, RIDE (song, guitar) by Vern (Tim) Spencer. c. May 1, 1936.
17. RIDIN' DOWN THE TRAIL TO ALBUQUERQUE from “Melody of The Plains” (song with guitar), by Don Swander and June Hershey. c. Mar. 24, 1937.
18. RIDIN' IN THE SADDLE (E2) (song) by Len Slye. c. May 7, 1936.
19. RIDIN' THAT OLD CROOKED TRAIL (song, guitar) by Ace Revoli. c. Sept. 1, 1935.
20. ROCKY MOUNTAIN EXPRESS (song, uke.) by Charles Tobias, Harry Tobias, and Albert von Tilzer. c. May 31, 1935.
21. SONG OF THE PIONEERS (song, guitar) by Vern (Tim) Spencer. c. June 15, 1936.
22. SONG OF THE MOVING HERD (song, guitar) by Arthur Ward and Ann Anderson. c. Apr. 1, 1936.
23. SONGS OF THE PIONEERS folio no. 2 (guitar) by Bob Nolan, Vern Spencer and Len Slye, arr. by Mat. Howard. c. July 4, 1936.
24. SONS OF THE PIONEERS SONG FOLIO (guitar) by Bob Nolan and Vern Spencer. c. Mar. 16, 1936.
25. SONS OF THE PIONEERS (songs, guitar) by Len Slye, Carl Winge, Bob Nolan and Vern Spencer. c. Jan. 9, 1937.
26. STARS OF THE WEST (song, guitar) by Vern (Tim) Spencer. c. Nov. 23, 1936.
27. THOSE GOOD OLD HORSE AND BUGGY DAYS (song, guitar) by Nat Goldstein and Maurice Gunsky. c. Nov. 16, 1935.
28. TOUCH OF GOD'S HAND (E2) (cowboy hymn) by Bob Nolan. c. Mar. 3, 1936.
29. TRAIL OF THE MOUNTAIN ROSE from “Rootin' Tootin' Rhythm” (song with guitar), by Tex Hoepner and Al Clauser. c. Mar. 24, 1937.
30. WESTWARD, HO (song, guitar) by Vern (Tim) Spencer. c. Apr. 7, 1936.
31. WHAT'S THE USE OF A SILV'RY MOON (song, uke.) by Carl Winge, Sylvester Long Cross, and Neil Moret. c. May 14, 1935.
32. WHISPERING SAGE (song, guitar) by Gene Bone. c. Apr. 7, 1936.
33. WHISP'RIN' WIND (E2) (song) by Vern Spencer. c. Mar. 3, 1936.
34. YODEL LADY (song, guitar) by Clare Hartman, Hilda Bilow, and Sylvester Long Cross. c. Dec. 1, 1936.

The broadcaster's attention is called to the selections: “Those Good Old Horse and Buggy Days” by Nat Goldstein and Maurice Gunsky, “Mother's Little Sweetheart, Daddy's Little Pal” by Chas. Rosoff and Harry Tobias; “Darling Ella May” by G. S. Piermont, Jo Trent and Jules Le Mare, and “Rocky Mountain Express” by Charles Tobias, Harry Tobias and Albert Von Tilzer. It will be observed that all of these selections were copyrighted in 1935. The ASCAP directory covering the period 1931 to 1936 lists Maurice Gunsky, Charles Rosoff, Harry Tobias, Jo Trent, Charles Tobias and Albert Von Tilzer as members of the ASCAP. By reason of the nature of the contract existing between the ASCAP and its composer members, we believe that the ASCAP and the SESAC probably have an equal right to represent the performing rights in "Darling Ella May." In the case of "Rocky Mountain Express" which, according to our findings, was composed by Harry Tobias, Charles Tobias and Albert Von Tilzer, and "Mother's Little Sweetheart, Daddy's Little Pal," composed by Chas. Rosoff and Harry Tobias, every one of whom is a member of the ASCAP, we believe the performing rights can be obtained only from the ASCAP.

It is our understanding that the electrically transcribed programs entitled "Sons of the Pioneers," use music that is controlled by CROSS & WINGE. It is also our understanding that the subscribers to this electrical transcription service containing "Sons Of The Pioneers," are permitted to use the selections contained therein without a SESAC license by virtue of the agreement existing between the transcription company and the SESAC. This is a matter that should be inquired into by each station interested in the use of this music in order that its own files will be complete, and in order that the right to continue the use of such music may not be withdrawn without notice.

Sylvester Long Cross of the firm of CROSS AND WINGE is also identified with Master Music Makers, a member of the SESAC located at the same address as that of CROSS AND WINGE. Sylvester Long Cross also, according to our best information, is identified with the following organizations not included in the SESAC repertory: MMM Publishers and Cross Publishing Company; and the information contained in Exhibit 37 together with our investigation at the copyright office in the Library of Congress, is the basis for our belief that Sylvester Long Cross is the melody writer and arranger for amateur "song poem" writers. This Exhibit 37 should be studied in connection with Exhibit 38, which was received by a member of our staff.

Antonio Culla

Barcelona, Spain

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entry under the name of ANTONIO CULLA, Barcelona, Spain, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1870–1935

No copyright entries found.

Period 1936–April 1, 1937

The following entry:

MANTO DE ARMINO
(orch.) by Antonio Culla Mora.
c. Aug. 7, 1935.

An examination of the assignment records of the United States Library of Congress disclosed an assignment which was made by ANTONIO CULLA to the SESAC. A copy of this assignment, marked Exhibit 39, is attached to and made a part of this report.

As an aid in appraising the value of the one composition in this catalogue we invite your attention to Exhibit 16.

Pietro Deiro

New York, N. Y.

An examination of the musical copyright entries in the United States Library of Congress as of April 1, 1937, disclosed the following entries under the name of PIETRO DEIRO, New York City, New York, listed in an announcement by the SESAC dated February 11, 1937 as a publisher or organization included under its license.

Period 1870–1914

No copyright entries found

Period 1915–1927

The following entries:

1. MELODY RAG
   (pf.) by Pietro Deiro. c. March 25, 1919.
2. PIETRO'S RETURN
   (pf.) by Pietro Deiro. c. Sept. 27, 1915.

Period 1928–April 1, 1937

The following list:

1. ACCORDION FOX TROT ALBUM
   (pf. acccordion) by Pietro Deiro and El Vera Collins. c. Nov. 10, 1933.
2. ACCORDIONOLA
   (pf. accordion) by Frank Gaviani. c. June 15, 1931.
3. ACCORDIONETTE
   (pf. accordion) by Frank Gaviani. c. Feb. 10, 1931.
4. CHANTICLEER
   (pf. accordion) by Pietro Deiro. c. Jan. 10, 1934.
5. ELVERA
   (pf. accordion) by Pietro Deiro. c. Jan. 2, 1930.
6. JULIETTA
   (pf. accordion) by Pietro Deiro. c. March 30, 1928.
7. PRIOR ACCORDION CLUB
   (pf. accordion). c. Jan 4, 1930.
8. SILVER BELL
   (pf. accordion) by Pietro Deiro. c. March 30, 1928.
9. WHO'LL SERENADE YOU WHEN I'M GONE?
   (song with pf. accordion acc.) by Pietro Deiro and El Vera Collins. c. Jan. 10, 1934.

The broadcasters will observe that Pietro Deiro has been well known as an accordion soloist, and that he has performed for several phonograph recording companies.

Edition Adler (Successor Heinrichshofen's Verlag, Magdeburg)

Berlin, Germany

An examination of the musical copyright entries in the United States Library of Congress as of April 1, 1937, disclosed the following entries under the name of EDITION ADLER G. m. b. H., BERLIN, GERMANY, which is listed in the SESAC brochure, dated June 1, 1936, as a publisher or organization included under its license:

Period 1870–1930

No copyright entries found.

Period 1931–1933

The following list:

1. AMORS PFEIL (sop. and klav.) by J. Haydn, arr. by Karl Geiringer. c. Oct. 10, 1932.
2. CASSANDRA (orch.) by V. Gnecchi. c. Jan. 10, 1933.
3. DANZA CAMPESTRE From the op. "La Rosiera" by V. Gnecchi. c. Jan. 10, 1933.
4. DIVERTIMENTO IN G DUR FLAT (Flote, oboe, 2 horner partitur) by J. Haydn, arr. by Karl Geiringer. c. Sept. 8, 1932.
5. DON JUAN IN DER FREMDE (orch.) by Hans Haug. c. Jan. 8, 1933.
6. EURYANTHE (Klavierauszug mit text) by Helmine von Chezy and C. M. von Weber, arr. by Hermann Weigert. c. Nov. 7, 1932.
7. EXULTATION (string orch.) by Henry Cowell. c. Dec. 23, 1931.
8. GELOBTE LAND (DAS) (klav. mit text) by Ernst Viebig and Herbert Menzel. c. Aug. 28, 1931.
9. GONDOLIERE DES DOGEN (DER) (klav. mit text) by E. N. von Reznicek and P. Knudsen. c. Sept. 16, 1931.
10. KAMMERSTUCK (orch.) by Karl Wiener. c. Sept. 17, 1932.
11. KONZERT IN D-DUR (string orch.) by C. Ph. Em. Bach, arr. by Ludwig Landshoff. c. Nov. 10, 1932.
12. (EINE) NACHT-MUSIK (kammer orch.) by Max Brand. c. Oct. 4, 1932.
13. NAPULE (orch.) by V. Tommasini. c. Oct. 19, 1931.
14. NELSON-ARIE (orch.) by J. Haydn, arr. by L. Landshoff. c. Sept. 1, 1932.
15. NELSON-ARIE (lied) by F. J. Haydn, transl. by Mrs. Knight and Franz Hessell, arr. by L. Landshoff. c. Aug. 29, 1931.
16. ORCHESTERSTUCK (Partitur) by Henry Cowell. c. Nov. 27, 1931.
17. FANTASIE F-MOLL (string orch.) by W. Mozart, arr. by E. Fischer. c. Dec. 23, 1931.
18. RASKOLNIKOFF (orch.) by E. N. von Reznicek. c. Sept. 1, 1932.
19. RECITATIV UND ARIE (sop. and klav.) by G. von Westermann and R. Ullmann. c. Nov. 23, 1932.
20. (LA) ROSIERA (orch.) chorus, act 3, by V. Gnecchi and C. Zangarini. c. Jan. 10, 1933.
21. (LA) ROSIERA (orch.) prelude to act 3, by V. Gnecchi. c. Jan. 10, 1933.
22. SCENA DELLE COEFORE (orch. for mixed voices) by V. Gnecchi and L. Illica. c. Jan. 10, 1933.
23. SINFONIETTA (orch.) by Henry Cowell. c. Sept. 20, 1932.
24. STREICHQUARTETT (Partitur) by G. von Westermann. c. Nov. 2, 1932.
25. TEMPO DI SONFONIA IN RE BEMOLLE (orch.) by V. Gnecchi. c. Jan. 10, 1933.
26. TOTENTANZ (string orch.) by Wilhelm Kempff. c. Aug. 8, 1931.
27. 6 STIMMUNGSBILDER (lied) by G. von Westermann. c. Nov. 9, 1932.

Period 1934–April 1, 1937

No copyright entries found.

An examination of the assignment records of the United States Library of Congress disclosed certain assignments which have been made by EDITION ADLER to the SESAC. Copies of these assignments, marked Exhibits 40 to 41 inclusive, are attached to and made a part of this report.

An appraisal of the above musical selections requires consideration of these points:

1. At least a substantial number of these compositions involve "grand rights," as indicated in the printed pamphlet furnished by the SESAC, a copy of which, marked Exhibit 42, is attached to and made a part of this report. The license agreements between the SESAC and broadcasting stations generally does not convey to the broadcaster the right to perform musical selections which involve "grand rights." (See Section 2 of the SESAC license, Exhibit No. 1.)

2. According to data supplied by the SESAC, EDITION ADLER has been succeeded by HEINRICHSHOFEN'S VERLAG, MAGDEBURG. From an independent source, we have learned also that the firm of EDITION ADLER has been liquidated and that the owner has emigrated to the United States.

3. HEINRICHSHOFEN'S VERLAG, MAGDEBURG, is recorded as an affiliate of the ASCAP in the January 1, 1936 edition of the ASCAP directory. It should follow, therefore, that any "small rights" contained in this catalogue may be performed only by those broadcasters who hold a license from the ASCAP.

4. A broadcaster desiring to obtain the grand performing rights in any of the works of the EDITION ADLER catalogue may find Societies other than the SESAC have at least an equal right to grant such a license. To illustrate, it will be observed that in copyright entry No. 2 above, the overture to the opera "Cassandra" composed by Vittorio Gnecchi of Italy, was assigned by EDITION ADLER to the SESAC on February 23, 1933. (See Exhibit 41.) The records of assignment in the Library of Congress show also that Vittorio Gnecchi, under date of March 6, 1933, assigned "all title and interest" in "Cassandra" to the SESAC. A copy of this assignment, marked Exhibit 43 is attached to and made a part of this report.

The records of assignment in the Library of Congress further show that previously on December 9, 1913, Vittorio Gnecchi "assigned, ceded, sold and transferred" to the Messrs. G. Ricordi & Co. of Milan and New York, the "full, entire and exclusive rights with the exceptions of Germany, Austria-Hungary and Russia Tedesca," the rights in his opera "Cassandra." A copy of this assignment, marked Exhibit 44 is attached to and made a part of this report.

Gnecchi, in his assignment to G. Ricordi & Co. of Milan and New York, also declares that he had registered the opera "Cassandra" with the Register of Copyrights at Washington as follows:

> "In the year 1905—The edition which has been arranged for voice and piano.
> In the year 1910—A new edition which has been arranged for voice and piano.
> In the year 1911—The orchestra score of the prologue of the opera."

Due to Gnecchi's previous assignment to Ricordi, EDITION ADLER'S performing rights in this opera must be limited to Germany, Austria-Hungary and Russia Tedesca only.

We have found no record of renewal of the *original opera* under the name of "Cassandra", or under the name of Gnecchi, the composer of the opera, or under the name of Illica, the author of the libretto of the opera. In this connection, it should be observed that renewals of copyright can be made only in the name of the author or his heirs.

It will be observed that the assignments which Gnecchi made to Ricordi and to SESAC in respect to the opera "Cassandra" are in conflict; and that by the terms of the prior assignment by Gnecchi to G. Ricordi & Co., EDITION ADLER could not represent "Cassandra" outside Germany, Austria-Hungary and Russia Tedesca.

The new arrangement registered in 1910 and the orchestra score of the prologue of the opera registered in 1911, appear to us to be available to broadcasters through G. Ricordi & Co. of Milan and New York; and it is our belief that the vocal score edition which was arranged for voice and piano (C 108145) and which was registered with the Register of Copyrights in Washington, November 25, 1905 and not renewed, can be performed without license from anyone.

Editions Fermata

Warsaw, Poland—Buenos Aires, Argentina

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of EDITIONS FERMATA, Warsaw, listed in the SESAC brochure, dated June 1, 1936, as a publisher or organization included under its license.

Period 1870–1934

No copyright entries found.

Period 1934–April 1, 1937

The following list:

1. BARRELL ORGAN, THE
   fox trot (orch.) by Fred Scher, arr. by Sascha Chwat. c. Mar. 25, 1936.
2. BEFORE WE'RE THROUGH
   (orch.) by J. Front & Stan Ferszko, arr. by S. Ferszko. c. Mar. 25, 1936.
3. CHCE PRZY TOBIE BYC
   (tango) by Jan Hulimka and J. Lipski. c. Apr. 9, 1936.
4. COZ WINNE SERCE ME
   tango (ork. strony) by O. Mekler and Jerry, arr. by A. Welts. c. Apr. 9, 1936.
5. CZERWONE TANGO
   (ork. strony) by Fred Scher and Andrzej Wlast. c. Aug. 7, 1936.
6. CZERWONE TANGO
   (vocal & pf.) by Fred Scher and A. Wlast. c. Aug. 7, 1936.
7. DAY WILL COME, A
   (orch.) by T. Kwiecinski and Jimmie Macaffer. c. Aug. 11, 1936.
8. JAK ZAKOCHAC SIE-TO W NIEDZIELE
   (ork. strony) by A. Gold and Jerry. c. Apr. 9, 1936.
9. JAK ZAKOCHAC SIE-TO W NIEDZIELE
   (piesn) by Artur Gold and Jerry. c. April 9, 1936.
10. JASMINY
    (ork. strony) by Henryk Gold and A. Wlast, arr. by W. Osiecki. c. December 23, 1935.
11. JASMINY
    tango (piesn) by Henryk Gold and A. Wlast, arr. by W. Osiecki. c. Dec. 23, 1935.
12. JEDEN DZIEN, JEDNA NOC
    (ork. strony) by B. Bollo-Ilnicki. c. Aug. 19, 1936.
13. JEDEN DZIEN, JEDNA NOC
    (vocal & pf.) by B. Bollo and Jerry. c. Aug. 19, 1936.
14. KATARYNKA
    by Fred Scher and Andrzej Wlast. c. Dec. 30, 1935.
15. KORSYKANSKA SERENADA
    (ork.) by Fred Scher and Jerry, arr. by Iwo Wesby. c. Mar. 25, 1936.
16. KORSYKANSKA SERENADA
    (piesn) by Fred Scher and Jerry. c. Mar. 25, 1936.
17. MIEDZY NAMI JUZ ROMANS SKONCZONY
    (piesn) by Artur Gold and Andrzej Wlast. c. Dec. 30, 1935.
18. MIEDZY NAMI JUZ ROMANS SKONCZONY
    (ork. strony) by Artur Gold and A. Wlast, arr. by Wl. Eiger. c. Aug. 19, 1936.
19. NIKT INNY TYLKO TY
    (piesn) by A. Buzuk, A. Holctreger and A. Wlast. c. Dec. 27, 1935.
20. NIM ZAMKNE DRZWI
    (piesn) by J. Front, St. Ferszko and Zenon Friedwald. c. Apr. 9, 1936.
21. PANNA ANDZIA MA WYCHODNE
    (ork. strony) by B. Mucman and Szlengel, arr. by St. Ferszko. c. Apr. 9, 1936.
22. PANNA ANDZIA MA WYCHODNE
    (piesn) by B. Mucman and Wl. Szlengel. c. Apr. 9, 1936.
23. PEBETA (and) CAFE CONCIERTO
    (orch.) by O. Roma and J. Pecci. c. Aug. 3, 1936.
24. PIOSENKE MOJA LEC
    (piesn) by Fred Scher and E. Schlechter. c. Dec. 30, 1935.
25. TAK MUSI BYC
    (piesn) by L. Buffini. c. Dec. 27, 1935.
26. TANGO LYCZAKOWSKIE
    (piesn) by Leo Haber, Zygmunt and Poli Haarowie. c. May 11, 1936.
27. TANGO LYCZAKOWSKIE
    (ork. strony) by Leo Haber, arr. by J. Gert. c. Aug. 7, 1936.
28. TANGO MEKSYKANSKIE
    (ork. strony) by Fred Scher and A. Wlast. c. Aug. 31, 1934.
29. TANGO MEKSYKANSKIE
    (piesn) by Fred Scher and Andrzej Wlast. c. Dec. 30, 1935.
30. TO BYL TYLKO FLIRT
    (piesn) by Tadeusz Kwiecinski and Andrzej Wlast. c. May 11, 1936.
31. TO BYL TYLKO FLIRT
    (ork. strony) by Tadeusz Kwiecinski and Andrzej Wlast. c. May 11, 1936.
32. UNDER THE MOSCOW MOON
    fox trot (orch.) by Jan Hulimka, arr. by Jimme Macaffer. c. May 25, 1936.
33. WEGIERSKA PIOSENKA
    (piesn) by Frank i Gert and Wl. Krzewinski. c. May 11, 1936.
34. WEGIERSKA PIOSENKA
    (ork. strony) by Fred Scher, arr. by J. Gert. c. Aug. 19, 1936.
35. WOJSKOWA PARADA
    (ork. strony) by Fred Scher, arr. by W. Eiger. c. Dec. 30, 1935.
36. ZAGRAJCIE MI
    (piesn) by Jerzy Rosner and E. Schlechter. c. May 11, 1936.
37. ZAGRAJCIE MI
    (ork. strony) by J. Rosner and E. Schlechter. c. May 11, 1936.

An examination of the assignment records of the United States Library of Congress disclosed certain assignments which were made by EDITIONS FERMATA to the SESAC. Copies of these assignments, marked Exhibit 45 and Exhibit 46 are attached to and made a part of this report.

These selections probably have a certain performance value to those radio broadcasters who cannot operate in the public interest, convenience and necessity without using this type of Polish music.

Ediciones Rodoch (C. Rodriguez)

Bilbao, Spain

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of EDICIONES RODOCH (C. RODRIGUEZ), Bilbao, Spain, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1870–1928

No copyright entries found.

Period 1929–April 1, 1937

The following list:

1. CAFE CON LECHE
   Rumba, (orch.) by C. Rodriguez. c. Nov. 27, 1935.
2. ECHATE JUERA
   pasodoble, (orch.) by C. Rodoch y Asune. c. June 20, 1935.
3. HEMBRAS Y CANAS
   pasodoble, (orch.) by C. Rodoch. c. Sept. 1, 1935.
4. PAVADAS
   tango, (pf.) by C. Rodriguez. c. Oct. 21, 1929.
5. YERNO (EL)
   pasodoble (pf.) by C. Rodriguez. c. Nov. 4, 1929.

An examination of the assignment records of the United States Library of Congress disclosed an assignment which was made by EDICIONES RODOCH to the SESAC. A copy of this assignment, marked Exhibit 47, is attached to and made a part of this report.

Although we found only 5 copyrighted musical compositions credited to this "publisher or organization," the SESAC has used this catalog to expand its brochure by including in the June 1, 1936 and January 1, 1937 brochures, the following entries:

> "EDICIONES RODOCH (C. RODRIGUEZ); Bilbao
> (compositions as per list issued)
> RODOCH (See EDICIONES RODOCH)
> RODRIGUEZ (See EDICIONES RODOCH)"

We suggest that an appraisal of the worth of these five compositions requires an examination into the origin of the Tango, as shown in Exhibit 16.

S. Fischer Verlag

Berlin, Germany

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, failed to disclose any musical copyright entries in the name of S. FISCHER VERLAG, who is listed in the SESAC brochure dated June 1, 1936, as a publisher or organization included under its license.

Broadcasters have observed that the SESAC, in its letter to the NAB dated September 10, 1936 (Exhibit No. 6) said, "It is also important to note that the following foreign publishers affiliated with SESAC are nowhere listed by ASCAP:

BECK VERLAG, MAX, Leipzig
BECKER, ALFRED, Berlin (included under Rondo Verlag)
CULLA, ANTONIO, Barcelona
FISCHER VERLAG

* * * * * * *

* * * * * * *"

From a reliable source, we are informed that S. FISCHER VERLAG is a publisher and exporter of books. Moreover, in a subsequent SESAC brochure dated January 1, 1937, the SESAC limits their representation of S. FISCHER VERLAG to radio plays. We call the broadcaster's attention to the fact that the license between the SESAC and broadcasting stations and the ASCAP and broadcasting stations covers "small rights" and not the right to perform plays.

Robert Forberg

Leipzig, Germany

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, in respect of ROBERT FORBERG, LEIPZIG, who is listed in the SESAC brochure of June 1, 1936, as a publisher or organization included under its license, disclosed the following information.

It was found that in the period of 1870 to 1909, approximately 730 copyright entries had been recorded in the name of ROBERT FORBERG. We do not list these compositions individually because of the fact that the original copyright period of 28 years' copyright protection has expired, and, except in the case of nine musical works (see Schedule A), we failed to find any record of renewal by the composers and authors or their agents.

Of the nine renewals made for a second term of 28 years' copyright protection none of them have been renewed by the firm of ROBERT FORBERG in the name of the composer or author. Six of them have been renewed in the name of the composer by Theodore Presser, as agent, and three in the name of the composer by C. F. Peters of Leipzig. Theodore Presser of Philadelphia, Pa., is a member of the ASCAP and C. F. Peters of Leipzig, Germany, is a member of STAGMA, the German affiliate of ASCAP. However, we cannot accept and therefore do not offer this as proof that either Theodore Presser or C. F. Peters is authorized to dispense the performing rights in these numbers. Also we are without any information to show that the SESAC has the right to dispense the performing rights in any of these nine selections. These nine renewals are described in Schedule A below. In Schedules B and C below are listed those selections which we found had been entered in the periods 1909-1927 and 1927-1937, respectively. (See the discussion in the Foreword relative to renewals.)

Schedule A

1. (DER) ARBEITSMANN
   (tiefe stimme) by Richard Strauss. c. by R. Forberg, Mar. 1, 1899. r. by Theodore Presser, Dec. 2, 1926.
2. BEFREIT
   (tiefe stimme) op. 39, no. 4, by Richard Strauss. c. by Robert Forberg, Mar. 1, 1899. r. by Theodore Presser, Dec. 2, 1926.
3. DREI PRAELUDIEN UND FUGEN
   (orgel) nos. 1-C moll C. major, by Josef Haas. c. by Robert Forberg, May 4, 1907. r. by C. F. Peters for Josef Haas, Jan. 19, 1935.
4. DREI PRAELUDIEN UND FUGEN
   (orgel) nos. 2-G. moll G. minor by Josef Haas. c. by Robert Forberg, May 4, 1907. r. by C. F. Peters for Josef Haas, Jan. 19, 1935.
5. DREI PRAELUDIEN UND FUGEN
   (orgel) nos. 3-D dur D major by Josef Haas. c. by Robert Forberg, May 4, 1907. r. by C. F. Peters for Josef Haas, Jan. 19, 1935.
6. JUNGHEXENLIED
   (tiefe stimme) by Richard Strauss. c. by Robert Forberg, Mar. 1, 1899. r. by Theodore Presser, Dec. 2, 1926.
7. LIED AN MEINEN SOHN
   (tiefe stimme) by Richard Strauss. c. by Robert Forberg, Mar. 1, 1899. r. by Theodore Presser, Dec. 2, 1926.
8. LEISES LIED
   (tiefe stimme) by Richard Strauss. c. by Robert Forberg, Mar. 1, 1899. r. by Theodore Presser, Dec. 2, 1926.
9. SERENADE ARAGONAISE
   (pf.) by Adolfi Czibulka. c. by Robert Forberg, July 10, 1900. r. by Theodore Presser for Karoline and Rita Czibulka (heirs of deceased), Feb. 9, 1928.

Schedule B

Period 1909–1927

The following list:

1. ABENDANDACHT
   op. 48, no. 3 (orgel) by Hans Fahrman. c. Feb. 3, 1911.
2. ABENDLIED
   (flute and pf.) arr. by W. Barge. c. Jan. 29, 1914.
3. ABENDSTIMMUNG
   op. 127, no. 1 (mannerchor) by H. Zoellner and Borries Von Munchausen. c. July 22, 1914.
4. ABSMARSCH
   (mannerchor a cappella) by H. Fochimsen and R. Batka. c. Mar. 7, 1912.
5. ACH GOTT WIE MANEKES HERZELIED
   (2 violins and klav.) by J. S. Bach, arr. by Max Schillings. c. Mar. 6, 1912.
6. ACH, MODER, ECH WELL ENDING HAN!
   (partitur and stimmen) by Carl Hirsch. c. June 30, 1916.
7. ACHT CHARACTERISTISCHE SPECIAL-ETUDEN
   (jeden vorgeschuttenen clavierspieler) by Carl Doring. c. Feb. 20, 1914.
8. ACHT CHORAL VORSPIELE
   (orgel) by Dr. Ernst Schnarr von Carolsfeld. c. Mar. 18, 1911.
9. ADAGIO LAMENTOSO
   op. 74, no. 6 (klav. and violin) by P. Tchaikowsky, arr. by Paul Klengel. c. June 24, 1914.
10. AIR IN D
    op. 26 (pf.) by Paul Ertel. c. Jan. 31, 1910.
11. ALASKA
    op. 105 (mannerchor a cappella) by H. Zoellner and F. Erdner. c. Sept. 9, 1910.

12. ALLEGRETTO (violinchor mit pianobegl) by H. von Sponer. c. June 13, 1914.
13. ALLEGRO CON GRAZIA (violine u pf.) by P. Tchaikowsky, arr. by Paul Klengel. c. July 25, 1914.
14. ALLEIN BIST, MUTTER DU DAHEIM op. 37 (eine singstimmen u pianoforte) by C. Sinding, F. Mortenson and L. H. David. c. May 14, 1912.
15. ALLGEMEINES WANDERN op. 1, no. 1 (gemischten chor. partitur u stimmen) by G. Hablitzel and Josef von Eichendorff. c. Jan. 6, 1913.
16. ALMEE (pf.) by G. Zuccoli. c. Feb. 14, 1913.
17. ALTER SPRUCH op. 76, no. 2 (mannerchor a cappella partitur u stimmen) by E. Heuser. c. July 2, 1912.
18. ALTES LIEBESLIED (gemischten chor. partitur u stimmen) arr. by C. Hirsch. c. May 18, 1916.
19. AM HELIGEN ABEND op. 59, no. 2 (mannerchor a cappella) by A. Mendelssohn and A. Gerok. c. May 30, 1914.
20. AN DIE HEIMAT (klav. und chorstimen) by C. Sinding, Bjornson and John Bernhoff. c. Dec. 20, 1910.
21. AN DIE HEIMAT (orch.) by C. Sinding, Bjornson, and John Bernhoff. c. Dec. 29, 1910.
22. AN DIE MARGENROTE (mannerchor a cappella) by H. Fochimsen. c. Mar. 7, 1912.
23. AN DIE MUTTER (mannerchor) by H. Zoellner, and Borries von Munchausen. c. July 22, 1914.
24. ANDANTE op. 24 (violinchor mit pianobegl) by H. von Sponer. c. June 13, 1914.
25. ARCHIMEDES (mannerchor a cappella) by Ad. Lorenz and J. Lauff. c. Oct. 30, 1909.
26. ARRIVEE DES COSAQUES (pf.) by A. Rosenauer. c. Feb. 21, 1911.
27. ASCHENPUTTEL (klavierauszug) by O. Singer and Eugene D'Albert. c. July 9, 1924.
28. ASCHENPUTTEL op. 33 (orch.) by Eugene D'Albert. c. Nov. 10, 1924.
29. AU CLAIR DE LUNE (pf.) by Paul Ertel. c. Feb. 15, 1913.
30. AU PAYS DES REVES (pf.) by C. Godard. c. May 20, 1910.
31. AUF DER SUCHE NACH DEM NIBELUNGEN (mannerchor) by H. Zoellner and A. V. von Scheffels. c. July 22, 1914.
32. AUF DER WACHT op. 60, no. 2 (pf.) by Adolf Ruthardt. c. Feb. 1, 1910.
33. AUF EINEM KIRCHHOF op. 106 (mannerchor) by Alb. Sergel and Heinrich Zollner. c. Mar. 21, 1911.
34. AUFFORDERUNG ZUM TANZ op. 65 (chor u. klav.) by C. Marie von Weber and Theodore Walter, arr. by Edmund Parlow. c. Feb. 9, 1910.
35. AUFFORDERUNG ZUM TANZ (op. 65 (klavierabenden) by C. M. von Weber, arr. by E. D'Albert. c. Feb. 2, 1910.
36. AUGE (DAS) (gemischten chor a cappella) by Max Peters and F. von. Schiller. c. Mar. 7, 1913.
37. AUSMARCH op. 60, no. 1 (pf.) by A. Ruthardt. c. Feb. 1, 1910.
38. BAL AU CHATEAU op. 167 (violin-cello and pf.) by A. Volck. c. Feb. 8, 1913.
39. BALLADE (4 mannerstimmen) by E. Arndt and Max Schillings. c. May 30, 1913.
40. BARCAROLLE op. 29 (violin and pf.) by Emile Sauret. c. May 16, 1913.
41. BELEHNUNG DES BURGGRAFEN-FRIEDRICH I VON NURNBERG DURCH KAISER SEIGESMUNT MIT DER MARK BRANDENBURG 1417 (pf. mit text) by F. Hummell and E. von Wildenbruch. c. Feb. 8, 1912.
42. BERCEUSE D'ENFANT (pf.) by Jose Berr. c. Feb. 18, 1914.
43. BETTELPRINZESS (mannerchor) by H. Zoellner and Alb. Sergel. c. Mar. 21, 1911.
44. BISMARCKS WIEDEKEHR (baritone solo, mannerchor and pf.) by E. Heuser and Waldemar Weber. c. July 20, 1914.
45. BISMARCKS WIEDEKEHR (mannerchor) by Waldemar Weber. c. July 20, 1914.
46. BLATT (DAS) DER FRUHLINGSWEIDE (ges. and pf.) by Anna Hegeler, Tchau-Tin-Lin, and Hans Bethge. c. Oct. 21, 1911.
47. CAMARINSCA (pf.) by A. Rosenauer. c. Feb. 21, 1911.
48. CAMPBELLS (DIE) SCHOTTISCH (mannerchor a cappella) by H. Fochimsen. c. Mar. 7, 1912.
49. CANZONA op. 71, no. 2 suite (orgel) by Max Gulbins. c. June 6, 1914.
50. CANZONETTA op. 20 (pf.) by G. Zuccolli. c. Feb. 14, 1913.
51. CAPRICCIO op. 21, no. 1 (klav. vortrage) by J. Merkel. c. Feb. 5, 1914.
52. CAPRICE op. 48, no. 2 (orgel) by Hans Fahrmann. c. Feb. 3, 1911.
53. CARMEN (pf.) by G. Bizet, arr. by A. Rosenauer. c. July 31, 1911.
54. CARMEN (violin and pf.) by Fr. Seitz and G. Bizet. c. Jan. 22, 1913.
55. CHAMOUNIX (pf.) by Paul Ertel. c. Feb. 15, 1913.
56. CHROMATISCHE-PHANTASIE UND FUGUE IN D MOLL (pf.) by J. S. Bach, arr. by E. D'Albert. c. July 15, 1912.
57. COLLOGUE (pf.) by G. Zuccoli. c. Feb. 14, 1913.
58. CONCERT FUR VIOLA op. 20, by A. Spitzner and E. D'Albert. c. July 9, 1925.
59. CONCERT POUR LA CONTRABASSE (pf.) by Fr. Czerny. c. Apr. 25, 1911.
60. CONCERTO FUR OBOE (cembalo oder klav. und streich-quartett, in c. Moll.), arr. by Lauschmann. c. Sept. 1, 1924.
61. CONSOLATION (pf.) by Sofie Menter. c. July 23, 1910.
62. CONTES (LES) D'HOFFMANN (pf.) by J. Offenbach, arr. by A. Rosenauer. c. July 3, 1911.
63. CONTES (LES) D'HOFFMANN (violin and pf.) by J. Offenbach, arr. by Fr. Seitz. c. Jan. 22, 1913.
64. DA DROBEN AUF DEM BERGE (ges. and pf.) by C. Sinding. c. Jan. 28, 1910.
65. DAFUR WIRD GEBUSST (lied) by C. Sinding, J. P. Jacobsen, and L. H. David. c. May 16, 1913.
66. DANSE SLAVE op. 39, no. 2 (violin et pf.) by H. G. Noren. c. Feb. 8, 1912.
67. DEUTSCHER TANZ (gemischtenchor) arr. by Carl Hirsch. c. June 10, 1913.

68. DIABLERETS (LES)
(pf.) by Paul Ertel. c. Feb. 15, 1913.

69. DIP WIR MIR
(pf. with vocal) by Paul Thamm. c. Feb. 8, 1911.

70. DJANINA
(pf.) by Erik Meyer-Helmund. c. May 17, 1910.

71. DOLORES
(pf.) by Walter Niemann. c. May 14, 1925.

72. DREI HEITER GESANGE
op. 75 (mannerchor) by Max Burger, Otto Sommers, and Carl Stieler. c. May 30, 1910.

73. DREI JUGENDTRIOS
op. 42, no. 3 in F dur (violin, violoncello u. pf.) by Fr. Seitz. c. July 11, 1913.

74. DREI JUGENDTRIOS
op. 42, no. 2 in G dur (violin, violoncello and pf.) by Fr. Seitz. c. July 11, 1913.

75. DREI JUGENDTRIOS
op. 42, no. 1 in C dur (violine-violoncello u. pf.) by Fr. Seitz. c. July 11, 1913.

76. DREI POSTLUDIEN
(orgel) by Herman Kretzschmar. c. Mar. 31, 1914.

77. DREI SATZE
(streich-quartet) by J. G. Mraczek. c. Jan. 20, 1910.

78. DREI VOLKSTIEMLICHE LIEDER
(mannerchor) by F. A. Kuhle, O. Rognet, A. Muth, and F. Nagler. c. Sept. 16, 1925.

79. DU KANST JA DOCH NICHT SINGEN
op. 26, no. 10 (ges. and pf.) by C. Sinding. c. Jan. 28, 1910.

80. DUFTET LEISER
(singstimmen mit pf.) by H. G. Noren and Ernst Hardt. c. Aug. 3, 1911.

81. DURCH
op. 104, no. 3 (mannerchor a cappella) by H. Zoellner and J. F. Eichendorff. c. Sept. 9, 1910.

82. ECCOSSAISES
(pf.) no. 69, by L. Beethoven, arr. by E. D'Albert. c. May 23, 1912.

83. EINSAME (EIN)
op. 17, no. 2 (mannerchor) by F. Lubrich, Jr. and J. F. von Eichendorff. c. July 21, 1911.

84. EINSAMKEIT
op. 16, no. 1 (mannerchor a cappella) by Carl V. Wershinger and J. F. von Eichendorff. c. Sept. 30, 1913.

85. ELEGIE
(orgel) by Hans Fahrmann. c. Feb. 3, 1911.

86. ELF NEUE BAGATELLEN
op. 119, no. 30 (klav.) by L. Beethoven, arr. by E. D'Albert. c. Feb. 2, 1910.

87. ELFEN (DIE) SANZEN
(mittlere stimmen mit pf.) by Karl Weigl and Goethe. c. Jan. 3, 1914.

88. ELVERSHON
(mannerchor a cappella) by H. Fochimsen and Herder. c. Mar. 7, 1912.

89. EPILOG
op. 18, no. 4 (ges. and pf.) by B. Sekles and F. Ruckert. c. Mar. 21, 1911.

90. ERHEBUNG
op. 1, no. 2 (gemischten chor) by George Hablitzel and F. J. von Eichendorff. c. Feb. 6, 1913.

91. ERHOLUNGSSTUNDEN
(violine and pf.) by Franz Wohlfahrt. c. June 24, 1914.

92. ERINNERUNG
(flute and pf.) by W. Barge and R. Schumann. c. May 12, 1910.

93. ERST VERLOR UM EINE BORAUNNE
op. 26, no. 9 (ges. and pf.) by C. Sinding. c. Jan. 28, 1910.

94. ERSTEN (DIE) ETUDEN
op. 125 (klav.) by Gustav Lazarus. c. Feb. 14, 1910.

95. ES BLUHT EIN BLUMLEIN ROSENROT
op. 16, no. 1 (gemischten chor) by F. Lubrich, Jr. and M. Boeklit. c. Aug. 9, 1911.

96. ES SILTZEN DREI WEIBER ZU WEBEN
op. 26, no. 8 (ges. and pf.) by C. Sinding. c. Jan. 28, 1910.

97. ES WAR IM SONNIGEN MONAT MARZ
op. 26, no. 7 (ges. and pf.) by C. Sinding. c. Jan. 28, 1910.

98. ES WOLLT-EIN JAGER JAGEN
(gemischten chor) arr. by C. Hirsch. c. June 10, 1913.

99. ETUDE, EN LA BEMOL MAJOR
(pf.) by Sofie Menter. c. May 25, 1910.

100. ETUDES
op. 10 and op. 25 (klav.) by Fr. Chopin, arr. by E. D'Albert. c. May 30, 1911.

101. ETUDE EN SIXTES
op. 8 (pf.) by Sofie Menter. c. May 25, 1910.

102. ETUDE IN AS-DUR
(klav.) by F. Chopin, arr. by E. D'Albert. c. Jan. 22, 1912.

103. ETUDE IN DES-DUR
(klav.) no. 62, by F. Chopin, arr. by E. D'Albert. c. Jan. 27, 1912.

104. ETUDE IN F-MOLL
no. 60 (klav.) by F. Chopin, arr. by E. D'Albert. c. Jan. 27, 1912.

105. ETUDE IN C-DUR
(klav.) by F. Chopin, arr. by E. D'Albert. c. Jan. 27, 1912.

106. ETUDE IN A.-MOLL
(klav.) by F. Chopin, arr. by E. D'Albert. c. Jan. 27, 1912.

107. ETUDE IN CIS-MOLL
(klav.) by F. Chopin, arr. by E. D'Albert. c. Jan. 27, 1912.

108. ETUDE IN C-DUR
(klav.) by F. Chopin, arr. by E. D'Albert. c. Jan. 27, 1912.

109. ETUDE IN F-DUR
(klav.) by F. Chopin, arr. by E. D'Albert. c. Jan. 27, 1912.

110. ETUDE IN AS-DUR
(klav.) by F. Chopin, arr. by E. D'Albert. c. Jan. 27, 1912.

111. ETUDE IN C-MOLL
(klav.) by F. Chopin, arr. by E. D'Albert. c. Feb. 27, 1912.

112. ETUDE IN AS-DUR
no. 59 (klav.) by F. Chopin, arr. by E. D'Albert. c. Jan. 27, 1912.

113. ETUDE IN F-DUR
no. 34 (klav.) by F. Chopin, arr. by E. D'Albert. c. June 27, 1910.

114. ETUDE IN G SHARP MINOR
(klav.) by F. Chopin, arr. by E. D'Albert. c. June 21, 1910.

115. ETUDE DE CONCERT D'APRES CAPRICES DE PAGANINI
op. 3 (pf.) by R. Schumann, arr. by E. D'Albert. c. July 24, 1913.

116. ETUDE DE CONCERT D'APRES CAPRICES DE PAGANINI
op. 10 (pf.) by R. Schumann, arr. by E. D'Albert. c. July 24, 1913.

117. ETUDEN FUR VIOLINE
op. 45, by F. Wohlfahrt and H. Benda. c. Mar. 24, 1910.

118. EWIG
(lied) by C. Sinding, F. Jacobsen and L. H. David. c. May 16, 1913.

119. FAMILIEN FESTKLANGE
(2 violinen u. pf. heft 1) by F. Wohlfahrt. c. May 20, 1914.

120. FAMILIEN FESTKLANGE
(2 violinen u. pf. heft 2) by F. Wohlfahrt. c. May 20, 1914.

121. FAMILIEN FESTKLANGE
(2 violin and pf. heft 3) by F. Wohlfahrt. c. May 20, 1914.

122. FANTASIE
"Ein feste burg ist unser Gott" (pf.) by Max Reger, arr. by R. Lange. c. Feb. 8, 1915.

123. FANTASIE
(2 violins, pf. and violoncello) by Gustav Lange, arr. by Fr. Seitz. c. Aug. 1, 1910.

124. FANTASIE
(orgel) by M. Gulbins. c. June 6, 1914.

125. FANTASIE IN F MOLL
(klav.) by F. Chopin, arr. by E. D'Albert. c. July 18, 1912.

126. FANTASIE UND FUGUE
op. 29 (pf.) by Max. Reger, arr. by R. Lange. c. Apr. 30, 1912.

127. FASCHING
op. 52 (gemischten chor) by A. Menzel and Margarethe Schmidt-Petri. c. June 30, 1914.

128. FLIRT
op. 169 (pf.) by C. Godard. c. May 3, 1910.

129. FOHN
(mannerchor) by Peter Marini and F. von Lagin. c. Feb. 6, 1913.

130. FRISCH AUF MEIN LIEBES TOCHTERLEIN
(partitur u stimmen) by C. Hirsch. c. June 30, 1916.

131. FRITZ UND BERTA
op. 84 (mannerchor mit pf.) by Joseph Piber. c. July 30, 1910.

132. FRUHER FROST
(mannerchor a cappella) by H. Zoellner and M. Zoellner. c. Sept. 9, 1912.

133. FRUHLINGSJAUCHZEN
(mannerchor) by Carl H. Doring and E. F. Neumann. c. Jan. 27, 1912.

134. FRUHLINGS-SCHERZO
op. 106, no. 1 (mannerchor) by Alb. Sergel and Heinr. Zoellner. c. Mar. 21, 1911.

135. FUGHETTO
(orgel) by Max Gulbins. c. June 6, 1914.

136. FUNDAMENTAL STUDIEN FUR JEDEN VIOLIN SPIELER
(heft 1) by G. Hollaender. c. July 30, 1913.

137. FUNDAMENTAL STUDIEN FUR JEDEN VIOLIN SPIELER
(heft 2) by G. Hollaender. c. July 30, 1913.

138. GAVOTTE
(pf.) by Hans Ailbout. c. June 12, 1913.

139. GAVOTTE VARIEE
(klav.) by G. F. Handel, arr. by E. D'Albert. c. Mar. 18, 1911.

140. GEBET
(tenor solo, violine, solo quartett, gemischten chor, harfen, oder klav. and streichquartett) by F. Mickorey and Ed. Morike. c. July 14, 1909.

141. GELUBDE
(mannerchor) by Max Schillings and A. W. von Schlagel. c. May 30, 1913.

142. GEVATTER TOD
(ges.) by W. Rinkens and Ludwig von Jacobowski. c. Feb. 15, 1926.

143. GLUCK
(vierstimmigen mannerchor) by H. Barge and F. T. Jacobsen. c. Aug. 3, 1912.

144. GODE NACHT
(mittlere stimme u klav.) by K. Weigl and Th. Storm. c. Jan. 30, 1914.

145. GONDOLETTA
(pf.) by Erik Meyer-Helmund. c. May 17, 1910.

146. GRADUS AD PARNASSUM
(highschool, violin teil 3) op. 36 by E. Sauret. c. July 16, 1912.

147. GRADUS AD PARNASSUM
(highschool, violin teil 2) by E. Sauret. c. July 16, 1912.

148. GRADUS AD PARNASSUM
(highschool violin teil 1) by E. Sauret. c. July 16, 1912.

149. GRADUS AD PARNASSUM
(violin, teil 5) by E. Sauret. c. Feb. 7, 1913.

150. GRADUS AD PARNASSUM
(violin, teil 4) by E. Sauret. c. Feb. 7, 1913.

151. GRAND VALSE BRILLANTE
(klav.) by F. Chopin, arr. by E. D'Albert. c. July 24, 1913.

152. GROBSCHMIED - VARIATIONEN
In Es. dur (klav.) by Handel, arr. by E. D'Albert. c. June 16, 1913.

153. HAB'MEIN WAGE VOLL GELADE
(gemischten chor) by W. Herrmann. c. July 20, 1912.

154. HARALDS TOD
op. 106 (mannerchor) by Alb. Sergel and Heinrich Zoellner. c. Mar. 21, 1911.

155. HARTE (DAS) WORT
(eine singstimme u pf.) by C. Sinding, Ivar Mortenson and L. H. DAVID. c. Mar. 21, 1911.

156. HECKENROSLEIN
(vierstimmigen mannerchor a cappella) by Karl Dreyer. c. May 14, 1912.

157. HEIL'GE NACHT NURR KEHRST DU WIEDER
op. 40 (eine solostimme un frauen chor mit pf.) by F. Seitz and Leopold Gerlach. c. May 1, 1912.

158. HEIMKEHR
op. 60, no. 4 (pf.) by A. Ruthardt. c. Sept. 23, 1911.

159. HEIRATEN
op. 72, no. 1 (mannerchor) by M. Neumann and Rud. Keller. c. Feb. 1, 1910.

160. HEKTARS BESTATTUNG
op. 15 Aus Homer's "Ilias" (orch. partitur) by Dr. B. Sigwart Graf, arr. by F. H. Voss. c. Feb. 10, 1914.

161. HEKTARS BESTATTUNG
Aus Homer's "Ilias" (orch. stimmen) by Dr. B. Sigwart Graf, arr. by F. H. Voss. c. Feb. 10, 1914.

162. HEKTARS BESTATTUNG
op. 15 (pf.) by Dr. B. Sigwart Graf and John Bernhoff, arr. by F. H. Voss. c. May 19, 1916.

163. HELLER MORGEN
op. 59, no. 2 (gemischten chor a cappella) by P. Fassbaender and Fr. Hofer. c. Feb. 27, 1910.

164. HERBST-SCHNEEFLOCKEN
(kleine klavierstucke) by Georg Riemenschneider. c. Mar. 4, 1912.

165. HERBSTBLATTER
op. 64 (kleine klavierstucke heft 1) 1. Wolkenbilder, 2. Zugvogel. by Georg Riemenschneider. c. Mar. 4, 1912.

166. HERBSTBLATTER
op. 64 (kleine klavierstucke heft 2) 1. Herbst-schneeflocken, 2. In die ferien. (marsch) by Georg Riemenschneider. c. Mar. 4, 1912.

167. HERBSTABEND
op. 5, no. 1 (mannerchor a cappella) by W. Dahms and Max Halbeck. c. June 18, 1914.

168. HERBSTGEDANKEN
(orgel) by Hans Fahrmann. c. Feb. 3, 1911.

169. HORCH WAS KOMMT VON DRAUSSEN REIN
(gemischten chor) by W. Herrmann. c. July 20, 1912.

170. HULDIGUNG DER SCHLEISCHEN STANDE, FUR FREDERICHS DEM GROSSEN IN BRESLAU (1741)
(pf.) by F. Hummel and E. von Wildenbruch. c. May 10, 1913.

171. HYMNE
(mannerchor a cappella) by H. Zoellner and Fr. Klopstock. c. July 30, 1912.

172. HYMNE
(fur doppelchor, fur gemischten chor) by H. Zoellner and Fr. Klopstock. c. Feb. 8, 1913.

173. HYMNE AU SOLEIL
(pf.) arr. by Walter Nieman. c. July 21, 1925.

174. ICH BIN EIN DRACH GEWESEN
(ges. and pf.) by C. Sinding. c. Jan. 28, 1910.

175. ICH LIEGE DIR ZU FUSSEN
(ges. and pf.) by C. Sinding. c. Jan. 28, 1910.

176. ICH NEIDE NICHT DIE GOLD'NEN SALE
(ges. and pf.) by C. Sinding. c. Jan. 28, 1910.

177. ICH WAR MIT DIR
(singstimme mit pf.) by H. Noren and Ernst Hardt. c. Aug. 3, 1911.

178. ICH WAR SCHON SO KLUG
(ges. and pf.) by C. Sinding. c. Jan. 28, 1910.

179. ICH WEISS MIR EIN MAIDLEIN
(gemischten chor.) arr. by C. Hirsch. c. June 10, 1913.

180. IDYLLE
op. 51 (pf.-studien no. 3) by Mary Wurm. c. Apr. 6, 1911.

181. IM ROSENGARTEN
(mannerchor) by F. Hummell and C. Lechler. c. Jan. 31, 1911.

182. IM SERAIL
(lied) by C. Sinding, F. Jacobsen, and L. H. David. c. May 16, 1913.

183. IM WALD
(mannerchor) by W. Arndt and C. Rohr. c. May 26, 1910.

184. IN DER LUFTE BLAU
(bariton and pf.) by B. Sekles and F. Ruckert. c. Mar. 20, 1911.

185. IN DIE FERIEN
(kleine klavierstucke) by Georg Riemenschneider. c. Mar. 4, 1912.

186. IN EIS ERSTARRT MEIN HERZE LAG
(ges. and pf.) by C. Sinding. c. Feb. 28, 1910.

187. IN ERWATUNG DES FRUENS
(ges. and pf.) by Anna Hegeler, Mong-Kav.-Fen, and Hans Bethge. c. Oct. 21, 1911.

188. IN GOLDNER ROSENZEIT
op. 29 (gemischten chor.) by August Oehl. c. Jan. 30, 1913.

189. IN LUST UND SCHMERZEN
by Alexander Ritter, P. Cornelius and J. Bernhoff. c. May 19, 1910.

190. IN MEERES MITTEN
(bariton and klav.) by F. Ruckert and B. Sekles. c. Mar. 20, 1911.

191. INTERMEZZO
(mannerchor, tenor u violin mit klav.) by E. Heuser and Josephine Moos. c. Oct. 5, 1912.

192. INTERMEZZO CROMATICO
(orgel) by Max Gulbins. c. June 6, 1914.

193. INTRODUCTION ET CHANT ANCIEN RUSSE
(pf.) by A. Rosenauer. c. Feb. 21, 1911.

194. JUBEL-OVERTURE
(pf.) by A. Rosenauer. c. May 30, 1913.

195. JUGEND-CONCERTINOS
(violoncello and pf.) by A. Volck. c. Apr. 29, 1910.

196. JUGEND TRIOS
(violine, violoncello and pf.) by Franz Wohlfahrt and Fr. Seitz. c. Feb. 8, 1910.

197. JULI
(mittlere stimme u klav.) by K. Weigle and Th. Storm. c. Jan. 30, 1914.

198. JUNG OLAF
(orch. partitur) by Max Schillings and E. von Wildenbruch. c. Nov. 2, 1911.

199. JUNG OLAF
(orch. stimmen) by Max Schillings and E. von Wildenbruch. c. Nov. 2, 1911.

200. JUNG OLAF
(pf.) by Max Schillings and E. von Wildenbruch. c. Aug. 21, 1911.

201. JUNGENS HERAUS
(pf.) by E. H. Darras. c. June 13, 1914.

202. JUNGENS HERAUS
(militar musik) by Darras and Fittig, arr. by H. Knauss. c. Feb. 8, 1915.

203. KANDENZEN-SAMMLUNG
(koloratur-sangerinnen) by J. Fleischer-Alt. c. Mar. 18, 1911.

204. KATZENFUGE
(klavier-abenden) by Domenico Scarlatti, arr. by E. d'Albert. c. Mar. 21, 1911.

205. KEIN WART VONDIR DER FREUDE ODER KLAGE
(ges. and pf.) by P. Tschaikowsky and transl. by L. H. David. c. Feb. 24, 1913.

206. KINDERLIEDER
(2 singstimmen) by F. B. Zerlett. c. May 4, 1910.

207. KLAVIER-SCHULE
(vorgeschrittene und erwachsene) by F. Wohlfahrt and G. Lazarus. c. Aug. 6, 1913.

208. KOMM
(eine singstimme mit klav.) by Erik Meyer-Helmund and John Bernhoff. c. Feb. 1, 1910.

209. KONKURRENT (DER)
(tenor und bariton) by Paul Thamm. c. Feb. 16, 1911.

210. LANDSKNECHTS - STANDCHEN
(gemischten chor) arr. by C. Hirsch and Fr. Schaumman. c. June 6, 1913.

211. LEBENS-SELIGKEIT
(eine singstimme und pf.) by C. Sinding, Ivar Mortenson and L. H. David. c. May 14, 1912.

212. LEGENDE
(violin and pf.) by H. G. Noren. c. Feb. 8, 1912.

213. LEGENDE DU NORD
(pf. and violoncello) by A. Volck. c. Feb. 8, 1913.

214. LEGENDE (DIE) VON TANNENBAUM
(pf. mit text) by F. Hummel and Dr. M. Moller. c. May 6, 1914.

215. LEICHTESTER AUFANG IM VIOLINSPIEL
by Fr. Wohlfahrt, H. Schroder and A. von Sponer. c. Sept. 25, 1909.

216. LEIPZIGER (DIE) SCHLACHT
(orch.) by H. Zoellner and E. Moritz Arndt. c. Mar. 29, 1913.

217. LEIPZIGER (DIE) SCHLACHT
(mannerchor) by H. Zoellner and E. M. Arndt. c. Jan. 29, 1913.

218. LEIPZIGER (DIE) SCHLACHT
(mannerchor u orch.) by H. Zoellner and E. M. Arndt. c. Feb. 10, 1913.

219. LEIPZIGER (DIE) SCHLACHT
(mannerchor u pf.) by H. Zoellner and E. M. Arndt. c. Feb. 26, 1913.

220. LEUCHTENDE TAGE
(singstimme mit pf.) by H. G. Noren and Ludwig Jacobowski. c. Aug. 3, 1911.

221. LIEBEN-LAIDEN-LASSEN
(mannerchor) by O. Leichsdorf. c. May 15, 1914.

222. LIEBESNACHT
(eine singstimme mit klav.) by Erik Meyer-Helmund and John Bernhoff. c. Feb. 1, 1910.

223. LIEBLINGSBAUM (DER)
(singstimmen u pf.) by P. Fehrmann and C. F. Meyer. c. Feb. 6, 1913.

224. LIED OHNE WORTE
op. 51 (pf. studien) by Mary Wurn. c. Apr. 6, 1911.

225. LIEDERSEELEN
(zwie singstimmen u pf.) by P. Fehrmann and C. F. Meyer. c. Feb. 6, 1913.

226. LIEDESWEIHE
(mannerchor) by H. Fungst and Erich Langer. c. Sept. 29, 1913.

227. LIEDESWEIHE
(mannerchor stimmen) by H. Fungst and Erich Langer. c. Sept. 17, 1913.

228. LINDE (DIE) IM TAL
(partitur u stimmen) by Carl Hirsch. c. June 30, 1914.

229. LINDENLAUB
Aus "Farsters Leiderbach (1540)" (gemischlet chor) arr. by Carl Hirsch. c. June 10, 1913.

230. LUARIN
(mannerchor a cappella) by Robert Gasteiner and Julius Wolff. c. Feb. 10, 1913.

231. LUFTSCHLOSS
(ges. and pf.) by Carl Reinecke and Rudolph Baumbach. c. May 24, 1910.

232. MAGST DU MICH UNGARISCH
(mannerchor a cappella) by H. Fochimsen G. Pressel and B. Pauli. c. Mar. 7, 1912.

233. MARCHE FANTASTIQUE
op. 27 (pf.) by Paul Ertel. c. Jan. 15, 1913.

234. MARIENLIED
(Mittlere stimme mit klav.) by Karl Weigle and Movalis. c. Jan. 30, 1911.

235. MASELWEINLIED
(mannerchor) by Max Gulbins and E. Maul. c. Oct. 9, 1911.

236. MEIN DORFCHEN
(gemischten chor. a cappella) by Edw. Walter and Ludwig Buttlor. c. May 26, 1913.

237. MELODIE
op. 167 (violoncello et pf.) by A. Volck. c. Feb. 8, 1913.

238. MELODIENSCHATZ
(violine and pf.) by F. Wohlfahrt. c. June 8, 1914.

239. MENDELSSOHN ALBUM
(harmonium, heft 1.) arr. by R. Schaab. c. May 2, 1914.

240. MENDELSSOHN-ALBUM
(harmonium, heft 2) arr. by R. Schaab. c. May 2, 1914.

241. MENUETT
(pf.) by Hans Ailbout. c. June 12, 1913.

242. METTE (DIE) VON MARIENBURG
(pf.) by F. Hummel and Felix Dahn. c. Mar. 3, 1911.

243. MONDNACHT
(mannerchor a cappella) by G. Werschinger and Fr. Daumer. c. Sept. 30, 1913.

244. MORGENS SEND ICH DIR DIE VEILCHEN
op. 61, no. 2. (1.) Hoch, (2.) Tief by Erik Meyer-Helmund and H. Heine. c. June 14, 1910.

245. NACHT
(dreistimmigen frauenchor mit pf.) by K. Klanert and H. Lenthold. c. Jan. 30, 1913.

246. NACHTLICHE JAGD
(mannerchor) by Ernst Heuser, Th. Etzel and G. Muschner. c. Feb. 21, 1912.

247. NEUE METHODE
(violin) by W. H. Feltzer. c. July 30, 1912.

248. NEUE METHODE
op. 5 (violin, heft 1) by W. H. Feltzer. c. April 1, 1912.

249. NEUE METHODE
op. 5 (violin heft 2) by W. H. Feltzer. c. April 1, 1912.

250. NEUE METHODE
op. 5 (violin, heft 3) by W. Feltzer. c. April 1, 1912.

251. NEUE METHODE
op. 5 (violin, heft 4) by W. H. Feltzer. c. Apr. 1, 1912.

252. NEUE SKIZZEN AUS DEM KINDER LEBEN
(pf.) by J. Merkel. c. Feb. 9, 1914.

253. NICHT GEDANKEN, DIE TRUGEN
(eine singstimme u pf.) by C. Sinding. Ivar Mortenson and L. H. David. c. May 14, 1912.

254. NICHT WORTE GELIEBER
(ges. and pf.) by Tschaikowsky, trans. by L. H. David. c. Feb. 27, 1913.

255. NIX (DER) UND DIE JUNGFRAU
(mannerchor a cappella) by H. Fochimsen. c. Mar. 7, 1912.

256. NOCTURNE ESDUR
op. 9, no. 2. (pf.) by F. Chopin, arr. by Mary Wurn. c. April 6, 1911.

257. NOCTURNE
in Es Dur (klav.) by F. Chopin, arr. by E. D'Albert. c. June 16, 1913.

258. NOCTURNE
in Fis Dur (klav.) by F. Chopin, arr. by E. D'Albert. c. June 16, 1913.

259. NOCTURNE IN DES DUR
op. 27, no. 2 (klav.) no. 78. by F. Chopin, arr. by E. D'Albert. c. July 24, 1913.

260. NOTTURNO
op. 9, no. 3 (klav.) by F. Chopin, arr. by E. D'Albert. c. Aug. 20, 1909.

261. NOTTURNO H DUR
B Maj. (klav.) by F. Chopin, arr. by E. D'Albert. c. June 21, 1910.

262. NUN WIRD ES NACHT
(mannerchor) by Th. Hagedorn and F. Scharf. c. Jan. 26, 1911.

263. NUR, WER DIE SEHNSUCHT KEMT
by P. Tschaikowsky trans. by L. H. David. c. Mar. 13, 1913.

264. O GEH NICHT VON MIR MEIN FRIEND
(ges. and pf.) by Tschaikowsky trans. by L. H. David. c. Feb. 27, 1913.

265. ORGEL-ALBUM
(band 1, nos. 1-9) by Joseph Rheinberger arr. by K. Heynsen. c. Apr. 29, 1914.

266. ORGEL-ALBUM
(band 2 nos. 10-14) by Joseph Rheinberger, arr. by K. Heynsen. c. April 29, 1914.

267. PASSACOGLIA
(pf.) by P. Ertel. c. Jan. 31, 1910.

268. PASTORALE IN G DUR
(klav.) arr. by E. D'Albert. c. June 16, 1913.

269. PASTORALE-SONATE
(orgel) by Joseph Rheinberger arr. by K. Horjer. c. June 10, 1914.

270. PAVILLON (DER) AUS PORZELLAN
(ges. and pf.) by A. Hegeler, Li-Tai-To and Hans Bethge. c. Oct. 21, 1911.

271. PHANTASIE
op. 15 Uber den Wanderer, C dur, by Fr. Schubert, arr. by E D'Albert. c. Mar. 21, 1911.

272. PIROUETTE-VALSE
(violoncello et pf.) by A. Volck. c. Feb. 8, 1913.

273. POLONAISE IN A-DUR
(klav.) by F. Chopin, arr. by E. D'Albert. c. July 24, 1913.

274. POLONAISE IN C DUR
(klav.) by Beethoven, arr. by E. D'Albert. c. July 6, 1912.

275. POLONAISE IN CIS-MOLL
(klav.) by Chopin, arr. by E. D'Albert. c. July 24, 1913.

276. PRAKSTISCHE FAGOTTSCHULE
by J. Weissenborn, arr. by C. Schaefer. c. Jan. 2, 1924.

277. PRALUDIUM IN D
(pf.) by Paul Ertel. c. Jan. 31, 1910.

278. PRALUDIUM UND FUGE
(klav.) by J. S. Bach, arr. by E. D'Albert. c. May 23, 1912.

279. RECORDARE; ACH! GEDENKE, TREUER JESU
(bariton mit orgel) by J. Reuner, Jr. c. May 29, 1914.

280. REGENBOGEN (DER)
op. 62 (gemischten chor a cappella) by M. Peters and Fr. von Schiller. c. Feb. 20, 1913.

281. REITERLIED
(mannerchor) by T. Hagedorn and George Henvegh. c. Jan. 26, 1911.

282. REQUIEM
(gemischten chor) by P. Fassbaender and Fr. Hebbel. c. Feb. 7, 1910.

283. RESIGNATION
(orgel) by Max Reger, arr. by R. Lange. c. April 20, 1914.

284. REVE D'UN MOMENT
(pf.) by C. Godard. c. Jan. 31, 1912.

285. REVE FANTASQUE
(pf.) by G. Zuccoli. c. Feb. 14, 1913.

286. RITT (DER) IN DEN TOD
(mannerchor) by H. Zoellner and C. F. Meyer. c. July 22, 1914.

287. RITTMEISTER (DER)
(mannerchor a cappella) by H. Zoellner and G. Falke. c. Oct. 9, 1911.

288. ROBESPIERRE
op. 107 (mannerchor stimmen) by H. Zoellner and Victor Uthmann. c. Mar. 20, 1911.

289. ROBESPIERRE
op. 107 (mannerchor and orch.) by H. Zoellner and Victor Uthmann. c. Mar. 21, 1911.

290. ROMANCE
(violoncello and pf.) by A. Volck. c. Feb. 8, 1913.

291. ROMANZE
(mannerchor) by E. Heuser, Th. Etzel and George Muschner. c. Feb. 21, 1912.

292. ROSENZEIT
op. 72, no. 3 (mannerchor) by M. Neumann and H. Seidel. c. Jan. 28, 1910.

293. ROSENZEIT
op. 112, no. 5 (mannerchor) by F. Hummel and H. Seidel. c. Jan. 31, 1911.

294. SANGERSPRUCHE
(mannerchor) by H. Kessler and John Henkel. c. April 30, 1926.

295. SCHEIDEN UND MEIDEN
(gemischten chor) arr. by Carl Hirsch. c. June 10, 1913.

296. SCHELM VON BERGEN
(ges.) by Wm. Rinkens and K. J. Simrock. c. Feb. 15, 1926.

297. SCHERZO FANTASTIQUE
(pf.) by Paul Ertel. c. Jan. 31, 1910.

298. SCHERZO NO. 1
(pf.) by F. Chopin, arr. by E. D'Albert. c. July 14, 1909.

299. SCHERZO
(orgel) by Max Gulbins. c. June 6, 1914.

300. SCHIFFORS ABFAHRT
(mannerchor a cappella) by H. Fochimsen and B. Pauli. c. Mar. 7, 1912.

301. SCHLEMMERLIED
(gemischten chor.) by Willy Herrmann. c. July 20, 1912.

302. SCHLUMMERLIED FUR MANCHE SCHONE
(mannerchor) by Max Gulbins and John Benjamin Michaelis. c. Oct. 9, 1911.

303. SCHLUMMERLIEDCHEN
(pf.) by Karl Weigle and Rich. Leander. c. Jan. 30, 1914.

304. SCHNELLE BLUTE
op. 112, no. 2 (mannerchor) by F. Hummel and H. Seidel. c. Jan. 31, 1911.

305. SCHONE AGNETE
(ges. mittlere stimme) by W. Rinkens and Agnes Miegel. c. Feb. 15, 1926.

306. SCHONE (DER) TAMBOUR
(gemischten chor.) by W. Herrmann. c. Feb. 15, 1912.

307. SCHON, SCHONER, AM SCHONSTEN
op. 104, no. 1 (mannerchor a cappella) by H. Zoellner and M. Zoellner. c. Aug. 16, 1910.

308. SCHONE (DIE) MULLERIN
(gemischten chor. a cappella) by E. Walter and Ludwig Buttlor. c. May 26, 1913.

309. SCHWALBENSIZILIANE
(mannerstimmen) by W. Dahms and D. von Liencrom. c. June 18, 1914.

310. SECHS VARIATIONEN
(klav.) by L. Beethoven, arr. by E. D'Albert. c. July 9, 1912.

311. SEESTUCK
(lied) by C. Sinding, A. P. Jacobsen and L. H. David. c. May 16, 1913.

312. SEH ICH DICH
(mannerchor) by H. Fochimsen, R. Batka and B. Pauli. c. Mar. 7, 1912.

313. SEHET, WELCHE LIEBE
(pf.) by J. Rheinberger and Th. Spitta. c. May 25, 1910.

314. SERENADE
(pf.) by H. Ailbout. c. June 12, 1913.

315. SERENADE MELANCHOLIQUE
op. 36 (viola and pf.) by P. Tschaikowsky, arr. by Karl Hermann. c. Aug. 17, 1911.

316. SEXTEN-ETUDE IN WALZERFORM
(pf.) by Mary Wurm. c. June 11, 1914.

317. SICILIANO
(klav.) by J. S. Bach, arr. by E. D'Albert. c. May 23, 1912.

318. SIEBE VARIATIONEN
no. 87 (pf.) by L. Beethoven, arr. by E. D'Albert. c. Sept. 13, 1913.

319. SIEBEN BAGATELLAN
(klav.) by L. Beethoven, arr. by E. D'Albert. c. Feb. 2, 1910.

320. SIEBZIG MELODISCHE ETUDEN U VORTRAGSSTUDIEN
(violine solo, heft 1) by Franz Wohlfahrt and Alfred von Sponer. c. Mar. 22, 1912.

321. SIEBZIG MELODISCHE ETUDEN U VORTRAGSSTUDIEN
(heft 1 violine u pf.) by F. Wohlfahrt and A. von Sponer. c. Apr. 1, 1912.

322. SIEBZIG MELODISCHE ETUDEN U VORTRAGSSTUDIEN
op. 74 (heft 2 violine u pf.) by F. Wohlfahrt and A. von Sponer. c. Apr. 1, 1912.

323. SIEBZIG MELODISCHE ETUDEN U VORTRAGSSTUDIEN
op. 74 (heft 2 violine solo) by F. Wohlfahrt and A. von Sponer. c. Apr. 1, 1912.

324. SILVESTER-GESANG
op. 20 (mannerstimmen) by H. Fahrmann and Carl Gerok. c. Aug. 12, 1912.

325. SINFONISCHES KONZERT
(orgel) by H. Fahrmann. c. June 4, 1912.

326. SINFONISCHES KONZERT IN B MOLL
(orgel and orch.) by H. Fahrmann. c. May 25, 1912.

327. SIST SCHLIMM
(eine singstimme and pf.) by C. Sinding, J. Mortenson and L. H. David. c. May 14, 1912.

328. SOIR-PLUVIEUX
(pf.) by J. Berr. c. Feb. 18, 1914.

329. SOMMER
op. 37 (singstimme mit pf.) by H. G. Noren and O. J. Bierbaum. c. Aug. 3, 1911.

330. SOMMERBILD
(mannerchor a cappella) by H. Zoellner and F. Hebbel. c. June 4, 1913.

331. SONATA
(pf.) by Algernon Ashton. c. Oct. 26, 1925.

332. SONATA
(pf.) in C. Sharp minor by Algernon Ashton. c. Mar. 9, 1926.

333. SONATE A-DUR
(pf.) by D. Scarlatti, arr. by Sofie Menter. c. Feb. 9, 1911.

334. SONATE H MOLL
(pf.) by F. Chopin, arr. by E. D'Albert. c. Aug. 16, 1909.

335. SONATE IN ES. MOLL
op. 46 (orgel) by H. Fahrmann. c. Jan. 31, 1910.

336. SONATE IN ES. DUR
op. 53 (orgel) by H. Fahrmann. c. Jan. 23, 1913.

337. SONATE IN D MOLL
op. 54 (orgel) by H. Fahrmann. c. June 4, 1913.

338. SONATE IN B MOLL
(klav.) by F. Chopin, arr. by E. D'Albert. c. Jan. 27, 1912.

339. SONNENAUFGANG
(mannerchor u orch.) by Jos. A. Mayer and I. Kurz. c. Feb. 12, 1913.

340. SONNENAUFGANG
op. 20 (mannerchor) by Jos. A. Mayer and I. Kurz. c. June 29, 1913.

341. SPIELMANN (EIN)
(mannerchor) by M. Neumann and Aug. Silberstein. c. Jan. 28, 1910.

342. SPORT D'HIVER
(pf.) by C. Godard. c. May 23, 1910.

343. STEH'N HOHE BAUME UM DIE HUTT
(ges. and pf.) by Tschaikowsky trans. by L. H. David. c. Feb. 27, 1913.

344. STERNENNACHT
(mannerstimmen) by Max Schillings and Kuno Franke. c. May 30, 1913.

345. STEYRUCHE LIEDER
(mannerchor) by Franz Blumel, Edward Maitzen-Ellbach and J. F. Stolz. c. June 1, 1910.

346. SYMPHONE PATHETIQUE
op. 74 (pf.) by Tschaikowsky, arr. by Otto Singer. c. Jan. 2, 1924.

347. TAGLICHE TECHNISCHE STUDIEN
(violine) by Ferdinand Krieger. c. Feb. 28, 1914.

348. TAL UND STADT IN ABENDS CHATTEN
(mannerchor a cappella) by E. Heuser and W. Schneider Ferdinands. c. July 2, 1912.

349. TAMBOURIN (LE)
(klav.) by J. P. Rameau, arr. by E. D'Albert. c. Mar. 18, 1911.

350. TANZLIED
(mannerchor a cappella) by C. Ad. Lorenz and G. von Rochow. c. Oct. 30, 1909.

351. TARANTELLE
op. 167 (violoncello et pf.) by A. Volck. c. Feb. 8, 1913.

352. TECHNISCHE ETUDEN
(orgelspieler) by H. Kretzschmar. c. April 14, 1914.

353. TEUERUNG (DIE)
(mannerchor) by Joseph Piber. c. Jan. 30, 1911.

354. TITANIA
(pf.) by Arnold Sartorio (C. Godard). c. Feb. 9, 1911.

355. TOTENGRABER (DER)
(mannerchor) by Jos. Weber. c. June 8, 1914.

356. TONLEITER UND AKKORDUBUNGEN FUR FLOTE
by Oscar Fischer. c. Mar. 7, 1924.

357. TOTENTANZ (DER)
(mannerchor stimmen) by H. Zoellner and W. von Goethe. c. Mar. 4, 1911.

358. TOTENTANZ (DER)
(orch. mit mannerchor) by H. Zoellner and W. von Goethe. c. Mar. 23, 1911.

359. TOTENTANZ (DER)
(orch. stimmen) by H. Zoellner and W. von Goethe. c. Apr. 24, 1911.

360. TRALLERLIEDCHEN
op. 51. (pf.-studien, no. 4) by Mary Wurm. c. Apr. 6, 1911.

361. TRAUMEREI
(orgel) by H. Fahrmann. c. Feb. 3, 1911.

362. TREUESCHWUR ANS VATERLAND
op. 60 (mannerchor) by J. Berr and E. Trapp. c. Mar. 1, 1912.

363. TRIO
(flote oboe u fagott mit klav.) by R. Lauschmann. c. Nov. 7, 1925.

364. TRIO UBER WEIHNACHTSLIEDER FUR DIE JUGENDLICHE WELT
(violine, violoncello and klav.) by F. Seitz. c. Sept. 16, 1910.

365. TROISES EQUISSES
op. 143 (pf.) by A. Ashton. c. Feb. 11, 1911.

366. TURKISCHER MARSCH
(pf.) by H. Ailbout. c. June 12, 1913.

367. UEBERFALL (DER)
op. 60, no. 3 (pf.) by A. Ruthardt. c. Feb. 1, 1910.

368. UNBEGEHRT
(mannerchor) by F. Lubrich, Jr., and A. Ritter. c. July 21, 1911.

369. UND WENN DER TAG SEIN SCHWERES LIED
(lied) by C. Sinding and F. P. Jacobsen. c. May 16, 1913.

370. UNTER ROSEN
op. 106, no. 2 (mannerchor) by Alb. Sergel and Heinrich Zollner. c. Mar. 21, 1911.

371. UNTERWEGS
(mannerchor) by Alb. Sergel and Heinrich Zollner. c. Mar. 21, 1911.

372. UNWURDIGE (DER)
(ges. and pf.) by Anna Hegeler, La-Ksu-Feng, and Hans Bethge. c. Oct. 21, 1911.

373. VAGANTENLIED
(mannerchor) by Max Gulbins and O. Kernstock. c. Oct. 9, 1911.

374. VALET
(mannerchor) by Max Filke and R. Baumbach. c. Feb. 4, 1911.

375. VALSE BRILLANTE IN A-MOLL
(pf.) by F. Chopin, arr. by E. D'Albert. c. July 24, 1913.

376. VALSE BRILLANTE IN AS-DUR
(klav.) by F. Chopin, arr. by E. D'Albert. c. July 24, 1913.

377. VALSE IN DES DUR
op. 64, no. 1 (pf.) by F. Chopin, arr. by E. D'Albert. c. July 24, 1913.

378. VALSE IN CIS-MOLL
(pf.) by Chopin, arr. by E. D'Albert. c. July 24, 1913.

379. VARIATIONEN UBER EIM ORIGINALTHEMA
(klav.) by J. Merkel. c. Feb. 5, 1914.

380. VATERLAND (DAS)
(mannerchor) by Max Schillings and Ludwig Finckh. c. May 30, 1913.

381. VERTAUSCHTEN (DIE) FRAUEN
(quartet und mannerchor) by H. Zoellner and B. von Munchausen. c. July 22, 1914.

382. VIERUNDZWANZIG KLEINERESTUDIEN
(pf.) by C. Reinecke. c. May 30, 1914.

383. VIERUNDZWANZIG KLEINERESTUDIEN
(pf. heft 1) by C. Reinecke. c. May 30, 1914.

384. VIERUNDZWANZIG KLEINERESTUDIEN
(pf. heft 2) by C. Reinecke. c. May 30, 1914.

385. VIERUNDZWANZIG KLEINERESTUDIEN
(pf. heft 3) C. Reinecke. c. May 30, 1914.

386. VIERZEHN KLAVIERETUDEN
by Louis Kohler. c. Feb. 28, 1914.

387. VIERZIG TAGLICHE STUDIEN
op. 51 (pf.-studien, no. 1) by Mary Wurm. c. Apr. 6, 1911.

388. VIOLINSCHULE
(teil 2) by F. Wohlfahrt, H. Schroder, and A. von Sponer. c. Feb. 21, 1914.

389. VIOLINSCHULE
(teil 3) by F. Wohlfahrt, H. Schroder, and A. von Sponer. c. Feb. 21, 1914.

390. VON DER EDLEN MUSIK
(gemischten chor) by Willy Herrmann. c. July 20, 1912.

391. VON DIR ZU SCHEIDEN
(frauen chor mit pf.) by K. Klanert. c. Jan. 30, 1913.

392. VOR DEM HAMBURGER BISMARCH-DUKMAL
(pf.) by Ludwig Haas and Eberhard Konig. c. Feb. 8, 1915.

393. WALDESFRIEDEN
(orgel) by H. Fahrmann. c. Feb. 3, 1911.

394. WANDERLUST; DES MAIEN LIEBSTER AUFENTHALT: (and) SANKT MICHAEL
op. 25, no. 1-3 (mannerchor, partitur and stimmen) by Jul. Gersdorff, W. Osternald, O. Kernstock and Josef Eizenberger. c. May 24, 1910.

395. WANDRER (DER)
(mannerchor) by Geo. Haeser and Alfons Tuor. c. Feb. 6, 1913.

396. WARUM
(ges. u pf.) by Tschaikowsky, trans. by L. H. David. c. Feb. 27, 1913.

397. WARUM ZUM, LIEDE WILLST DU MUCH SWINGEN
(eine singstimme u pf.) by C. Sinding, I. Mortenson and L. H. David. c. May 14, 1912.

398. WEIHE (DER) NACHT
(gemischten chor a cappella) by P. Fassbaender and Fr. Hebbel. c. Feb. 7, 1910.

399. WEIHE (DER) NACHT
(mannerchor a cappella) by H. Zoellner and Fr. Hebbel. c. June 4, 1913.

400. WEIHE DES GESANGES
op. 58 (gemischten chor a cappella) by Max Peters. c. March 2, 1912.

401. WEIHENACHT WIEGENLIED
(mannerchor) by V. Novak, trans. by Clarence Dickinson. c. Mar. 12, 1913.

402. WEIHNACHTSANDACHT
(pf.) by A. Volck. c. May 28, 1914.

403. WEIGENLIED
(frauenchor mit pf.) by E. D'Albert and D. von Liliencrom arr. by Carl Hirsch. c. Mar. 24, 1911.

404. WIEGENLIED
(mannerchor) by E. D'Albert and D. von Liliencrom, arr. by C. Hirsch. c. March 20, 1911.

405. WIEGENLIED
(gemischten chor) by E. D'Albert and D. von Liliencrom, arr. by C. Hirsch. c. July 30, 1910.

406. WENN ICH ZU WALDI GEH!
(bariton and pf.) by B. Sekles and F. Ruckert. c. Mar. 20, 1911.

407. WO SIND DIE STUNDEN
(gemischten chor) by F. Lubrich and Hoffmann von Hoffmannswaldan. c. Aug. 9, 1911.

408. WOLKENBILDER
(klavierstucke herbstblatter heft 1) by Georg Riemenschneider. c. Mar. 4, 1912.

409. ZEHN IMPROVISATIONEN
(orgel) by Carl Pintti. c. Apr. 9, 1914.

410. ZEHN VORTRAGSSTUCKE
op. 34 (violine and cello heft 1) by F. Seitz. c. Feb. 9, 1910.

411. ZEHN VORTRAGSSTUCKE
op. 34 (violine u cello heft 2) by F. Seitz. c. Feb. 9, 1910.

412. ZEHN VORTRAGSSTUCKE
op. 34 (violine and cello heft 3) by F. Seitz. c. Feb. 9, 1910.

413. ZEHN VORTRAGSSTUCKE
(violine u cello heft 4) op. 34 by F. Seitz. c. Feb. 9, 1910.

414. ZEHN VORTRAGSSTUCKE
op. 34 (violine u cello heft 5) by F. Seitz. c. Feb. 9, 1910.

415. ZU PFERD, ZU PFERD
op. 129, no. 3 (mannerchor a cappella) by Heinrich Zoellner and Fr. Hebbel. c. June 4, 1913.

416. ZU WEICHNACHTEN
(zither and pf.) by Paul Renk and Gustav Lange. c. July 26, 1910.

417. ZU WEICHNACHTEN
(pf.) by Gustav Lange, arr. by Alvis Rosenauer. c. Aug. 22, 1910.

418. ZUGVOGEL
(kleine klavierstucke herbstblatter heft 1) by George Riemenschneider. c. Mar. 4, 1912.

419. ZUM AUSGANG
(orgel) by Herman Kretzschmar. c. Mar. 31, 1914.

420. ZUM NEUEM JAHR
(gemischten chor) by J. Raff, arr. by E. Morike Pfusch. c. Sept. 1, 1909.

421. ZUR TRAUUNG
(gemischten chor) by Arnold Mendelssohn and K. Gerok. c. Mar. 30, 1914.

422. ZWEI SATZE AUS PARSIFAL
(orgel) arr. by Emil Rodger. c. April 15, 1914.

423. ZWIEGESPRACH IN DER DAMMERUNG
op. 15 (pf.) by Richard Burmeister. c. July 1, 1909.

424. ZWEIUNDDREISSIG VARIATIONEN
(klav.) by Beethoven, arr. by E. D'Albert. c. Feb. 2, 1910.

425. ZWOLF DER SCHONSTEN WEIH NACHTSLIEDER
(ausgabe A) arr. by Alfred von Sponer. c. Sept. 23, 1911.

426. ZWOLF DER SCHONSTEN WEIH NACHTSLIEDER
(ausgabe B) arr. by Alfred von Sponer. c. Sept. 23, 1911.

427. ZWOLF DER SCHONSTEN WEIH NACHTSLIEDER
(ausgabe C-1 oder 2 violinen mit pf.) arr. by Alfred von Sponer. c. Sept. 23, 1911.

428. ZWOLF DER SCHONSTEN WEIH NACHTSLIEDER
(ausgabe D 2 violinen) arr. by Alfred von Sponer. c. Sept. 23, 1911.

429. ZWOLF DER SCHONSTEN WEIH NACHTSLIEDER
(ausgabe E. violoncello and pf.) arr. by August Volck. c. Feb. 12, 1913.

430. ZWOLF-ELF (DER)
op. 13 (mannerchor a cappella) by Fritz Fuhrmeister and Christian Morgenstern. c. Feb. 20, 1911.

431. ZWOLF MENUETTE
(pf. heft 1) no. 1-6, by L. Beethoven, arr. by A. von Sponer. c. Feb. 12, 1913.

432. ZWOLF MENUETTE
(pf. heft 2) by L. Beethoven, arr. by A. von Sponer. c. Feb. 13, 1913.

433. 3ME BALLADE
(klav.) by F. Chopin, arr. by E. D'Albert. c. June 24, 1910.

434. 10 CHARAKTERSTUCKE
op. 58 (orgel) by Max Gulbins. c. Mar. 10, 1911.

435. 18 MELODISCHE ELEMENTAR-ETUDEN
(klav.) by Carl Doring. c. Feb. 28, 1914.

436. 24 MELODISCHE FORTSCHREITENDE ETUDEN FUR FLOTE
op. 12 by Oscar Fischer. c. July 9, 1925.

437. 34 CHORAL-VORSPEILE
(orgel heft 1) nos. 1-16, by Robert Papperitz. c. Apr. 2, 1914.

438. 34 CHORAL-VORSPIELE
(orgel heft 2) nos. 17-34, by Robert Papperitz. c. Apr. 2, 1914.

439. 60 ELEMENTAR-ETUDEN
(violine mit pf. heft 1 and 2) by Franz Wohlfahrt and Alfred von Sponer. c. Apr. 29, 1910.

440. 60 ELEMENTAR-ETUDEN FUR VIOLINE ALLEIN
(heft 1 and 2) by Franz Wohlfahrt and Alfred von Sponer. c. Feb. 8, 1910.

441. 60 ELEMENTAR-ETUDEN FUR VIOLINE
(heft 1 and 2) by Franz Wohlfahrt and A. von Sponer. c. Mar. 18, 1911.

442. 75 ETUDEN
op. 45 (Ausgabe B, heft 1 and 2, violin mit pf.) by H. Benda and F. Wohlfahrt, arr. by F. Seitz. c. Aug. 8, 1910.

443. 75 ETUDEN FUR VIOLINE
op. 45 (Ausgabe C, heft 1 and 2 fur 2 violenen) by H. Benda and F. Wohlfahrt. c. Mar. 11, 1911.

444. 105 ETUDEN FUR VIOLINEN
op. 45 (Ausgabe A, solo, heft 3) by F. Wohlfahrt and Hans Benda. c. May 10, 1912.

445. 105 ETUDEN FUR VIOLINE
op. 45 (Ausgabe A, solo, heft 5) by Franz Wohlfahrt and Hans Benda. c. May 10, 1912.

Schedule C

Period 1927–April 1, 1937

1. AIMANT LA ROSE, LE ROSSIGNOL
op. 2, no. 2, (violoncello mit pf. acc.) by Rimsky Korsakoff, arr. by Oskar Hoffer. c. Oct. 24, 1928.

2. ARIE; ALLMÄCHTIGER, O HÖRE
(lied) by G. Meyerbeer, arr. M. Zadora. c. Sept. 30, 1926.

3. AUS LIEBE ZU DIR
(orch. stimmen, mit pf. direktion u. violine 1 direktion), by Hans Lohr. c. Apr. 3, 1936.

4. CONCERT D-DUR NO. 17
(flute u. klavier od. cembalo), by Oskar Fischer & Otto Wittenbecher. c. Dec. 27, 1927.

5. DAHIN
   (mannerchor) by Richard Trunk and Josef Schregel. c. Mar. 8, 1928.
6. DREI SATZE FUR STREICH-QUARTETT
   (partitur) by J. G. Mraczek. c. Sept. 24, 1926.
7. EINS IST NOT
   (mannerstimmen, doppelchor sop. solo, 3 trompeten, solo-violine o. viola de'amore ad lib orgel, partitur) by Hans Stieber. c. Apr. 5, 1928.
8. FESTLICHER AUFTAKT
   (orch. partitur) by Clemens Schmalstich. c. Oct. 15, 1936.
9. HERRN DURERS BILD
   oper in 3 akten (klavierauszug) by J. G. Mraczek, arr. by Arthur Osterman. c. Oct. 18, 1926.
10. IDYLL
    (gemischten chor) by W. Rinkens and Gustav Falke. c. Aug. 18, 1926.
11. JUGEND-ALBUM
    band 1 (pf.) by F. Behr, arr. by Richard Krentzlin. c. Mar. 9, 1928.
12. JUGEND-ALBUM
    band 2 (pf.) by F. Behr. arr. by Richard Krentzlin. c. Mar. 9, 1928.
13. JUGEND-ALBUM
    band 3 (pf.) 4 hande mit violine, by F. Behr. arr. by Richard Krentzlin. c. Mar. 9, 1928.
14. JUGEND-ALBUM
    bd. 4 (klavier) by F. Behr. arr. by Richard Krentzlin. c. Apr. 2, 1928.
15. JUGEND-ALBUM
    bd. 5 (klavier) by F. Behr. arr. by Richard Krentzlin. c. Apr. 2, 1928.
16. KAKADU
    (mannerchor) by Richard Trunk and Josef Schregel. c. Mar. 8, 1928.
17. KONIG SOMMER
    (gemischten chor) by W. Rinkens and Gustav Falke. c. Aug. 18, 1926.
18. KOMM, O KOMM, GESELLE MEIN
    (mannerchor) by de la Hale, arr. by Bruno Leipold. c. Oct. 1, 1928.
19. KOMODIE DER IRRUNGEN
    (orch. Partitur) by Clemens Schmalstich. c. Oct. 15, 1936.
20. LIGURISCHE SERENADE
    intermezzo (orch. stimmen, mit pf. direktion) by Giulio de Micheli. c. Apr. 3, 1936.
21. MENSCHEN HABT EUCH GERN
    aus dem tonfilm "Johannisnacht" (salon-orch. stimmen, mit pf. direktion violine 1 direktion u. text) by Werner Schmidt-Boelcke and Joe Stoeckl. c. Oct. 1, 1933.
22. MONDNACHT AM RHEIN
    (orch. stimmen, mit violino direktion) by R. Vollsted arr. by Josef Nemeti and Curt Beilschmidt. c. Jan. 9, 1935.
23. OSTERN
    (mannerchor) by Richard Trunk and Josef Schregel. c. Mar. 8, 1928.
24. PRAKTISCHE FAGOTT-SCHULE
    (mit ausfuhrlichen theore tischen erlauterungen) by Julius Weissenborn, arr. by Carl Schaefer. c. Apr. 11, 1929.
25. RITORNELL UND RONDO-CAPRICCIO
    (orch. partitur) by Joseph Gustav Mraczek. c. Jan. 2, 1933.
26. SCHWEIGEMUTTER - PREISLIED
    (mannerchor) by Heinrich Platzbecker and Paul Mochmann. c. Feb. 14, 1927.
27. STETTINER KREUZ POLKA
    (orch. stimmen) by S. Schlichting. arr. by Bernard Egg. c. Apr. 22, 1931.
28. TROMMELGRAF
    (gemischten chor) by Wilhelm Rinkens and Gustav Falke. c. Aug. 18, 1926.
29. UNGARISCHE VOLKSLIEDER
    by Gertrud N. Haupt-Stummer arr. by Hedalise Haupt. c. Sept. 30, 1931.
30. 6 FAGOTT-ETUDEN
    fur die oberstufe, by C. Jacobi. arr. by Carl Schaefer. c. Aug. 8, 1934.

An examination of the assignment records of the United States Library of Congress disclosed certain assignments which were made by ROBERT FORBERG to the SESAC. Copies of these assignments, marked Exhibit 48 and Exhibit 49, are attached to and made a part of this report.

It will be observed that all but 34 of the musical copyrights above enumerated were entered at the Library of Congress before 1915. We have accepted the works of this later period assigned to the SESAC (Exhibit 48-p. 1) as typical of the entire catalog and for the benefit of broadcasters have endeavored to classify these as to character so that some fair appraisal may be made of the value and the need of the type of music here under discussion for building radio programs for American radio listeners. That classification follows:

1. SYMPHONIE PATHETIQUE
   an arrangement by Otto Singer for piano.
2. 24 MELODISCHE ETUDEN FUR FLOTE
   a flute student's practice material.
3. TRIO IN C MINOR
   for flute, oboe and bassoon, with piano.
4. DREI SATZE
   for string quartette.
5. CONCERTO FUR OBOE IN C MINOR
   arranged for oboe with cembalo or piano and string quartette accompaniment.
6. SCHONE AGNETE
   vocal music for medium voice.
7. DER SCHELM VON BERGEN
   vocal music for medium voice.
8. GEVATTER TOD
   vocal music for medium voice.
9. ASCHENPUTTEL, SUITE
   a small suite in 5 satzen (movements).
10. SANGERSPRUCHE
    male chorus with German lyrics.
11. DER TROMMELGRAF
    mixed chorus, 4 parts with German lyrics.
12. SCHWIEGERMUTTER, PREISLIED
    male chorus, 4 parts with German lyrics.
13. KONIG SOMMER
    mixed chorus, 4 parts with German lyrics.
14. IDYLL
    mixed chorus with German lyrics.
15. HERRN DURERS BILD
    opera in 3 acts, piano accompaniment.
16. DREI SATZE FUR STREICH QUARTETT
    for string quartette.
17. ARIE, ALLMACHTIGER O HORE
    an aria (based on arrangement)
18. KOMM O KOMM GESELLE MEIN
    male chorus, 4 parts with German lyrics.
19. JUGEND ALBUM—(STUDENT'S ALBUM)
    (our translation) piano work by Franz Behr, vol. 1, piano; vol. 2, piano; vol. 3, 4 hands with violin.

20. JUGEND ALBUM—(STUDENT'S ALBUM)
(our translation) piano work by Franz Behr, vol. 4, piano; vol. 5, piano.

21. EINS IST NOT
cantata with peculiar expression, for soprano solo with 3 trumpets, solo violin or viola d'amore and organ.

22. CONCERT D-DUR, NO. 17
for flute with piano or cembalo accompaniment.

23. AIMANT LA ROSE, LE ROSSIGNOL
cello solo with piano accompaniment.

24. STETTINER DREUZ POLKA
polka.

25. RITORNELL UND RONDO-CAPRICCIO
orchestra score.

26. MENSCHEN HABT EUCH GERN
slow waltz for salon group.

27. MONDNACHT AM RHEIN
charakterstuck in walzerform.

28. LIGURISCHE SERENADE
concert waltz, orchestra parts.

29. AUS LIEBE ZU DIR
intermezzo, orchestra parts.

Gebethner & Wolff

Warsaw, Poland

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of GEBETHNER & WOLFF, Warsaw, listed in the SESAC Brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1870–1933

No copyright entries found.

Period 1934–April 1, 1937

The following list:

1. A JEDNAK SIESKONCZYLO (piesn) by Skotnickiego and Jerry. c. Dec. 4, 1935.
2. CATON (lied) Aus "Casanova" by Ludomir Rozycki, B. Szarlitt, and T. Leliwa. c. March 10, 1936.
3. CO ZNACZA WIELKIE SLOWA (ork. strony) by Franka i Gerta and Z. Friedwald, arr. by J. Gert. c. Mar. 10, 1936.
4. CO ZNACZA WIELKIE SLOWA (piesn) by Franka i Gerta and Zennon Friedwald, arr. by J. Gert. c. Mar. 10, 1936.
5. COCKTAIL MILOSNY (ork. strony) by Henry Hossona, arr. by Wl. Eiger. c. Jan. 10, 1936.
6. COCKTAIL MILOSNY (piesn) by Henry Hossona, A. Wlasta, and J. Waldena. c. Dec. 4, 1935.
7. CYGANSKIE SKRZYPCE (tango) by H. Rosnera and Jerry. c. Dec. 29, 1933.
8. CYGANSKIE SKRZYPCE (and) STARY JOSEL (orch.) 1. by H. Rosner and Jerry, 2. by M. Ferszko and Jurandota. c. Dec. 29, 1933.
9. DLACZEGO DZIS KTOS JEST ZAKOCHANY (and) PAMIETASZ DZIEN JESIENNY (orch.) 1. by M. Jaworski and E. Schlechter, 2. by A. Lenczowski and A. Wlast, 1 and 2 arr. by Jerzy Belzacki. c. Dec. 21, 1934.
10. DLACZEGO DZIS KTOS JEST ZAKOCHANY (song) by M. Jaworski, and E. Schlechter. c. Dec. 21, 1934.
11. FRANCOIS (ork. strony) by A. Wlasta and A. Karasinskiego, arr. by W. Eiger and Z. Karasinskiego. c. Aug. 15, 1935.
12. FRANCOIS by A. Wlasta and Z. Karasinskiego, arr. by Z. Karasinskiego. c. Dec. 21, 1934.
13. HEJ WODY, WODY DAC (orch.) by A. T. Mullera and Jerzy Waldena. c. Aug. 28, 1934.
14. HEJ WODY, WODY DAC (song) by A. T. Mullera and Jerzy Waldena. c. Aug. 28, 1934.
15. JAK WAM DOGODZIC (orch.) by M. Cieslakowny and Jurandota. c. July 19, 1934.
16. JEDEN USMIECH JEDNO SLOWO (orch.) by A. T. Mullena and Jerzy Paczkowski. c. July 19, 1934.
17. JEDEN USMIECH, JEDNO SLOWO (tango) by A. T. Mullera and Jerzy Paczkowski. c. July 19, 1934.
18. JEDNO SLOWO (ork. strony) by Wandy Vorbond, arr. by Wl. Eiger. c. August 21, 1935.
19. JEDNO SLOWO (piesn) by Wandy Vorbond. c. Aug. 21, 1935.
20. KAPRYS (orch.) by F. Melodyst and Z. Friedwald, arr. by J. Belzacki. c. Mar. 4, 1935.
21. KAPRYS (song) by F. Melodyst and Z. Friedwald. c. Mar. 4, 1935.
22. KOBIETA SZUKA MILOSCI (piesn) by T. Kwiecinski and B. Kuron. c. July 14, 1936.
23. KOBIETA SZUKO MILOSCI (ork. strony) by T. Kwiecinski and B. Kuron, arr. by Wl. Eiger. c. July 14, 1936.
24. KTO (song) by Michael Ferszko and Josef Lipski. c. Sept. 10, 1936.
25. KTO (orch.) by Michael Ferszko and Josef Lipski. c. Sept. 10, 1936.
26. KWIATY, CZY WY WIECIE (ork. strony) by A. T. Muller and J. Waldena. c. Mar. 25, 1936.
27. KWIATY, CZY WY WIECIE (piesn) by A. T. Muller and J. Waldena. c. Mar. 25, 1936.
28. MARIE (and) NA TRZY PAS (ork. strony) 1. by Adama Lenczowskiego and J. Krzewinskiego, 2. by Z. Karasinskiego and Z. Friedwalda. c. May 1, 1935.
29. MARIE (piesn) by W. Lenczowskiego and J. Krzewinskiego. c. May 1, 1935.
30. MODLITWA LUKRECJI (piesn) by Ludomir Rozyckil. c. Mar. 10, 1936.
31. MODLITWA LUKRECJI (ork. strony) by L. Rozyckil, arr. by F. Rybicki. c. Mar. 10, 1936.
32. MOJA (orch.) by F. Rybickiego, arr. by J. Wesby. c. Dec. 2, 1932.
33. MOJA (song) by F. Rybickiego. c. Dec. 10, 1931.
34. MOZE DLA NAS TEZ (and) WINO, TY i JA (orch.) by Z. Wiehlera and K. Tom. c. Dec. 29, 1933.
35. MOZE DLA NAS TEZ (song) by Z. Wiehler and K. Tom. c. Dec. 29, 1933.
36. MOZE KIEDYS (song) by W. Dana, M. Hemara, and J. Mottla. c. Dec. 29, 1933.
37. NA TRZY PAS (piesn) by Zygmunta Karasinskiego and Zenona Friedwalda. c. May 1, 1935.
38. NIE WIEDZIALAM (and) NIE WIERZ MI (orch.) 1. by H. Warsa and E. Schlechtera, 2. by Z. Gorzynskiego and Jurandota. c. July 19, 1934.
39. NIE WIEDZIALAM (song) by H. Warsa and E. Schlechtera. c. July 19, 1934.
40. NIE WIERZ MI (piesn) by Z. Gorzynski and Jurandot. c. July 19, 1934.
41. PAMIETASZ DZIEN JESIENNY (song) by A. Lenczowski and A. Wlast. c. Dec. 21, 1935.
42. PIOSENKA CATON z opery "Casanova" (ork. strony) by L. Rozycki, arr. by F. Rybicki. c. Mar. 10, 1936.
43. PIOSENKA CATON z opery "Casanova" (piesn) by L. Rozycki, and J. Drzewinski. c. Mar. 10, 1936.
44. PIOSENKA NIEAKTUALNA (orch.) by J. Krzemienski and W. Budzynski, arr. by Wl. Eiger. c. Dec. 21, 1934.
45. PIOSENKA NIEAKTUALNA (song) by J. Krzemienski and W. Budzynski. c. Dec. 21, 1934.
46. PO CO? PO CO? (song) by Wl. Dana, M. Hemara, and J. Mottla. c. Dec. 29, 1933.

47. PO CO? PO CO? (and) NIE TO NIE
(orch.) 1. by W. Dana, M. Hemar, and J. Mottla, arr. by Wl. Eiger, 2. by J. Rosnera and E. Schlectera, arr. by J. Belzacki. c. Dec. 29, 1933.

48. STARY JOSEL
(tango) by M. Ferszko and Jurandota. c. Dec. 29, 1933.

49. SWIR, SWIR
(orch.) by K. Namyslowski. c. Dec. 21, 1934.

50. SYMPATJI CHOC ODROBINE (and) A JEDNAK SIE SKONCZYLO
(ork. strony) 1. by A. Lenczowski and J. Krzewinski, 2. by J. Skotnicki and Jerry, 1 and 2 arr. by J. Gert. c. Dec. 4, 1935.

51. SYMPATJI CHOC ODROBINE
(piesn) by A. Lenczowski and J. Krzewinski. c. Dec. 4, 1935.

52. SZCZESCIE JEST BLISKO
(orch.) by H. Pewznera and Jurandota, arr. by W. Eiger. c. July 19, 1934.

53. SZESC PIESNI, Op. 1. (1-6)
(musyka) by M. Karlowicz; words (1) by K. Gliuski, (2) by J. Slowacki, (3) by M. Konopnucki, (4), (5) and (6) by K. Tetmojer. c. Dec. 21, 1934.

54. SZKODA KAZDEJ CHWILI
(orch.) by F. Melodysty and E. Schlechtera, arr. by Wl. Eiger. c. July 19, 1934.

55. SZKODA KAZDEJ CHWILI
(tango) by F. Melodysty and E. Schlechtera. c. July 19, 1934.

56. TA NOC
(ork. strony) by L. Rozycki and J. Krzewinski, arr. by Wl. Eiger. c. Apr. 8, 1936.

57. TA NOC
(piesn) by L. Rozycki and J. Krzewinski. c. Apr. 8, 1936.

58. TAK SAMO NUDZE SIE JAK TY
(ork. strony) by Slawomir Bronicz. c. Mar. 10, 1936.

59. TAK SAMO NUDZE SIE JAK TY
(piesn) by S. Bronicz. c. Mar. 10, 1936.

60. TANGO BRAZYLIJSKIE
(orch.) by A. T. Mullera and J. Krzewinski i L. Brodzinski. c. Dec. 29, 1933.

61. TANGO BRAZLIJSKIE
ze "Szczesliwej Podrozy" (song) by A. T. Mullera and J. Krzewinskiego i L. Brodzinskiego. c. Dec. 29, 1933.

62. TANIEC DOLARA
(orch.) by M. Cieslakowny, arr. by Z. Bialostocki. c. Dec. 21, 1934.

63. TO MILOSC
(orch.) by A. T. Mullera and Jerzy Walden. c. Aug. 28, 1934.

64. TO MILOSC
(song) by A. T. Mullera and Jerzy Walden. c. Aug. 28, 1934.

65. W MILOSCI NAJTRUDNIEJSZY JEST POCZATEK
(song) by A. Tadeusza Mullera, Wadyslawa Bugayskiego and Oldlena. c. Dec. 21, 1934.

66. W MILOSCI NAJTRUDNIEJSZY JEST POCZATEK
z "Rozkoszna Dziewczyna" (orch.) by A. T. Muller, W. Bugayski, and Oldlena, arr. by A. T. Muller. c. Dec. 21, 1934.

67. WIECZORNA GODZINA
(ork. strony) by M. Press and Jerry, arr. by Wl. Eiger. c. July 14, 1936.

68. WIECZORNA GODZINA
(piesn) by M. Press and Jerry. c. July 14, 1936.

69. WINO, TY I JA
z rewji "Syrena Na Wedce," by Z. Wiehlera and K. Toma. c. Dec. 29, 1933.

70. WSZYSTKO BEDZIE DOBRZE
z 12 "krzesel," by Wl. Dana, M. Hemara, and J. Mottla. c. Dec. 29, 1933.

71. Z MINIONYCH DNI
(orch.) by W. Musnicki. c. Mar. 4, 1935

72. Z MINIONYCH DNI
(pf.) by W. Musnicki. c. Mar. 4, 1935.

73. 10 REGJONALNYCH POLSKICH PIESNI LUDOWYCH
(chor. mieszany a capella) by Feliks Nowawiejski. c. Dec. 5, 1934.

An examination of the assignment records of the United States Library of Congress disclosed certain assignments which were made by GEBETHNER & WOLFF to the SESAC. Copies of these assignments, marked Exhibits 50 to 58 inclusive, are attached to and made a part of this report.

Reciprocal copyright agreements between the United States and Poland were completed on February 14, 1927. The first copyright entries of GEBETHNER & WOLFF recorded in the Library of Congress appear in the year 1934, the year during which the SESAC began to license broadcasting stations for the performance of music.

The selections contained in the catalog of GEBETHNER & WOLFF probably have a certain performance value to those radio broadcasters who cannot operate in the public interest, convenience and necessity without using this type of Polish music.

Carl Gehrmans Musikforlag

Stockholm, Sweden

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of CARL GEHRMANS MUSIKFORLAG, Stockholm, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1870–1919

No copyright entries found.

Period 1920–1927

The following list:

1. ABENDS NACH NEUN
Aus "Der Geiger Von Lugano" (gesang) by Jean Gilbert, Rudolph Schanzer and Ernst Welisch. c. Sept. 25, 1920.
2. ABENDS NACH NEUN
Aug "Der Geiger Von Lugano" (salon orch.) by Jean Gilbert, Rudolph Schanzer and Ernst Welisch, arr. by L. Zeitlberger. c. Sept. 25, 1920.
3. DASS DU BIST, WIE DU BIST
(gesang) by Rudolph Schanzer, Ernst Welisch and Jean Gilbert, arr. by Otto Lindemann. c. Sept. 25, 1920.
4. DERBY-FOX
(pf. mit text) by H. Smidt-Gregor and Gunnar Malstrom. c. Nov. 29, 1923.
5. FRAUEN AUS DEM WESTEN
Aus "Der Geiger Von Lugano" (gesang) by Jean Gilbert, Rudolph Schanzer and Ernest Welisch, arr. by Otto Lindemann. c. Sept. 25, 1920.
6. FRAUEN AUS DEM WESTEN
Aus "Der Geiger Von Lugano" (salon orch.) by Jean Gilbert, Rudolf Schanzer and Ernst Welisch, arr. by L. Zeitlberger. c. Sept. 25, 1920.
7. GEIGER VON LUGANO
Operette by Jean Gilbert, Rudolf Schanzer and Ernst Welisch. c. Dec. 1, 1920.
8. GEIGER VON LUGANO
Potpourri (ges. and pf. mit text) by Jean Gilbert, R. Schanzer and Ernst Welisch, arr. by Otto Lindemann. c. Dec. 1, 1920.
9. HOR DU VALSENS LJUVA MELODI
(sangvals) by H. Smidt-Gregor and Gerd Nasenius. c. Nov. 23, 1921.
10. JEDES NEUE JAHR BRINGT NEUVERLIEBTE PARCHEN
(lied) aus "Das Wieb Im Purpur" by Jean Gilbert, Leopold Jacobson and Rudolf Oesterreicher, arr. by Gustav Volk. c. Dec. 23, 1923.
11. JEDES NEUE JAHR BRINGT NEUVERLIEBTE PARCHEN
(salon orch.) Aus "Das Wieb Im Purpur" by Jean Gilbert, Leopold Jacobson and Rudolf Oesterreicher, arr. by Gustav Volk. c. Dec. 23, 1923.
12. KISSEMISS
(ges. and pf.) by Rene Rich. Schmal and Emil Norlander. c. Feb. 8, 1921.
13. LIED UND TANZ DER STANZI
(lied) Aus "Das Weib Im Purpur" by Jean Gilbert, Leopold Jacobson and Rudolf Oesterreicher, arr. by Gustav Volk. c. Dec. 23, 1923.
14. LITTEN LAT OM VARN
(rost med pf.) by Felix Korling and Gustaf Froding. c. Nov. 29, 1923.
15. MADAME D'ORA
(pf.) by H. Smidt-Gregor. c. Nov. 25, 1920.
16. MADELS GIBT'S AUF DER WELT
(walzerlied) Aus "Das Weib Im Purpur" by Jean Gilbert, L. Jacobson and R. Oesterreicher, arr. by Gustav Volk. c. Dec. 23, 1923.
17. MADELS GIBT'S ES AUF DER WELT
Walzerlied (salon orch.) aus "Das Weib Im Purpur" by Jean Gilbert, L. Jacobson and R. Oesterreicher, arr. by Gustav Volk. c. Dec. 23, 1923.
18. MES ETOILES
(orch.) by R. Drigo. c. Sept. 8, 1922.
19. MES ETOILES
(pf.) by R. Drigo. c. Nov. 23, 1921.
20. ODOPTA SHIMMYN
(pf.) by Gunnar Boberg. c. Nov. 29, 1923.
21. PAGENTANZ
aus "Das Weib Im Purpur" (salon orch.) Jean Gilbert, L. Jacobson and R. Oesterreicher, arr. by Gustav Volk. c. Dec. 23, 1923.
22. QUEEN OF SABA
(orch.) by H. Smidt-Gregor, arr. by L. Zeitlberger. c. Sept. 8, 1922.
23. QUEEN OF SABA
(pf.) by H. Smidt-Gregor. c. Nov. 25, 1920.
24. RADAMES
(orch.) by H. Smidt-Gregor, arr. by L. Zeitlberger. c. Sept. 8, 1921.
25. RADAMES
Shimmy (pf.) by H. Smidt-Gregor. c. Nov. 23, 1921.
26. ROSORNAS SANG
(sangvals) by H. Smidt-Gregor and Gerd Nasenius. c. Nov. 23, 1921.
27. SERENADE RUSSE
Aus "Das Weib Im Purpur" (klav. and ges.) by Leopold Jacobson, Jean Gilbert, and Rudolf Oesterreicher, arr. by Gustav Volk. c. Dec. 23, 1923.
28. SJOMANSLIV
(sangvals) by Anselm Johansson and Martin Nilsson. c. Apr. 29, 1922.
29. SO SAGT FIRDUSI
Aus "Der Geiger Von Lugano" (gesang) by Jean Gilbert, Rudolph Schanzer and E. Welisch, arr. by Otto Lindemann. c. Sept. 25, 1920.
30. SOLITUDE
(orch.) by Roderik Welhausen. c. Sept. 8, 1921.
31. SOLITUDE
(pf.) by Roderik Welhausen. c. Dec. 7, 1921.
32. VALSE PROMESSE
Aus "Der Geiger Von Lugano" (ges. and pf.) by Jean Gilbert Rudolph Schanzer and E. Welisch. c. Sept. 25, 1920.
33. VALSE PROMESSE
Aus "Der Geiger Von Lugano" (orch.) by Jean Gilbert, R. Schanzer, and E. Welisch, arr. by L. Zeitlberger. c. Sept. 25, 1920.
34. WEIB (DAS) IM PURPUR
Op. in 3 akten (klavierauszug singstimme) by Jean Gilbert, L. Jacobson and Rudolf Oesterreicher, arr. by Gustav Volk. c. Dec. 23, 1923.
35. WEIB (DAS) IM PURPUR
Op. in 3 akten (vollstandiger klavierauszug) by Jean Gilbert, Leopold Jacobson and R. Oesterreicher. c. May 24, 1924.
36. WEIB (DAS) IM PURPUR
(pf.) by Jean Gilbert, arr. by Gustav Volk. c. Dec. 23, 1923.
37. WEIB (DAS) IM PURPUR
(Klavierauszug mit text) by Leopold Jacobson, Jean Gilbert and R. Oesterreicher, arr. by Gustav Volk. c. Dec. 23, 1923.

Period 1927–April 1, 1937

The following list:

1. A INTE VILL JAG SORJA
   (blandad kor) by Hugo Alfven. c. Nov. 25, 1936.
2. ANDE, FULL AV NADE
   (orgel) by Daniel Olson. c. Dec. 16, 1935.
3. APRIL
   (2 pfs.) by Selim Palmgren. c. Sept. 29, 1931.
4. AV HIMLENS HOJD
   (mixed voices and organ) by Daniel Olson. c. Nov. 25, 1936.
5. BAGATELL
   (ork. stammor) by Yngve Skold. c. Oct. 1, 1934.
6. BARNENS PIANO SKOLA
   (pf.) by Oluf Ring, arr. by Marta Tham and Jenny Samsioe. c. Sept. 21, 1932.
7. BERCEUSE
   (ork. stammor) by Gunnar Ecek. c. Oct. 1, 1934.
8. BROLLOPS MARSCH
   (pf.) by Ivar Widner. c. May 27, 1935.
9. BROLLOPS MARSCH
   (salon orch.) by Ivar Widner, arr. by Sven Skold. c. May 1, 1935.
10. BROLLOPSANG
    (orgel) by W. Peterson-Berger and K. E. Forsslund. c. Oct. 3, 1930.
11. DA TANDER JAG MIN CIGARRETTE
    (ork. stammor) by Edeji, arr. by Willard Ringstrand. c. Nov. 25, 1936.
12. DALMARSCH
    (ork.) by Ivar Wideen, arr. by Sven Skold. c. Apr. 29, 1936.
13. DALMARSCH
    (pf.) by Ivan Wideen. c. Apr. 29, 1936.
14. DEO DICAMUS GRATIAS
    (manroster) by David Ahlen. c. July 1, 1932.
15. DET KAN HAN ALDRIG GLOMMA BORT; EN SCHOTTIS PA HAWAJ (and) PA MIN LILLA GLASVERANDA
    (pf. med text) 1. Paul Ejder. 2. Britta Welamson, Dix Dennie, and Dardanell. 3. Paul Ejder. c. June 22, 1936.
16. DET VAR EN GANG
    (song med. orgel) by Olle Kjellberg. c. Dec. 3, 1935.
17. DOLDA TAPPAN
    (manroster) Edvin Kallstenius. c. July 1, 1932.
18. DROMACKORD
    (manskor) by Moses Pergament. c. Nov. 25, 1936
19. DU VET, JAG VILL
    (pf.) by Kai Gullmar and Karl Ewert. c. Oct. 19, 1936.
20. EFTERSKORD
    (5 sanger) by Wilhelm Stenhammar, Gustav Froding and Bo Bergmann. c. Dec. 18, 1933.
21. EYTDER FOR VIOLIN
    by Edwin Witt. c. May 2, 1932.
22. FRAN MORMORS DA'R
    (salon ork.) by Helan. c. Nov. 20, 1934.
23. GLAD DIG, DU KRISTI BRUD
    (orgel) by Daniel Olson. c. Nov. 25, 1936.
24. GUDS FRED
    (blandadkor a capella) by Selim Palmgren and Jacob Tegengren. c. Oct. 30, 1930.
25. HOR DU FLICKA LILLA
    (pf. med text) by Sven Goon and Gus Morris. c. May 27, 1935.
26. HOR DU FLICKA LILLA
    (ork.) by Gus Morris and Sven Goon. Arr. by Knarpen. c. Apr. 15, 1935.
27. HUR MANGEN GANG
    (song) by Selim Palmgren and Jacob Tegengren. c. Oct. 3, 1930.
28. I DRANGSTUGAN
    (salon orch.) by Liss Imil and Sverker Adhe. Arr. by David Ottoson. c. Dec. 23, 1932.
29. I DRANGSTUGAN
    (pf.) by Liss Imil and Sverker Adhe. c. Dec. 23, 1932.
30. I HELG OCH SOCKEN
    (salon ork.) by Liss Imil and Sverker Adhe, arr. by David Ottoson. c. Dec. 23, 1932.
31. I HELG OCH SOCKEN
    (pf. and vocal) by Liss Imil and Sverker Adhe, arr. by David Ottoson. c. Dec. 23, 1932.
32. I SORG
    (violincello, orch., pf.) by Selim Palmgren. c. May 2, 1932.
33. IM NORDEN
    potpourri (salon orch.) by Herm. Berens, Jr. c. July 1, 1933.
34. INTERMEZZO
    (violin and pf) by Heinz Provost. c. Oct. 2, 1936.
35. KAMRAT-VALSEN
    (orkstammor) by Einar Engvall and E. Hellgrend. c. Dec. 6, 1933.
36. KAMRAT-VALSEN
    (pf.) by Einar Engvall and E. Hellgrend. c. Dec. 6, 1933.
37. KAN DU FRESTA MIG
    (ork. stammor med song trio) by David Ottoson and Peva Derwin. c. Dec. 18, 1933.
38. KAN DU FRESTA MIG
    (pf. med text) by Knut Esbjornson and David Ottoson. c. Dec. 18, 1933.
39. KARIN MANSDOTTER VAGGVISA FUR ERIK XIV
    (song) by Adolf Fredrik Lindblad. c. Oct. 9, 1936.
40. KARLEKSPOEM
    (salon ork stammor med text) by E. Schleich and T. Cassel, arr. by Chas. Redland. c. Nov. 20, 1934.
41. KARLEKSPOEM
    (pf. med text) by E. Schleich and T. Cassel. c. Nov. 20, 1934.
42. KOM, KAMRAT!
    (blandad kor) by Felix Korling. c. May 2, 1932.
43. KOM, KAMRAT!
    (manskor) by Felix Korling. c. July 1, 1932.
44. EN KRYSSARVALS
    (ork.) by Lars-Erik Dahlquist, arr. by Peva Derwin. c.. Dec. 23, 1932.
45. EN KRYSSARVALS
    (pf. med text) by Lars-Erik Dahlquist. c. Dec. 23, 1932.
46. KVARTETT
    (pf., violin, viola, och., violincello) by C. L. Sjoberg. c. Aug. 2, 1935.
47. LAT OSS VARA VANNER
    (ork stammor) by Sven Goon, arr. by Miff Gorling. c. Apr. 3, 1936.
48. LAT OSS VARA VANNER
    (pf. med text) by Sven Goon. c. Apr. 3, 1936.
49. LINDA MIN LINDA
    (pf.) by F. Mehler. c. Sept. 21, 1932.
50. LITET POEM
    (ork) by Rune Wahlberg, Z. Topelius and Edward A. Ray. c. Aug. 3, 1936.
51. LOVSJUNGEN HERREN
    (blandad kor) by Daniel Olson. c. Nov. 25, 1936.
52. MENUETT
    (ork. stammor) by Sven Skold. c. Aug. 18, 1936.
53. MIN KARA
    (manskor) by Sten Selander and Hugo Alfven. c. Nov. 25, 1936.
54. MINIATYRER
    (pf.) by Heldor Lundvik. c. Nov. 10, 1930.
55. MINN HERRGARDSJANTA
    (salon ork) by Liss Imil and Sverker Adhe, arr. by David Ottoson. c. Dec. 23, 1932.
56. MINN HERRGARDSJANTA
    (pf.) by Liss Imil and Sverker Adhe. c. Dec. 23, 1932.
57. NATTHIMMELN
    (song) by Erik Gustav Geijer. c. Oct. 9, 1936.
58. NED I VASTER-SALAR
    (manskor) by Edvard During. c. Nov. 25, 1936.
59. FADER VAR, BARMHARTIG, GOD
    (blandad kor) by Daniel Olson. c. Nov. 25, 1936.

60. PA DIG HAR JAG TANKT (manskor) by Selim Palmgren. c. July 1, 1932.
61. PA DRYSS I KATTEGATT (pf. and vocal) by Rune Wahlberg and Paddock. c. July 24, 1935.
62. PA FJALLET I SOL (salon ork stammor) by W. Peterson-Berger, arr. by Ivar Hellman. c. July 1, 1933.
63. PA FJALLET I SOL (manskorckeln) by W. Peterson-Berger. c. Dec. 1, 1932.
64. PA KRYSS I KATTEGATT (salon ork.) by Rune Wahlberg and Paddock, arr. by Knarpen. c. July 24, 1935.
65. PA MIN LILLA GLASVERANDA (and) EN SCHOTTIS PA HAWAJ (ork stammor) 1, by Britta Welamson, Dix Dennie and Dardanell, 2, by Paul Ejder, 1 and 2 arr. by Miff Gorling.
66. PA NYARSDAGEN (and) KOLARGOSSEN (sanger) by Erik Gustav Geijer. c. Oct. 9, 1936.
67. PAPILLON (manskor) by Hugo Alfven. c. Nov. 25, 1936.
68. PARADISETS TIMMA (sang) by Erik Alfin and Verner Von Heidenstam. c. Oct. 3, 1930.
69. PARADISETS TIMMA (soprano 1 och. 2, och. ten.) by Hugo Alfven. c. Nov. 25, 1936.
70. PASSIONSKORAL (blandad chor) by Daniel Olson. c. Nov. 25, 1936.
71. SA SLA VI TILLSAMMAN potpourri (salon ork stammor) by W. Olsson, arr. by Hanns Bingang. c. July 24, 1935.
72. SERENAD (salon ork stammor) by Ivar Wideen, arr. by David Ottoson. c. Aug. 1, 1933.
73. SERENATA (ork partitur) by Edvin Kallstenius. c. Jan. 2, 1931.
74. SERENATA (ork. stammor) by Edvin Kallstenius. c. Mar. 25, 1936.
75. SJOFARAREN VID MILAN (sang) by Selim Palmgren, Gustav Froding, Karl Engel, and Einar Rosenborg. c. Apr. 3, 1936.
76. SJOFARAREN VID MILAN (ork. stammor) by Selim Palmgren, Gustav Froding, K. Engel, and E. Rosenborg. c. Apr. 3, 1936.
77. SJOGRENS-KLANGER potpourri (ork. stammor) by Sven Skold. c. Oct. 1, 1934.
78. SJUNGOM STUDENTENS LYCKLIGA DAG (sang) by Prins Gustav. c. Oct. 9, 1936.
79. SKJUTSGOSSEN PA HEMVAGEN (sang) by Adolf Frederik Lindblad. c. Oct. 9, 1936.
80. SOMMARDAG (sang) by A. F. Lindblad. c. Oct. 9, 1936.
81. SOMMARVISA (blandad kor) by Selim Palmgren and Jacob Tegengren. c. Oct. 30, 1930.
82. SONATINE (klav.) by Selim Palmgren. c. Oct. 15, 1935.
83. SONGES den lyssnande Maria, Haxan i konung Karls tid, Hjartats lomma, Maria hapnad, Fiskarsang vid Kalmar, Aurora Hov-Froken, Varfor kom du pa angen, min galar. (pf. and voice), by Gosta Lunborg. c. Aug. 20, 1935.
84. SOUVENIR DE VIENNE (pf.) by Heinz Provost. c. Dec. 16, 1936.
85. SOUVENIR DE VIENNE (violin solo) by Heinz Provost and Sven Skold. c. Dec. 16, 1936.
86. STILLA KOMME OCH. VAL KOMNA sang (med orgel och violin) by Daniel Olson and J. O. Wallin. c. Apr. 3, 1936.
87. STORA OCH UNDERBARA (blandad kor) by Daniel Olson. c. Nov. 25, 1936.
88. SVENSK FANTASI (ork stammor) by Gunnar Ek. c. Oct. 1, 1935.
89. TANKEN (manskor) by A. F. Lindblad, arr. by Hugo Alfven. c. Nov. 25, 1936.
90. TILL MOR (sang) by Hugo Bedinger. c. Oct. 9, 1936.
91. TONEN (sang) by Selim Palmgren and Jacob Tegengren. c. Oct. 3, 1930.
92. TRAGISK BALLAD I YSTAD (sang) by Moses Pergament and Volund Rimsmed. c. Nov. 10, 1930.
93. TRE KORALPARTITOR (orgel-1 a haftet) by Daniel Olson. c. Apr. 3, 1936.
94. TRE KORALPARTITOR (orgel-2 a haftet) by Daniel Olson. c. Apr. 3, 1936.
95. TRE ORGEL KORALLER by Oskar Lindberg. c. Dec. 13, 1934.
96. TRE SANGER (klaverutdrag) by Ruben Liljefors, K. G. Ossiannilson, Boris Persson, and J. L. Rundberg. c. Apr. 3, 1936.
97. TRINDSKALLARNE (manskor) by Hugo Alfven. c. Nov. 25, 1936.
98. TROLLHATTAN (sang) by Otto Lindblad. c. Oct. 9, 1936.
99. TRUMMIS-NISSIE (orch.) by Lasse Dahlquist, arr. by Sune Waldimir. c. Feb. 17, 1937.
100. ULVO-HAMBO (pf.) by Liss Imil and Sverker Adhe. c. Dec. 23, 1932.
101. ULVO-HAMBO (salon ork stammor) by Liss Imil and Sverker Adhe. Arr. by David Ottoson. c. Dec. 23, 1932.
102. UR FELIX KARLINGS VISBOK (salon ork stammor) by Felix Korling, arr. by Sven Skold. c. Nov. 20, 1934.
103. VAGGVISA (manskor) by Hugo Alfven. c. Nov. 25, 1936.
104. VALS FRAN MORMORS DA'R (pf. med text) by Helan and Karl Ewert. c. Nov. 20, 1934.
105. VAR KYSS DU GER (ork. stammor) by George Enders, arr. by Hanns Bingang. c. Dec. 18, 1933.
106. VAR KYSS DU GER (pf. med. text) by George Enders and Arne Olovson. c. Dec. 18, 1933.
107. VORE JAG ETT LITET BARN (sang) by Erifl Alfin and Verner von Heidenstam. c. Oct. 3, 1930.
108. VUGGESANG (ork stammor) by Hugo Bendiger, arr. by L. Zeitlberger. c. Aug. 2, 1935.
109. VUGGESANG (violin and pf.) by H. Berens. c. Dec. 4, 1936.
110. WENN DICH NIEMAND LIEBT (sang) by Sd. May and Bruno Balz. c. Dec. 6, 1930.

An examination of the assignment records of the United States Library of Congress disclosed certain assignments which were made by CARL GEHRMANS to the SESAC. Copies of these assignments, marked Exhibits 59 to 65 inclusive, are attached to and made a part of this report.

This firm is described by a reliable source as an "importer, exporter, wholesaler and publisher of all kinds of sheet music, such as orchestral, classical and popular sheet music. *Republisher of popular American music.*"

The musical selections contained in this catalog probably have a certain performance value to those radio broadcasters who cannot operate in the public interest, convenience, and necessity without using this type of Scandinavian and German music.

Paul Gordon

Berlin, Germany

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, failed to disclose any musical copyright entries in the name of PAUL GORDON, Berlin, who is listed in the SESAC brochure dated June 1, 1936, as a publisher or organization included under its license.

Broadcasters have observed that the SESAC, in its letter to the NAB dated September 10, 1936 (Exhibit No. 6) said, "It is also important to note that the following foreign publishers affiliated with SESAC are nowhere listed by ASCAP:

BECK VERLAG, MAX, Leipzig
BECKER, ALFRED, Berlin (included under Rondo Verlag)
CULLA, ANTONIO, Barcelona
FISCHER VERLAG
GORDON, PAUL, Berlin
* * * * * * * * * *
* * * * * * * * * * "

This information is furnished to show the degree of cooperation which has been extended by the SESAC in our endeavors to identify for the broadcasters the musical selections contained in the SESAC repertory.

From a reliable source, we are informed that PAUL GORDON publishes plays for theaters and that "No music of any kind is handled or published." Moreover, since our investigation started, in a subsequent SESAC brochure dated January 1, 1937, the SESAC limits their representation of PAUL GORDON to dramatics. We call the broadcaster's attention to the fact that the license between the SESAC and broadcasting stations and between the ASCAP and broadcasting stations covers "small rights" and not the right to perform plays.

F. Grabczewski

Warsaw, Poland

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of F. GRABCZEWSKI, Warsaw, listed in the SESAC brochure as a publisher or organization included under its license.

Period 1870–1926

No copyright entries found.

Period 1927–April 1, 1937

The following list:

1. BIALY WALC
   (orch.) by Z. Wiehler and A. Wlast. c. Dec. 29, 1935.
2. BOG SIE RODZI
   (kolenda) by J. Makłakiewicz. c. Nov. 27, 1936.
3. CHCIALBYM KOGOS POKOCHAC
   tango, (orch.) by A. Gold, arr. by J. Wesby. c. Feb. 4, 1937.
4. GDY SIE CHRISTUS RODZI
   (kolenda) by J. Makłakiewicz. c. Nov. 27, 1936
5. JASNA PANNA
   (kolenda) by J. Makłakiewicz. c. Nov. 27, 1936.
6. JEZUS MALUSIENKI
   (kolenda) by J. Makłakiewicz. c. Nov. 27, 1936.
7. KOLYI SANKA MARII PANNY
   (kolenda) arr. by L. Schiller and J. Maklakiewicz. c. Nov. 27, 1936.
8. KUJAWIAKI
   (orch.) by W. Kaczynski. c. Dec. 29, 1933.
9. MOLOWNANA LOLA
   (orch.) by J. Rosciszewski and Z. Lewandowski, arr. by J. Wesby. c. Mar. 4, 1935.
10. MALY BIALY DOMEK
    (orch.) by Z. Lewandowski and W. Jen, arr. by M. Wajnberg. c. July 21, 1936.
11. NA JEDNO SLOWO CZEKAM
    (orch.) by W. Krupinski and T. Konczyca, arr. by J. Wesby. c. Jan. 10, 1936.
12. NA JEDNO SLOWO
    (piesn) by T. Konczyca, arr. by J. Wesby. c. Jan. 10, 1936.
13. OPJUM
    (orch.) by A. Wlast and Artur Gold, arr. by J. Wesby. c. Dec. 29, 1933.
14. OPJUM
    (pf. and vocal) by A. Wlast and Artur Gold. c. Dec. 29, 1933.
15. OSTATNI RAZ
    tango, (orch.) by Fred Scher and Igo Kranowski, arr. by J. Wesby. c. Dec. 27, 1935.
16. OSTATNI RAZ
    tango, (pf. and vocal) by Fred Scher and Igo Kranowski. c. Dec. 27, 1935.
17. PIJANA FORDANSERKA
    (orch.) by Fred Scher and Jerry, arr. by J. Gert. c. Mar. 12, 1936.
18. TANGO DLA CIEBIE
    (orch.) by Z. Karasinski and A. Wlast, arr. by J. Wesby. c. Dec. 29, 1933.
19. TANGO DLA CIEBIE
    (pf. and vocal) by Z. Karasinski and A. Wlast. c. Dec. 29, 1933.
20. WEZ MNIE
    (orch.) by J. Petersburski, A. Wlast, arr. by Wl. Eiger. c. Dec. 29, 1933.
21. WEZ MNIE
    (pf. and vocal) by J. Petersburski and A. Wlast. c. Dec. 29, 1933.
22. WIAZANKA PIESNI LEGJONOWYCH
    (orch.) by Piotr Perkowski, arr. by J. Maklakiewicz. c. Jan. 10, 1936.
23. WYCINANKI LOWICKIE
    (orch.) by Fr. Izbicki and J. Makłakiewicz. c. Aug. 7, 1936.
24. WYCINANKI LOWICKIE
    (pf.) by Fr. Izbicki. c. Aug. 7, 1936.
25. W ZLOBIE LEZY
    (kolenda) by J. Makłakiewicz. c. Nov. 27, 1936.
26. ZATANCZMY WALCA
    (orch.) by A. Gold. c. Feb. 4, 1937.
27. ZBOJNICY
    (orch.) by J. Makłakiewicz. c. Sept. 23, 1936.
28. ZDEJM MASKE Z TWARZY
    (pf. and vocal) by Artur Gold and Igo Kranowski. c. Dec. 4, 1935.
29. ZDEJM MASKE Z TWARZY
    (orch.) by Artur Gold and Igo Kranowski, arr. by J. Wesby. c. Dec. 4, 1935.
30. Z NARODZENIA PANNA
    (kolenda) by J. Maklakiewicz. c. Nov. 27, 1936.
31. ZOSTAN
    (orch.) by Romuald Roten and Jurandot. c. Mar. 12, 1936.
32. ZOSTAN
    (pf. and vocal) by Romuald Roten and Jurandot. c. Mar. 12, 1936.

An examination of the assignment records of the United States Library of Congress disclosed certain assignments which were made by F. GRABCZEWSKI to the SESAC. Copies of these assignments, marked Exhibits 66 to 69 inclusive, are attached to and made a part of this report.

In the entries appearing under the name of F. GRABCZEWSKI is a reference to certain compositions copyrighted by A. Wlast. These Wlast compositions are not included in the assignments which we find were made by F. GRABCZEWSKI to the SESAC.

1. ACH ZOSTAN
   (orch.) by J. Petersburski and A. Wlast, arr. by Wl. Eiger. c. Nov. 2, 1934.
2. ACH ZOSTAN
   (pf. and vocal) by J. Petersburski and A. Wlast. c. Nov. 2, 1934.
3. JA NIE JESTEM WINNA
   (pf.) by A. Gold, A. Wlast and Igo Kranowski, arr. by Wl. Eiger. c. Nov. 2, 1934.
4. JA NIE JESTEM WINNA
   (orch.) by A. Gold, A. Wlast and Igo Kranowski, arr. by Wl. Eiger. c. Nov. 2, 1934.
5. JEDZ NA WSCHOD
   (orch.) by H. Wars. c. Jan. 11, 1935.
6. MYSL O MNIE
   (orch.) by Wl. Dan, A. Wlast, arr. by J. Wesby. c. Nov. 2, 1934.

7. TATA TANCZY Z MAMA (orch.) by A. Wlast, Igo Kranowski and Artur Gold, arr. by Wl. Eiger. c. Nov. 2, 1934.
8. TATA TANCZY Z MAMA (pf. and vocal) by A. Wlast, Igo Kranowski and Artur Gold. c. Nov. 2, 1934.
9. TO NIE BYLA MILOSC (orch.) by A. Gold and A. Wlast, arr. by J. Wesby. c. Jan. 11, 1935.
10. TO NIE BYLA MILOSC (pf.) by A. Gold and A. Wlast. c. Nov. 2, 1934.
11. WALC NOCY from "Opjum" (orch.), by Artur Gold and A. Wlast. c. Jan. 11, 1935.
12. WALC NOCY from "Opjum" (pf. and vocal), by Artur Gold and A. Wlast. c. Nov. 2, 1934.

From a reliable source, we are advised that F. GRABCZEWSKI is an "importer and retailer of classical music; wholesaler and retailer and jobber of folklore music, orchestration and classical sheet music; commission merchant handling choir music."

The selections in the GRABCZEWSKI catalogue probably have a certain performance value to those radio broadcasters who cannot operate in the public interest, convenience and necessity without using this type of Polish music.

Herman Haberer-Helasco

Berlin, Germany

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of HERMAN HABERER-HELASCO, Berlin, Germany, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1870–1927

No copyright entries found.

Period 1927–April 1, 1937

The following list:

1. BRISAS PORTENAS
   (orch.) by J. de Orue y Matia. c. May 9, 1929.
2. MARACCA (and) ER NINO DER SARAMPION
   (orch.) 1. by Isa Roy y Romerito. 2. by V. Millan y Jose Remon Vallejo. c. Nov. 10, 1932.
3. MI GITANO
   (orch.) by A. Urmeneta. c. Oct. 22, 1932.
4. MIENTES (and) CAMPANADAS
   (orch.) 1 & 2 by Pedro Palau. c. June 16, 1936.
5. ROSARIYO
   (orch.) by M. Lizcano de la Rosa y A. San Feliz. c. Feb. 1, 1933.
6. TANO (EL) (and) ATORRANTE
   (orch.) 1 & 2 by Pedro Palau. c. Feb. 27, 1935.
7. TIO CHUPITO
   (orch.) by A. Urmeneta. c. Oct. 22, 1932.

An examination of the assignment records of the United States Library of Congress disclosed certain assignments which were made by HERMAN HABERER-HELASCO to the SESAC. Copies of these assignments, marked Exhibits 70 to 73 inclusive, are attached to and made a part of this report.

This firm is described by the SESAC brochure as having addresses in Berlin, Madrid and Lisbon. According to advices received from a reliable source, "This firm has been out of existence since some time" in Berlin, and the firm is unknown in Lisbon. Due to present conditions in Spain it was not possible to conduct an investigation of the Spanish publishers and have no information with respect to this firm's business in Madrid. It will be observed that the assignments hereinabove referred to were executed in Berlin and Lisbon. Also, it will be noted that the certification of the Vice Consul of Lisbon contains the phrase, "For the contents of the annexed document I assume no responsibility." (Exhibit No. 73-p. 2.)

An examination of an orchestration of one of the numbers above, deposited for copyright in the Library of Congress, showed that it is a six-part orchestration for piano, violin, clarinet, saxaphone, trumpet and drum, and except for the drum is merely the transposition of the melody line into the respective keys of each of these instruments.

For a discussion of the relative value to American radio broadcasters of the tango numbers found in this and other Spanish publishers' catalogues, see Exhibit No. 16.

Happy Chappies

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, failed to disclose any copyright entries under the name of HAPPY CHAPPIES, listed in the SESAC brochure dated June 1, 1936, as a publisher or organization included under its license.

We call attention to the assignment of "The Happy Chappies Ltd." to M. M. Cole Publishing Company by Nat Vincent, President as shown by Exhibit 74, which is attached to and made a part of this report. It should be noted that there are no specific compositions mentioned in the assignment.

Harmonie Verlag

Berlin, Germany

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, under the name of HARMONIE VERLAG, Berlin, Germany, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license, disclosed the following information.

It was found that it the period 1870 to 1909, approximately 150 copyright entries had been recorded in the name of HARMONIE VERLAG. We do not list these compositions individually because of the fact that the original copyright period of 28 years' copyright protection has expired and, except in the case of 17 musical works, we failed to find any record of renewal in the name of the composers and authors.

Of the 17 renewals made for a second term of 28 years' copyright protection, as prescribed by the laws of the United States, none of them have been renewed by HARMONIE VERLAG in the name of the composer or author. We list below the 17 copyright entries which have been renewed in the name of the author or composer or his heirs, and specify in parentheses by whom the renewals were made.

Renewals of compositions originally copyrighted by Harmonie Verlag. It should be noted that of the 17 renewals only 2 (items No. 2 and No. 16 below) have been made in the name of the composer by the SESAC, the remainder having been renewed in the name of the composer or his heirs, either by the heirs of the composer directly or by E. B. Marks, a member of the ASCAP.

1. APPALACHIA VARIATIONEM UBER EIN ALTES SKLAVENLIED
   (grosses orch) by M. Schlusslohr, Frederick Delius and Otto Singer. c. May 20, 1907 by Harmonie Verlag. r. Apr. 20, 1935 by Elsie Singer.
2. DOLLARPRINZESSIN
   operette (klavierauszug mit text and klavierauszug mit beigefugtem text) by A. M. Willner, Fritz Grunbaum and Leo Fall. c. Feb. 2, 1908 by Harmonie Verlag. r. June 3, 1935 by Sesac.
3. ICH BIN DAS FRAULEIN DUDELSACK
   aus "Miss Dudelsack" (lied) by Fritz Grunbaum, Heinz Reichert and Rudolph Nelson. c. Sept. 3, 1909 by Harmonie Verlag. r. Dec. 3, 1936 by E. B. Marks.
4. KLAVIER KONZERT
   (pf. u. orch partitur) by Frederick Delius. c. Nov. 29, 1907 by Harmonie Verlag. r. Feb. 8, 1935 by Jelka Delius.
5. KLAVIER KONZERT
   by Frederick Delius. Arr. by Otto Singer. c. Nov. 29, 1907 by Harmonie Verlag. r. Apr. 9, 1935 by Elsie Singer.
6. LEUTNANTSMARSCH
   aus "Miss Dudelsack" (klavier) by Fritz Grunbaum, Heinz Reichert and Rudolph Nelson. c. Dec. 22, 1909 by Harmonie Verlag. r. Jan. 7, 1937 by E. B. Marks.
7. MESSE DES LEBENS
   (soli, chorus u. grosses orch.) by Fritz Cassirer, John Bernhoff and Frederick Delius. c. Jan. 25, 1908 by Harmonie Verlag. r. Feb. 8, 1935 by Jelka Delius.
8. MISS DUDELSACK
   operette in drie akten by Fritz Grunbaum, Heinz Reichert and Rudolph Nelson. c. Nov. 1, 1909 by Harmonie Verlag. r. Dec. 3, 1936 by E. B. Marks.
9. MISS DUDELSACK
   potpourri no. 1 (pf.) by Rudolph Nelson and Otto Lindemann. c. Oct. 27, 1909 by Harmonie Verlag. r. Dec. 3, 1936 by E. B. Marks.
10. MISS DUDELSACK
    potpourri no. 2 (pf.) by Rudolph Nelson and Otto Lindemann. c. Oct. 27, 1909 by Harmonie Verlag. r. Dec. 3, 1936 by E. B. Marks.
11. NUR EIN BISSEL, BISSEL, BISSEL
    (lied) aus "Miss Dudelsack" by Fritz Grunbaum, Heinz Reichert and Rudolph Nelson. c. Dec. 22, 1909 by Harmonie Verlag. r. Jan. 7, 1937 by E. B. Marks.
12. O DU MY DARLING, DU, DU, DU
    (lied) aus "Miss Dudelsack" by Fritz Grunbaum, Heinz Reichert and Rudolph Nelson. c. Sept. 3, 1909 by Harmonie Verlag. r. Dec. 3, 1936 by E. B. Marks.
13. REITE ROTER LEUTNANT
    (lied) aus "Miss Dudelsack" by Fritz Grunbaum, Heinz Reichert and Rudolph Nelson. c. Sept. 3, 1909 by Harmonie Verlag. r. Dec. 3, 1936 by E. B. Marks.
14. SCHACH-DUETT
    (lied) aus "Miss Dudelsack" by Fritz Grunbaum, Heinz Reichert and Rudolph Nelson. c. Sept. 3, 1909 by Harmonie Verlag. r. Dec. 3, 1936 by E. B. Marks.
15. SCHLOSSGESPENST
    (lied) aus "Miss Dudelsack" by Fritz Grunbaum, Heinz Reichert and Rudolph Nelson. c. Sept. 3, 1909 by Harmonie Verlag. r. Dec. 3, 1936 by E. B. Marks.
16. WALZER
    aus "Der Fidele Bauer" (orch.) by Leo Fall. c. Aug. 24, 1907 by Harmonie Verlag. r. June 3, 1935 by Sesac.
17. WIR SIND DIE MACS, DIE EDLEN MACS
    (lied) aus "Miss Dudelsack" by Fritz Grunbaum, Heinz Reichert and Rudolph Nelson. c. Sept. 3, 1909 by Harmonie Verlag. r. Dec. 3, 1936 by E. B. Marks.

As reported elsewhere in this report, numerous complications arise in connection with all renewals. It is impossible to determine from the information available at the Library of Congress who is authorized to dispense the performing rights in these numbers. It will be observed, for example, that in only 2 cases (items 2 and 16) were the renewals entered by the SESAC, and that in no case was the renewal made by HARMONIE VERLAG. The only safe course for the broadcasters to follow, in the absence of specific and authoritative information from licensing societies, is to avoid the use of these selections.

The musical copyright entries which we found recorded in the period 1909 to 1927 follow:

Period 1909–1927

1. ABENDLIED (gesang. and klav.) by J. E. Schmock and C. L. Schleich. c. Aug. 19, 1915.
2. ABER GNADGE FRAU duett aus "Jung-England" (ges. and klav.) by Leo Fall, Rudolf Bernauer and Ernst Welisch. c. Apr. 1, 1914.
3. ABER GNADGE FRAU intermezzo aus "Jung-England" (pf.) by Leo Fall. c. Mar. 5, 1914.
4. ABGERUTSCHT couplet no. 2 aus "Gewonnene Herzen" volksstuck in 3 akten (ges. and pf.) by Leopold Schmidt and Walter Turczinsky. c. Dec. 31, 1914.
5. ABSCHIEDS DUETT akt 3 no. 1 aus "Gewonnene Herzen" Volksstuck in 3 akten (ges. and pf.) by Leopold Schmidt and Walter Turczinsky. c. Dec. 31, 1915.
6. ACH ERIKA (orch.) by Ludwig Friedmann, arr. by H. Worch. c. Dec. 28, 1910.
7. ACH ERIKA (ges. and pf.) by Ludwig Friedmann and Paul Henning. c. Jan. 16, 1911.
8. ACH ERIKA (salon orch.) by Ludwig Friedmann. c. Dec. 28, 1910.
9. ACH ISIDOR aus "Remd Um Die Spree" (blechmusik) by Walter Zachar, arr. by H. Bluthgen. c. June 18, 1914.
10. ACH ISIDOR aus "Remd Um Die Spree" (harmonie-musik) by Walter Zachar, arr. by H. Bluthgen. c. June 18, 1914.
11. ACH ISIDOR aus "Remd Um Die Spree" (orch.) by Walter Zachar. c. June 9, 1914.
12. ACH ISIDOR aus "Remd Um Die Spree" (salon orch.) by Walter Zachar. c. June 9, 1914.
13. ACH ISIDOR (ges. and pf.) by Walter Zachar, F. W. Hardt and Hermann Frey. c. May 29, 1914.
14. ACH MAX, HAST DU VE NASE (ges. and pf.) by Walter Kollo, Hermann Frey and H. Bender. c. Oct. 28, 1909.
15. ACH MAX, HAST DU VE NASE (orch.) by Hermann Frey, Henry Bender and Walter Kollo. c. Oct. 27, 1909.
16. ACH SYLVESTER DRUCK MICH FESTER (ges. and pf.) by C. Haupt and Paul Henning. c. Feb. 18, 1911.
17. ADORATA (L') tanz-lied aus "Die Schone Cubanerin" (ges. and pf.) by Max Gabriel, arr. by J. Clement. c. July 23, 1914.
18. AGNUS DEI op. 14, no. 1 (vierstimmigen frauen chor a cappella) by Julius Edgar Schmock. c. Nov. 30, 1915.
19. AIRONETTE (L') (ges. and pf.) by Rudolf Nelson and O. A. Alberts. c. Nov. 21, 1910.
20. ALLES EINS aus "Der Ledige Gatte" (band) by F. Grunbaum, H. Reichert and Gustav Wanda. c. May 5, 1911.
21. ALLES EINS aus "Der Ledige Gatte" (klav. harmonium and violin) by F. Grunbaum, H. Reichert and Gustav Wanda, arr. by A. Prietzel. c. Dec. 3, 1910.
22. ALLES EINS aus "Der Ledige Gatte" (klav.) by F. Grunbaum, H. Reichert and Gustav Wanda. c. Nov. 21, 1910.
23. ALLES EINS aus "Der Ledige Gatte" (orch.) by F. Grunbaum, H. Reichert and Gustav Wanda. c. Dec. 3, 1910.
24. ALLES EINS aus. "Der Ledige Gatte" (infanterie musik) by F. Grunbaum, H. Reichert and Gustav Wanda. c. May 5, 1911.
25. ALLES KEHRT EINMAL WIEDER marschlied aus "W. T. B." (salon orch. mit klav.) by Rudolf Nelson and Harry Waldau. c. Dec. 30, 1915.
26. ALMA WO WOHNST DU (orch.) by Walter Kollo, arr. by H. Worch. c. Aug. 4, 1911.
27. ALMA WO WOHNST DU marschlied des gleichnamigen vaudeville by Walter Kollo and Louis Taufstein. c. Dec. 30, 1911.
28. ALMA WO WOHNST DU des gleichnamigen vaudeville, by Walter Kollo and Louis Taufstein. c. Dec. 30, 1911.
29. ALMA WO WOHNST DU (violin obligato, accordian and guitar) by Walter Kollo. c. Jan. 8, 1912.
30. ALMA WO WOHNST DU vaudeville in 3 akten (klavierauszug mit text and vocal) by Walter Kollo, Louis Taufstein and Adolf Philipp. c. Feb. 14, 1912.
31. ALTE (DES) lied (pf.) by Dr. Erich Fischer. c. Apr. 15, 1915.
32. ALTE GEIGE (lied) by Erich J. Wolff and Max Geissler. c. May 17, 1910.
33. ALTE (DIE) KUCKENFRAU (ges. and pf.) by Kurt Baumeister. c. May 12, 1911.
34. ALTE (DIE) UHR (song) by A. Bela Laszky and Hermann Klink. c. Feb. 21, 1911.
35. AM SCHONSTEN ISTS BEI UNS ZU HAUS lied aus "Die Schone Cora" by Walter Kollo and Alfred Schonfeld. c. Jan. 10, 1910.
36. AN EIN KIND (ges. and pf.) by Heinrich Rysling and Greta Gulbransson. c. June 19, 1916.
37. ANGELLIED aus. "Karussell" no. 2 (ges. and pf.) by Rudolph Nelson, Harry Waldau and Dr. Ralph Benatzky. c. Nov. 30, 1915.
38. ANITA-WALZER aus "Mimer Der Audere" (salon orch.) by Amelie Nikisch. c. May 18, 1915.
39. APACHEN POLKA aus "Hoheit Amusiert Sich" (klav.) by Rudolph Nelson and Julius Freund. c. Aug. 12, 1911.
40. AUF DER DUNE no. 3 (ges. and pf.) by Ellen Kullmann and Victor Bluthgen. c. Oct. 26, 1910.
41. AUF DER LIEBESCHAUKEL (ges. and pf.) by Walter Kollo and O. A. Alberts. c. Jan. 16, 1911.
42. AUF DIE WELT LASS UNS PFEIFEN aus "Die Kleine Ratte" (ges. and klav.) by Leil Erik Hafgren and Robert Hank. c. Jan. 26, 1913.
43. AUF POSTEN op. 172, no. 5 (bariton oder bass u. pf.) by Gustav Lazarus and Heinrich Bredow. c. July 15, 1915.
44. AUF POSTEN BEI DER NACHT (ges. and klav.) by Wilhelm Lindemann and Kurt Baumeister. c. Nov. 30, 1912.
45. AUFANG GUT, ALLES GUT (orch.) by Max Roth, arr. by Gerhard Preuss. c. Nov. 14, 1914.

46. AUFANG GUT, ALLES GUT
    (klavierauszug mit text) by Max Roth. c. Nov. 10, 1914.
47. AUG UM AUGE, ZAHN UM ZAHN
    duett (ges. and klav.) by Leo Fall. c. Nov. 22, 1912.
48. AVANCEMENT
    lied (guitar oder laute mit text) by Bruno Granichstaedten and F. Paul Schell. c. May 20, 1914.
49. AVANTI EL TANGO
    (pf.) by Adolf Wohlauer. c. Mar. 17, 1914.
50. AVANTI EL TANGO
    (salon orch.) by Adolf Wohlauer. c. Feb. 18, 1914.
51. BAILADORA (LA)
    (klav.) by Pablo Mendoza. c. Jan. 26, 1914.
52. BAILADORA (LA)
    (salon orch.) by Pablo Mendoza. c. Feb. 4, 1914.
53. BAJADEREN-WALZER
    aus "Die Bajadere" (orch.) by Louis Taufstein and Martin Knopf. c. July 27, 1912.
54. BAJADEREN-WALZER
    aus "Die Bajadere" (song) by Louis Taufstein and Martin Knopf. c. Aug. 16, 1911.
55. BALL BEI HOF
    operette (orch.) by C. M. Ziehrer. c. Feb. 24, 1912.
56. BALL BEI HOF
    potpourri II aus "Ball Bei Hof" (klav.) by C. M. Ziehrer, arr. by Ludwig Friedman. c. Feb. 27, 1912.
57. BALL BEI HOF
    (kavallerie musik) by C. M. Ziehrer, arr. by H. Bluthgen. c. June 14, 1912.
58. BALL BEI HOF
    (infanterie musik) by C. M. Ziehrer, arr. by H. Bluthgen. c. June 14, 1912.
59. BALLHAUSBUMMLER (DER)
    (song) by Walter Kollo and Hermann Klink. c. Feb. 21, 1911.
60. BALLADE
    (ges. and pf.) by Ellen Kullmann and Heinrich Heine. c. Oct. 26, 1910.
61. BALLADE VOM GRAFEN, MIXED PICKLES
    (ges. and pf.) by Walter Kollo and O. A. Alberts. c. Dec. 28, 1910.
62. BALLADE (DIE) VON KNOPFSAMMLUNG IM LOUVRE VON PARIS
    (ges. mit gitarre oder laute) by Leo Fall, Fritz Grunbaum and F. Paul Schell. c. May 12, 1914.
63. BEIDEN (DIE) KRUEZE
    (mannerstimme, frauenstimme u. duet) by Walter Friedmann and Herbert Hirschberg. c. Mar. 22, 1915.
64. BEIM BALL IN DER PHILHARMONIE
    (ges. and pf.) by Rudolf Nelson and Willy Wolff. c. Nov. 21, 1910.
65. BEINCHEN (DIE)
    (orch.) by Walter Kollo and F. W. Hardt. c. Jan. 13, 1911.
66. BEINCHEN (DIE)
    (ges. and pf.) by Walter Kollo and F. W. Hardt. c. Jan. 13, 1911.
67. BERLIN BLEIBT BERLIN
    (ges. and pf.) by Walter Kollo, Henry Bender and Erich Kersten. c. Oct. 27, 1909.
68. BESTE (DER) SCHATZ
    lied (mannerchor) by Emil Neumann and Bliemchen. c. May 28, 1915.
69. BIBI UND BOBY
    (blechmusik) by Gustav Wanda. c. Dec. 3, 1910.
70. BIBI UND BOBY
    (pf., harmonium, and violin obligato) by Gustav Wanda. c. Dec. 3, 1910.
71. BIBI UND BOBY
    (grosses orch.) by Gustav Wanda. c. Dec. 3, 1910.
72. BIBI UND BOBY
    (infanterie musik) by Gustav Wanda. c. June 30, 1911.
73. BIBI UND BOBY
    (harmonie musik) by Gustav Wanda. c. May 26, 1911.
74. BIBI-WALZER
    (klav.) by Gustav Wanda, arr. by Otto Lindemann, c. Nov. 21, 1910.
75. BIBI-WALZER
    aus "Der Ledige Gatte" (orch.) by Fritz Grunbaum, Heinz Reichert and Gustav Wanda, arr. by Otto Lindemann. c. Nov. 21, 1910.
76. BIBI-WALZER
    aus "Der Ledige Gatte" (salon orch.) by Gustav Wanda, F. Grunbaum and H. Reichert, arr. by Otto Lindemann. c. Nov. 21, 1910.
77. BIM-BUM
    (ges. and pf.) by Walter Kollo and Fritz Hillmann. c. Feb. 24, 1910.
78. BITTE
    op. 24, no. 3 (ges. mit orgelbegleitung) by Julius Edgar Schmock. c. July 15, 1915.
79. BOBBY-WACKLER
    aus "Jung-England" (orch.) by Leo Fall, arr. by Adolf Eckstein. c. Mar. 30, 1914.
80. BOBBY, WO SIND DENN DEINE HAARE
    aus "Jung-England" (guitar oder laute) by Leo Fall, arr. by F. Paul Schell. c. Apr. 29, 1914.
81. BOBBY, WO SIND DENN DEINE HAARE
    (grosses orch.) by Leo Fall, Rudolf Bernauer and Ernst Welisch. c. Feb. 18, 1914.
82. BOBBY, WO SIND DENN DEINE HAARE
    aus "Jung-England" (militar musik) by Leo Fall, Rudolf Bernauer and Ernst Welisch. May 15, 1914.
83. BOBBY, WO SIND DENN DEINE HAARE
    aus "Jung-England (infanterie harmonie music) by Leo Fall, Rudolf Bernauer and Ernst Welisch. c. May 15, 1914.
84. BOBBY, WO SIND DENN DEINE HAARE
    aus "Jung-England" (salon orch.) by Leo Fall. c. Feb. 18, 1914.
85. BOBBY, WO SIND DENN DEINE HAARE
    (aus "Jung-England" (wiener Schrammel quartett) by Leo Fall. c. June 9, 1914.
86. BOBBY, WO SIND DENN DEINE HAARE
    aus "Jung-England" (zither mit text) arr. by F. Paul Schell. c. Apr. 29, 1914.
87. BOXERBAY (DER)
    (ges. and pf.) by S. Nicklass Kempner and Fritz Grunbaum. c. Jan. 16, 1911.
88. BRAUTWOHL (DIE)
    (orch.) by Ferruccio Busoni and E. T. A. Hoffman. c. July 6, 1914.
89. BRAUTWOHL (DIE)
    (vocal score) by Ferruccio Busoni and Egon Petri. c. July 6, 1914.
90. BUBI-BOBY
    (ges. and pf.) by Gustav Wanda, Fritz Grunbaum and Heinz Reichert. c. Nov. 21, 1910.
91. BUCHER UND FRAUEN
    lied (orch.) by Walter Kollo, arr. by H. Worch. c. June 10, 1911.
92. BUCHER UND FRAUEN
    (lied) by Walter Kollo and Rudolf Schanzer. c. June 3, 1911.
93. BUMS, DER TROMMLER
    (ges. and klav.) by Kurt Baumeister. c. Nov. 30, 1912.
94. CAKE-WALK-LIED
    aus "Meine Kleine Braune" (orch.) by Hermann Klink and Rudolph Nelson. c. Dec. 30, 1909.
95. CAKE-WALK-LIED
    aus "Meine Kleine Braune" (salon orch.) by Hermann Klink and Rudolph Nelson. c. Dec. 30, 1909.
96. CHRIST'L POTPOURRI
    (pf.) by Georg Jarno. c. Feb. 18, 1911.

97. CHRIST'L VALSE
(pf.) by Georg Jarno. c. Feb. 18, 1911.

98. DA FREU' ICH MIR WIRKLICH, EIN DEUTSCHER ZU SEIN
couplet no. 6 aus "Gewonnene Herzen" (ges. and pf.) by Leopold Schmidt and Walter Turczinsky. c. Dec. 31, 1914.

99. DANN GEH'N WIR LOS
aus "Der Brettlkonig" (salon orch.) by Walter Kollo, arr. by John Kleindin. c. Feb. 16, 1912.

100. DANN GEH'N WIR LOS
aus "Der Brettlkonig" (grosses orch.) by Walter Kollo, arr. by John Kleindin. c. Feb. 16, 1912.

101. DAS HAB ICH MIR WIRLICH GANZ ANDERS GEDACHT
no. 9 couplet aus "Gewonnene Herzen" by Ernst Hartwig and Walter Turczinsky. c. Dec. 31, 1914.

102. DAS HAB ICH MIR WIRLICH GANZ ANDERS GEDACHT
(orch.) by Ernst Hartwig. c. Dec. 31, 1914.

103. DAS IST DER RYTHMUS MIT DEM EIN JEDER MIT NUSS
marschlied aus "Gewonnene Herzen" (ges. and pf.) by Leopold Schmidt and Walter Turczinsky. c. Dec. 31, 1914.

104. DAS MACHT DIE SUSSE LIEBE
aus "Remd um Die Spree" (orch.) by Walter Zachar. c. June 9, 1914.

105. DAS MACHT DIE SUSSE LIEBE
(ges. and klav.) by Walter Zachar, F. W. Hardt and Hermann Frey. c. May 29, 1914.

106. DAS MACHT DIE SUSSE LIEBE
marsch intermezzo aus "Remd um Die Spree" (band) by Walter Zachar. c. June 18, 1914.

107. DAS MACHT DIE SUSSE LIEBE
aus "Remd um Die Spree" (salon orch.) by Walter Zachar. c. June 9, 1914.

108. DAS MACHT DIE SUSSE LIEBE
aus "Remd um Die Spree" (blechmusik) by Walter Zachar, arr. by H. Bluthgen. c. June 18, 1914.

109. DAVID UND GOLIAT
aus "Vater zieht ins feld" (ges. and klavierbegl) by Rudolf Baron and Alfred Muller-Foerster. c. Nov. 26, 1914.

110. DENN DIE NACHT VERGEHT SO SCHNELL
(pf. mit text) by Leo Fall, Rudolf Bernauer and Ernst Welisch. c. May 12, 1914.

111. DENN DIE NACHT VERGEHT SO SCHNELL
aus "Jung-England" (blechmusik) by Leo Fall, arr. by F. Th. Schild. c. June 18, 1914.

112. DENN DIE NACHT VERGEHT SO SCHNELL
aus "Jung-England" (harmonie musik) by Leo Fall, arr. by F. Th. Schild. c. June 18, 1914.

113. DENN DIE NACHT VERGEHT SO SCHNELL
aus "Jung-England" (pf.) by Leo Fall, Rudolf Bernauer and Ernst Welisch. c. Mar. 16, 1914.

114. DENN WIR FAHREN GEGEN ENGELAND
(ges. and pf.) by Egon Alberti and Herman Lons. c. Nov. 9, 1915.

115. DESERTEUR-LIED
(ges. and pf.) by Max Roth and Louis Taufstein. c. Oct. 23, 1914.

116. DEUTSCHE HELDEN
(orch.) by George Mielke. c. Aug. 19, 1915.

117. DEUTSCHE HELDEN
(pf.) by George Mielke. c. Aug. 19, 1915.

118. DEUTSCHE (DER) SCHMIED
op. 172, no. 3 (eine singstimme mit klavierbegl) by Gustav Lazarus, and Conrad Ferdinand Meyer. c. July 15, 1915.

119. DEUTSCHEN (DER) WEHRMANNER SPRUCH
(ges. and pf.) by Hedwig Grosse and Alfred Maderno. c. Nov. 17, 1915.

120. DIVERTISSEMENT
aus "Hoheit Amusiert Sich" (orch.) by Rudolf Nelson. c. Sept. 20, 1911.

121. DIVERTISSEMENT
aus "Die Frau Gretl" (klav. mit text) by Rudolf Raimann and Bernhard Buchbinder. c. Sept. 20, 1911.

122. DIVERTISSEMENT
(pf. mit text) by Hugo Hirsch and Theo. Walton, arr. by C. Morena. c. May 12, 1914.

123. DORNROSCHEN
(song) by Erich J. Wolff and Paul Heyse. c. May 18, 1910.

124. DORNROSCHEN DEUTSCHLAND
aus "Unsere Feldgrauen" (ges. and pf.) by Robt. Winterberg and Artur Lokesch. c. Feb. 17, 1915.

125. DREI ARME TEUFEL
op. in 3 akten (orch.) by Carl Weinberger. c. June 19, 1916.

126. DREI GESANGE
(eine singstimme und klav.) by J. Kerntler, C. F. Meyer, Evon Matti, Lowenkreuz and Paul Wilhelm. c. July 13, 1909.

127. DREI GESANGE
1. Demschmerz Sein Recht; 2. Der tanz; 3. Der Beste Liebesbreif (ges. mit klav.) by August Richard and Fr. Hebbel. c. Dec. 30, 1915.

128. DREI KUNSTLER
(singstimme u. pf.) by Rudolph Nelson and Eddy Beuth. c. Oct. 27, 1909.

129. DREI LIEDER
op. 15, nos. 1-3 (hohe stimme u. klavierbegl) by James Simon, Herman Schaefer, Hans Kyser and Oskar Loerke. c. Nov. 9, 1915.

130. DREI NORDISCHE VOLKSLIEDER
op. 136 (klav. mit text) by Ferdinand Hummel. c. Dec. 17, 1915.

131. DREI (DIE) WUNSCHE
(pf. and kleine hauskomodien mit musik) by Erich Fischer. c. Sept. 20, 1916.

132. DRUNTEN AUF DER GASSEN
(song) by Erich J. Wolff and Paul Heyse. c. May 18, 1910.

133. DU BIST ALLEIN MEIN HOCHSTES GLUCK AUF ERDEN
(band) by Albert Wieher. c. Oct. 26, 1910.

134. DU BIST ALLEIN MEIN HOCHSTES GLUCK AUF ERDEN
(blechmusik) by Albert Wieher. c. Oct. 26, 1910.

135. DU BIST ALLEIN MEIN HOCHSTES GLUCK AUF ERDEN
(orch.) by Albert Wieher and Paul Henning, arr. by H. Bluthgen. c. Oct. 26, 1910.

136. DU BIST WOHL NICHT VON HEIR MEIN KIND
aus "Tangofieber" (orch.) by Erich Urban and Hugo Hirsch, arr. by Otto Lindemann. c. Mar. 5, 1914.

137. DU BIST WOHL NICHT VON HEIR MEIN KIND
(blechmusik) by Hugo Hirsch and Erich Urban, arr. by C. Morena. c. May 1, 1914.

138. DU BIST WOHL NICHT VON HEIR MEIN KIND
(ges. gitarre oder laute) by Hugo Hirsch and Erich Urban, arr. by F. Paul Schell. c. May 1, 1914.

139. DU BIST WOHL NICHT VON HEIR MEIN KIND
(ges. and zither) by Hugo Hirsch and Erich Urban, arr. by F. Paul Schell. c. May 1, 1914.

140. DU BIST WOHL NICHT VON HEIR MEIN KIND
(harmonie musik) by Hugo Hirsch and Erich Urban, arr. by C. Morena. c. May 1, 1914.

141. DU BIST WOHL NICHT VON HEIR MEIN KIND
(ges. and pf.) by Hugo Hirsch, arr. by Otto Lindemann. c. Jan. 22, 1914.

142. DU, DU, DU-CHEN
(pf.) by Rudolph Nelson. c. June 24, 1911.

143. DU, DU, DU-CHEN
(infanterie musik) by Rudolph Nelson. c. Aug. 4, 1911.

144. DU, DU, DU-CHEN
(orch.) by Rudolph Nelson. c. Aug. 4, 1911.

145. DU, DU, DU GLEICHST DEN ROSEN
aus "Der Susse Doktor" (lied) by Walter Kollo. c. Dec. 22, 1909.

146. DU, DU, DU GLEICHST DEN ROSEN
aus "Der Susse Doktor" (orch.) by Henry Bender and Walter Kollo. c. Dec. 22, 1909.

147. DU, DU, DU GLEICHST DEN ROSEN
aus "Der Susse Doktor" (salon orch.) by Henry Bender and Walter Kollo. c. Dec. 22, 1909.

148. DU MADEL, DU MADEL MIT HAAR
(ges. and pf.) by Walter Kollo and Louis Taufstein. c. Oct. 13, 1915.

149. DUCK DICH, MANDERL
aus "Ball Bei Hof" (blechmusik) by C. M. Ziehrer, arr. by H. Bluthgen. c. June 26, 1912.

150. DUCK DICH, MANDERL
aus "Ball Bei Hof" (infanterie musik) by C. M. Ziehrer, arr. by H. Bluthgen. c. June 26, 1912.

151. DUDA KISASSZONY
operette 1. Fuzet Kor 3 (pf.) by R. Nelson, F. Grunbaum and H. Reichert. c. July 1, 1910.

152. DUDA KISASSZONY
operette 2. Fuzet Kor 3 (pf.) by R. Nelson, F. Grunbaum and H. Reichert. c. July 1, 1910.

153. DUDELSACK-WALZER
aus "Miss Dudelsack" by Rudolph Nelson, F. Grunbaum and H. Reichert, arr. by Otto Lindemann. c. Sept. 3, 1909.

154. DUDELSACK-WALZER
aus "Miss Dudelsack" (grosses orch.) by Rudolph Nelson, F. Grunbaum and H. Reichert, arr. by O. Lindemann. c. Oct. 29, 1909.

155. DUDELSACK
aus "Miss Dudelsack" (salon orch.) by Rudolph Nelson, F. Grunbaum and H. Reichert, arr. by Otto Lindemann. c. Oct. 29, 1909.

156. DUFT'GE PARMAVEILCHEN
(ges. and pf.) by Rudolph Nelson and Julius Freund. c. May 17, 1911.

157. DUNKLE (Eine) ROSE
aus "Miss Dudelsack" (salon orch.) by Rudolph Nelson, F. Grunbaum and H. Reichert. c. Dec. 30, 1909.

158. DUNKLE (Eine) ROSE
(zither mit uberlegtem text) by Rudolph Nelson, arr. by A. Stelzl. c. May 10, 1910.

159. DUNKLE (Eine) ROSE
aus "Miss Dudelsack" (orch.) by Rudolph Nelson, F. Grunbaum and H. Reichert. c. Dec. 30, 1909.

160. DUNKLE (Eine) ROSE
aus "Miss Dudelsack" (lied) by Rudolph Nelson, Fritz Grunbaum and Heinz Reichert. c. Sept. 3, 1909.

161. EHE-SPORT
(cavallerie musik) by Oscar Strauss, arr. by H. Bluthgen. c. June 17, 1911.

162. EHE-SPORT
(orch.) by Oscar Strauss. c. Apr. 12, 1911.

163. EHE-SPORT
(ges. and klav.) by Oscar Strauss and Rideamus. c. Mar. 21, 1911.

164. EHE-SPORT
(infanterie musik) by Oscar Strauss, arr. by H. Bluthgen. c. June 17, 1911.

165. EHE UND SPORT
Deu Gauzen en tag, da Ruht sie nicht (tanz duett) by Oscar Strauss and Rideamus. c. Apr. 6, 1911.

166. EI WIE SCHON DIE VOGEL LOCKEN
aus "Die Kleine Ratte" (ges. u pf.) by Liel Erik Hafgren and Robert Hank. c. Nov. 21, 1913.

167. EINSAMKEIT
(lied) op. 22, no. 2 by Erich J. Wolff and Max Geissler. c. May 17, 1910.

168. EINE GUTE PARTIE
Akt 1-3, overture (orch.) by Ludwig Heidingsfeld. c. Sept. 1, 1916.

169. EINE HALBE STUNDE ZU SPAT
(song) by Hugo Leonard and Artur Rebner. c. Aug. 4, 1911.

170. ELEGIE
(violoncello and pf.) by Kurt Johnen. c. Apr. 7, 1910.

171. ELEND (DAS)
(song) by Leo Heller and Bogumil Zepler. c. Jan. 31, 1910.

172. ERGIB DICH REIZEND SUSSES MAUSCHEN
duett (ges. and klav.) by Leo Fall. c. Nov. 22, 1912.

173. ERINNERUNG
aus "Miss Dudelsack" (orch.) by Oskar Fetras. c. Oct. 26, 1910.

174. ERINNERUNG
aus "Miss Dudelsack" (pf.) by Oskar Fetras. c. Oct. 26, 1910.

175. EROTICON
(pf.) by Willy Geissler. c. July 6, 1925.

176. ERST DAS GESCHAFT DANN DAS BERGNUNGEN
(ges. and pf.) by Gustav Wanda, Fritz Grunbaum and Heinz Reichert. c. Nov. 21, 1910.

177. ERSTES UND LETZTES STELL DI CHEIN
(ges. and pf.) by Rudolf Baron. c. May 28, 1915.

178. ES GIEBT FALLE
couplet aus "Datterich" (ges. and pf.) by Friedrich Bermann and Erich Berisch. c. May 28, 1915.

179. ES KAM WOHL EIN FRANZOS DAHER, WER DA, WER
op. 11, no. 4 (ges. and pf.) by James Simon and Gerhart Hauptmann. c. June 14, 1915.

180. ES RINNT EIN ZITTERN DURCH DIE SYKOMOREN
aus "Daniel in der Lowengrube" (ges. and pf.) by Amelie Nikisch and Ernst V. Wolzagen. c. Dec. 31, 1913.

181. FA'ER MATHIAS
aus "Der Fidele Bauer" (pf. med. text) by Leo Fall. c. Feb. 21, 1911.

182. FASCHINGS-BEKANNTSCHAFT
(ges. and pf.) by Fritz Ginzel and Leo Veit. c. Apr. 12, 1911.

183. FEIN MANIERLICH
(klav.) by Gustav Wanda, F. Grunbaum and H. Reichert. c. Nov. 21, 1910.

184. FEIN MANIERLICH
(pf. harmonium, and violino obbligato) by Gustav Wanda. c. Dec. 3, 1910.

185. FEIN MANIERLICH
(grosses orch.) by Gustav Wanda. c. Dec. 3, 1910.

186. FEIN MANIERLICH
(infanterie musik) by Gustav Wanda. c. May 26, 1911.

187. FIFI-WALZER
(pf. mit uberlegtem text) by Amelie Nikisch and Ilse Friedlander. c. Sept. 20, 1911.

188. FIFI-WALZER
(ges. and pf.) by Amelie Nikisch and Ilse Friedlander. c. Apr. 17, 1911.

189. FINSTER WAR DAS MITTILALTER
aus "Miss Dudelsack" by R. Nelson, F. Grunbaum and H. Reichert. c. Sept. 3, 1909.

190. FRANZOS'CHEN - FRANZOS'CHEN
(ges. and pf.) by Max Roth and Erich Motz. c. Oct. 23, 1914.

191. FRAUEN (DER)
(ges. and pf.) by Manfred Gurlitt and Herbert Eulenberg. c. Apr. 7, 1910.

192. FRAULEIN, ICH GLAUBE, ES WIRD REGNEN HEUT
aus "Tangofieber" (salon orch.) by Erich Urban and Hugo Hirsch, arr. by Felix Gunther. c. Mar. 17, 1914.

193. FRAULEIN, ICH GLAUBE, ES WIRD REGNEN HEUT
(grosses orch.) by Hugo Hirsch and Erich Urban, arr. by Arnold Wilke. c. Mar. 12, 1914.

194. FRIEDHOFF
(lied) by Erich J. Wolff and A. De Nora. c. May 17, 1910.

195. FRISCH NUR GEWAGT HALB SCHON GEWONNEN
aus "Der Waschetag" (ges. and pf.) by Dr. Erich Fischer. c. May 5, 1915.

196. FRISCH VOM STORCH
(lied) by Erich J. Wolff and Viktor Bluttgen. c. May 20, 1910.

197. FUNF GESANGE
Nos. 1-5 (ges. and pf.) by Otto Lohse. c. June 11, 1910.

198. FUNF LIEDER
(ges. and pf.) nos. 1-5, by Egon Hanns Epstein, Otto Julius Bierbaum and Andere. c. Dec. 30, 1915.

199. FUR FROHE KREISE
album bk. 1, Musikalisches Elite. c. Mar. 14, 1911.

200. FUR FROHE KREISE
album bk. 2, Musikalisches Elite. c. Mar. 14, 1911.

201. FUSSEL-DUETT
(ges. and pf.) by Amelie Nikisch and Ilse Friedlander. c. Apr. 17, 1911.

202. FUSSEL-DUETT
(orch.) by Amelie Nikisch. c. Apr. 24, 1911.

203. GARTLEIN (DAS) DICH VERSCHLOSSEN
(ges. and pf.) by Erich J. Wolff and Gottfried Keller. c. May 27, 1910.

204. GASTHAUS ZUR LIEBE
musikalischers schwank in drei akten (klavierauszug mit text) by H. Zerlett, L. Kastner and Siegfried Schulz. c. June 22, 1922.

205. GASTHAUS ZUR LIEBE
potpourri (klav.) by H. Zerlett, L. Kastner and Siegfried Schulz. c. July 13, 1923.

206. GEBET
(ges. and pf.) no. 8, by Ellen Kullmann and Otto J. Bierbaum. c. Oct. 26, 1910.

207. GEBET EINES KINDES
no. 1 aus "Vater Zieht Ins feld" (ges. and pf.) by Rudolf Baron and Alfred Muller-Foerster. c. Nov. 10, 1914.

208. GEBET VOR DER SCHLACHT
(ges. and pf.) by Waldemar Wendland and Felix Josky. c. Nov. 4, 1914.

209. GEBT (DAS) MIR DURCH UND DURCH
Aus "Immer Der Andere" (ges. and pf.) by Amelie Nikisch and Ilse Friedlander. c. May 11, 1915.

210. GEBT MIR LINE LANGE FLEUTE
Aus "Unsere Feldgranen" (ges. and pf.) by Robt. Winterberg and Artur Lokesch. c. Jan. 28, 1915.

211. GEIMEINHEIT VON A BIS Z
(pf.) by Rudolph Nelson, Fritz Grunbaum and R. Nelson. c. Oct. 27, 1909.

212. GEWONNENE HERZEN
Einleitung akt 1, no. 1 (klav.) by Leopold Schmidt. c. Dec. 31, 1914.

213. GEWONNENE HERZEN
Volksstuck in 3 akten (orch.) by Leopold Schmidt. c. Dec. 30, 1914.

214. GHESEL
(ges. and pf.) no. 2 by Leo Blech. c. July 1, 1910.

215. GRASEMUCKCHEN (DAS)
by Herman Frey and Walter Kollo. c. Dec. 22, 1909.

216. GRASEMUCKCHEN (DAS)
(grosses orch.) by Herman Frey and Walter Kollo. c. Jan. 18, 1910.

217. GRASEMUCKCHEN (DAS)
(salon orch.) by Herman Frey and Walter Kollo. c. Jan. 18, 1910.

218. GROSCHEN (EIN) KOST DER HAMPELMANN
no. 12 aus "Vater Zieht Ins feld" (ges. and pf.) by R. Baron and Alfred Muller-Foerster. c. Nov. 4, 1914.

219. GROSSES POTPOURRI
Aus "Der Ledige Gatt" by Gustav Wanda, Fritz Grunbaum and Heinz Reichert. c. Mar. 14, 1911.

220. GROSSES POTPOURRI
Aus "Alma Wo Wohnst Du" (klav.) by Walter Kollo, Adolf Phillip and Louis Taufstein. c. Jan. 13, 1912.

221. GROSSER WALZER DIE NACH VERGEHT SO SCHNELL
Aus "Jung-England" (grosses orch.) by Leo Fall, arr. by A. Eckstein. c. June 9, 1914.

222. GROSSER WALZER, DIE NACH VERGEHT SO SCHNELL
Aus "Jung-England" (kleines orch.) by Leo Fall, arr. by A. Eckstein. c. June 9, 1914.

223. GROSSER WALZER, DIE NACH VERGEHT SO SCHNELL
Aus "Jung-England" (salonquartet) by Leo Fall, arr. by A. Eckstein. c. June 9, 1914.

224. GRUSS, AN UNSERE INS FELD ZIE HENDEN SOLDATIN
(ges. and pf.) by Waldemar Wendland and Casar Flaischlen. c. Oct. 23, 1914.

225. HABT ACHT
(klav.) by Max Roth and Ludwig Taufstein. c. Nov. 4, 1914.

226. HAIDEGRAB (DAS)
op. 20, no. 2 (ges. and pf.) by Arthur Perleberg and Karl Rosner. c. Nov. 30, 1915.

227. HAMPELMANN-DUETT
(orch.) by Walter Kollo, arr. by H. Worch. c. Aug. 4, 1911.

228. HARRY ICH MOCHTE WAS ERLEBEN
Tango aus "Jung England" (pf.) by Leo Fall, Rudolf Bernauer and Ernst Welisch. c. April 17, 1914.

229. HEDI MEIN LADY
(ges. and pf.) by Ernst Cussel. c. Aug. 19, 1915.

230. HEINERLE, HEINERLE, HAB KEIN GELD
aus "Der Fidele Bauer" (woldzither mit text) by Leo Fall and Victor Leon. Sept. 21, 1910.

231. HEINERLE, HEINERLE, HAB KEIN GELD
aus "Der Fidele Bauer" (blechmusik) by Leo Fall, arr. by H. Bluthgen. c. Sept. 21, 1910.

232. HEINERLE, HEINERLE, HAB KEIN GELD
aus "Der Fidele Bauer" (zither mit text) by Leo Fall, arr. by A. Stelzl. c. May 10, 1910.

233. HEISSA. DER DIEB IST DA
(ges. and pf.) by Gustav Wanda, Fritz Grunbaum and H. Reichert. c. Nov. 21, 1910.

234. HEISSE (DAS) EISEN
(klavierauszug mit text) by Max Wolff, Herman Buchel and J. M. Dagmar Jahl. c. Feb. 18, 1911.

235. HERR (DER) GAB DIR EIN GUTES AUGENPAAR
op. 24, no. 3 (ges. and pf.) by Erich J. Wolff and Gottfried Keller. c. May 27, 1910.

236. HERR KAISER, HERR KAISER, DU LIEBE MAJESTAT
aus "Die Forster-Christl" (grosses orch.) by Georg Jarno. c. Aug. 17, 1909.

237. HERR KAISER, HERR KAISER DU LIEBE MAJESTAT
aus "Die Forster-Christl" (salon orch.) by Georg Jarno. c. Aug. 17, 1909.

238. HINDENBURG DER BEFREIER
op. 60 (mannerchor) by Adolf Prumers and F. A. Geissler. c. May 28, 1915.

239. HOCH DROBEN
(song) by Waldemar Wendland and Ernst Von Wolzogen. c. May 18, 1910.

240. HOCH, ES FLUSTERN LEIS DIE GEIGEN
(salon orch.) by V. Hollaender. c. Sept. 18, 1915.

241. HOCH PRINZ LEOPOLD
(pf.) by Arthur Porges. c. Nov. 9, 1915.

242. HOCHLANDSKINDER
aus "Miss Dudelsack" (infanterie musik) by Oscar Fetras. c. Sept. 21, 1910.

243. HOCHLANDSKINDER
aus "Miss Dudelsack" (cavallerie musik) by Oscar Fetras. c. Sept. 21, 1910.

244. HOCHLANDSKINDER
(klav.) aus "Miss Dudelsack" by Oscar Fetras. c. Nov. 21, 1910.

245. HOHEIT AMUSIERT SICH
op. in 3 akten by Rudolph Nelson and Julius Freund arr. by C. Morena. c. Aug. 4, 1911.

246. HOHEIT AMUSIERT SICH
aus der op. (orch.) by Rudolph Nelson and Julius Freund. c. Dec. 19, 1911.

247. HOHEIT AMUSIERT SICH
aus der op. (klavierauszug mit text) by Rudolph Nelson, arr. by Franz Kumpel. c. Aug. 26, 1911.

248. HOHEIT AMUSIERT SICH
Potpourri, aus der op. (klav. mit text) by Rudolph Nelson and Julius Freund, arr. by C. Morena. c. Aug. 12, 1911.

249. HOHEIT AMUSIERT SICH
Potpourri 2, aus der op. (klav. mit text) by Rudolph Nelson and Julius Freund, arr. by C. Morena. c. Aug. 12, 1911.

250. HOSENDAME U HOHENKAVALIER
(ges. and klav.) by Rudolph Nelson and J. Freund. c. June 1, 1911.

251. HOSENROCK (DER)
(ges. and pf.) by Gustav Meyer and Carl Fischer. c. May 26, 1911.

252. HURRAH—DER KAISER KOMMT
(grosses orch.) by S. Translateur. c. May 6, 1910.

253. HURRAH—DER KAISER KOMMT
op. 153 (harmonie musik) by S. Translateur. c. May 6, 1910.

254. HURRAH—DER KAISER KOMMT
op. 153 (blechmusik) by S. Translateur. c. May 6, 1910.

255. HURRAH—DER KAISER KOMMT
op. 153 (klav.) by S. Translateur. c. Feb. 24, 1910.

256. HURRAH—DER KAISER KOMMT
(salon orch.) op. 153 by S. Translateur. c. May 6, 1910.

257. HUTTERL-WALZER
aus "Alma Wo Wohnst Du" (klav. mit text) by Walter Kollo and Louis Taufstein. c. Dec. 30, 1911.

258. HUTTERL-WALZER
aus "Alma Wo Wohnst Du" (orch.) by Walter Kollo and L. Friedmann. c. Feb. 14, 1912.

259. HUTTERL-WALZER
aus "Alma Wo Wohnst Du" (Harmonium and violin) by L. Friedmann and Walter Kollo. c. Feb. 14, 1912.

260. ICH BIN DAS FRAULEIN DUDELSACK
(lied) aus "Miss Dudelsack" by R. Nelson, Fritz Grunbaum, and Heinz Reichert. c. Sept. 3, 1909.

261. ICH BIN DER ONKEL MEYER, DER VATERLANDSBEFREIR
(ges. and pf.) by Rudolph Baron. c. July 14, 1915.

262. ICH BIN DER PEPI
aus "Der Liebe Pepi" (ges. and pf.) by Walter W. Goetze, Dr. Bruno Decker, and Otto Sprinzel. c. Jan. 28, 1915.

263. ICH BIN EIN KLEPTOMANE
aus "Die Bajadere" (ges. and pf.) by Martin Knopf and Louis Taufstein. c. July 8, 1911.

264. ICH BIN JA NICHT SCHON ABER FRECH
(ges. and pf.) by Rudolph Nelson and Willy Prager. c. Nov. 21, 1910.

265. ICH FURCHT NICHT GESPENSTER
(ges. and pf.) op. 24, no. 9 by Erich J. Wolff and Gottfried Keller. c. May 27, 1910.

266. ICH MAL MIR EINEM REIZ ENDEN MANN
aus "Der Brettlkonig" (walzerlied) by Walter Kollo and Rudolf Schanzer. c. Dec. 30, 1911.

267. ICH UND DU
(song) by Erich Wolff and O. J. Bierbaum. c. May 20, 1910.

268. ILSE
(ges. gitarre od. laute) by Oscar Strauss and Frank Wedekind. c. May 12, 1914.

269. IM JOCKEYKLUB
aus der op. (pf.) by Victor Hollaender. c. Aug. 14, 1909.

270. IM MAIEN
op. 21, no. 1 (solo quartet a cappella) by Julius Edgar Schmock. c. Dec. 30, 1915.

271. IM RICHTIGEN MOMENT
(ges. and pf.) by Walter Kollo and Rudolf Schanzer. c. May 27, 1911.

272. IN KASCHMIR LEBTE EINST EIN RAJAH
aus "Jung-England" (ges. and pf.) by Leo Fall, Rudolf Bernauer and Ernst Welisch. c. April 1, 1914.

273. IM SCHLAFCOUPE
(klavierauszug mit text) by Martin Knopf, Erich Urban and Louis Taufstein. c. Feb. 24, 1911.

274. IM SCHLAFCOUPE
op. in einem akten (orch.) by Martin Knopf, Erich Urban and L. Taufstein. c. July 13, 1911.

275. INSTINKT DEN BRAUCHT MON UNBEDINGT
aus "Jung-England" (klav. mit text) by Leo Fall, Rudolf Bernauer and Ernst Welisch. c. Mar. 7, 1914.

276. IST ES DER ZUFALL
no. 6 (ges. and pf.) by Ellen Kullman and E. Goldschmidt. c. Oct. 26, 1910.

277. JA DIE LIEBE MACHT KOLOSSALEM SPASS
(ges. and klav.) by Rudolph Nelson and Julius Freund. c. May 17, 1911.

278. JA DRUM IST DER GUTE MOND SO STILL
(schrammel quartette) aus "Tangofieber" by Hugo Hirsch. c. June 9, 1914.

279. JA DRUM IST DER GUTE MOND SO STILL
(blechmusik) by Hugo Hirsch, arr. by C. Morena. c. May 1, 1914.

280. JA DRUM IST DER GUTE MOND SO STILL
(ges., git. od. laute) by Hugo Hirsch and Erich Urban, arr. by F. Paul Schell. c. May 12, 1914.

281. JA DRUM IST DER GUTE MOND SO STILL
(ges. and zither) by Hugo Hirsch and Max Heye, arr. by F. Paul Schell. c. May 2, 1914.

282. JA DRUM IST DER GUTE MOND SO STILL
(harmonie musik) by Hugo Hirsch and Erich Urban, arr. by C. Morena. c. May 1, 1914.

283. JA DRUM IST DER GUTE MOND SO STILL
(salon orch.) by Hugo Hirsch and Erich Urban, arr. by O. Lindemann. c. Feb. 5, 1914.

284. JA DRUM IST DER GUTE MOND SO STILL
aus "Tangofieber" (ges. and pf.) by Hugo Hirsch, arr. by Otto Lindemann. c. Jan. 22, 1914.

285. JA SIE FRAU EVA
no. 1 (ges. and pf.) by Hugo Leonard and O. A. Alberts. c. Dec. 28, 1910.

286. JA SIE FRAU EVA
(ges., gitarre od. laute) by Hugo Leonard and O. A. Alberts, arr. by F. Paul Schell. c. May 12, 1914.

287. JOCKEYKLUB
operette (orch.) by Victor Hollaender. c. July 31, 1909.

288. JUNGELINGELING
aus "Die Prinzessin Von Nil" (pf. mit text) by Victor Hollaender and Willy Prager. c. Nov. 9, 1915.

289. JUNG-ENGLAND
op. in 3 akten buhnenmusik (orch.) by Leo Fall, Rudolf Bernauer and Ernst Welisch. c. June 27, 1914.

290. JUNG-ENGLAND
op. in 3 akten (chorstimmen) by Leo Fall, Rudolf Bernauer and Ernst Welisch. c. June 9, 1914.

291. JUNG-ENGLAND
op. in 3 akten (vollstandiger klavierauszug mit text) by Felix Gunther, Hugo Hirsch, R. Bernauer, and Leo Fall. c. Mar. 19, 1914.

292. JUNG-ENGLAND
op. (klavierauszug mit ub. text) by Leo Fall, Rudolf Bernauer and Ernst Welisch. c. Apr. 1, 1914.

293. JUNG-ENGLAND
potpourri aus der op. (pf.) by Leo Fall, Rudolf Bernauer and Ernst Welisch, arr. by Felix Gunther. c. Mar. 17, 1914.

294. JUNG-ENGLAND
potpourri 2 aus der op. (pf.) by Leo Fall, Rudolf Bernauer and Ernst Welisch, arr. by Felix Gunther. c. Mar. 17, 1914.

295. JUNGEN (DIE) OPFER
(ges. and pf.) by K. Kuhnhold and Karl Rosner. c. Dec. 17, 1915.

296. JUNGENSCHLACHT
(knabenchor) by Walther Moldenhauer. c. Dec. 31, 1915.

297. KAISER, DICK LIEBEN WIR
(ges. and klav.) by Gustav Lazarus and Gabriel Von Rochow. c. Feb. 4, 1916.

298. KAISER WORT (EIN)
(ges. and pf.) by Fredinand Hummel and Otto Sommerstorff. c. Mar. 22, 1915.

299. KEINE ANGST WIR SIND JA DA DEUTSCHER MARINE KRIEGSMARSCH
(singstimme u pf.) by Rudolf Baron. c. May 5, 1915.

300. KINDER-MENUETT
aus "Die Uberraschung" (pf.) aus Die Kleine Hauskomadien by Johann S. Bach, arr. by Erich Fischer. c. July 14, 1915.

301. KINDER-MENUETT
aus "Die Uberraschung" (ges. and pf.) by J. S. Bach, arr. by Erich Fischer. c. Apr. 29, 1915.

302. KIRSCHEN IN NACHBARS GARTEN
(woldzither mit text) by Victor Hollaender and Julius Freund. c. Sept. 21, 1910.

303. KIRSCHEN-UND LIZZI ICH BITT'SIE HOR'N SIE AUF
(harmonie musik) by Octave Cremieux, and F. Grunbaum, arr. by H. Bluthgen. c. June 11, 1910.

304. KIRSCHEN-UND LIZZI ICH BITT'SIE HOR'N SIE AUF.
(blechmusik) by Octave Cremieux and F. Grunbaum, arr. by H. Bluthgen. c. June 11, 1910.

305. KISTE (DIE)
(ges. and pf.) by Leo Fall and Beda. c. Mar. 7, 1914.

306. KITTY DU KUSST SO SUSS
(orch. mit pf. and harmonie) by Walter Kollo, arr. by H. Worch. c. June 10, 1911.

307. KITTY DU KUSST SO SUSS
(ges. and pf.) by Walter Kollo and Rudolf Schanzer. c. May 27, 1911.

308. KLEINE (DIE) GRETE-UND DER TWO STEP
(ges. and pf.) by Walter Kollo and Hermann Klink. c. Dec. 28, 1910.

309. KLEINE (DER) KADETT
(ges. and pf.) by S. Nicklass Kempner and Eddy Beuth. c. Jan. 16, 1911.

310. KLEINE (DAS) NIGGERGIRL
(zither mit text) by Walter Kollo, arr. by A. Stelzl. c. Sept. 21, 1910.

311. KLEINE (DAS) NIGGERGIRL
(ges. mit gitarre oder laute) by Walter Kollo and Herm. Klink, arr. by F. Paul Schell. c. May 12, 1914.

312. KLEINE (DAS) NIGGERGIRL
(zither) by Walter Kollo. c. July 14, 1910.

313. KLEINE (DER) TERRIER
(ges. and klav.) by Walter Zachar, F. W. Hardt and Hermann Frey. c. May 29, 1914.

314. KLEINEN KRABBEN
(ges. and pf.) by W. Kollo, H. Bender and Hermann Frey. c. Oct. 27, 1909.

315. KLEINEN (DIE) KRABBEN
(harmonie und blechmusik) by Walter Kollo, H. Frey and H. Bender, arr. by H. Bluthgen. c. June 11, 1910.

316. KLEINEN (DIE) KRABBEN
(ges. and pf. and orch.) by Hermann Frey, Walter Kollo and Henry Bender. c. Oct. 27, 1909.

317. KLEINEN (DIE) KRABBEN
(harmonie musik) by Walter Kollo, H. Frey and H. Bender, arr. by H. Bluthgen. c. June 11, 1910.

318. KNALLBONBONS
potpourri (grosses orch.) by C. Morena. c. Oct. 27, 1909.

319. KNALLBONBONS
potpourri op. 113 (salon orch.) by C. Morena. c. Oct. 27, 1909.

320. KNALLBONBONS
potpourri (militar musik) by C. Morena. c. July 31, 1909.

321. KNODELMADEL (DAS)
(ges. and pf.) by Rudolph Nelson and Fritz Grunbaum. c. Mar. 27, 1911.

322. KOMM MEIN KLEINES MAUSCHEN
(orch.) by Walter Kollo. c. June 10, 1911.

323. KOMM MEIN KLEINES MAUSCHEN
(tanz duett) by Walter Kollo and Rudolph Schanzer. c. June 3, 1911.

324. KORPORAL (DER)
(ges. and pf.) by Dr. Richard Hirsch and Robert Heymann. c. April 30, 1910.

325. KOSAKEN
(mittlere singstimme mit klavierbegl) by Walther Moldenhauer and Herman Kienzl. c. May 28, 1915.

326. KRABBELGESCHICHTE (EINE)
(ges. and pf.) by Rudolf Nelson and O. A. Roberts. c. Nov. 21, 1910.

327. KRABBELKOPFCHEN
(ges. and pf.) by Henry Bender and Walter Kollo. c. Oct. 27, 1909.

328. KRABBELKOPFCHEN
(orch.) by Walter Kollo. c. Oct. 27, 1909.

329. KRIEGSSPRUCH
op. 11, no. 1 (mittlere stimme mit Klavierbegl) by James Simon and A. Petzold. c. June 14, 1915.

330. KRONPRINZEN, MARSCH-LIED-IMMER FESTE DRUFF
op. 103. (ges. and pf.) by Lena Stein-Schneider. c. Oct. 3, 1914.

331. KUCKUCK (DER) IST EIN BRAVER MANN
(lied) by Erich J. Wolff. c. May 20, 1910.

332. KUNHEIM WO WARST DU DIE VORIGE NACHT
(orch.) by Walter Kollo. c. Dec. 30, 1909.

333. KUNHEIM WO WARST DU DIE VORIGE NACHT
(salon orch.) by Walter Kollo. c. Dec. 30, 1909.

334. KUNHEIM WO WARST DU DIE VORIGE NACHT
(Walzerleid) by Herman Frey and Walter Kollo. c. Jan. 3, 1910.

335. KUNO DER WEIBERFEIND
(ges. and pf.) by Rudolph Nelson and Fritz Grunbaum. c. Nov. 21, 1910.

336. KUNSTMALER (DER)
(ges. and klav) by Ernst Cussel. c. Aug. 19, 1915.

337. KUSSE SIE, DANN HOST DU SIE
aus "Jung-England" (concert orch.) by Leo Fall, arr. by A. Eckstein. c. May 1, 1914.

338. KUSSE SIE, DANN HOST DU SIE
aus "Jung-England" (pf.) by Leo Fall, Rudolf Bernauer and Ernst Welisch. c. April 17, 1914.

339. LADENMADEL (DAS)
(ges. mit gitarre od. laute) by Rudolph Nelson and Willy Wolff, arr. by F. Paul Schell. c. May 13, 1914.

340. LADENMADEL (DAS) ERST KAMEN DIE BLUSEN, DIE KLEIDER
(zither mit gesang) by Rudolph Nelson, arr. by F. Paul Schell. c. June 23, 1914.

341. LARGHETTO RELIGIOSO
(salon orch.) by Pietro dal Orte. c. Mar. 10, 1914.

342. LASS' MICH DEINE STRUMPFCHEN SEH'N
aus "Der Brettlkonig" (eine singstimme) by Walter Kollo and Rudolf Schanzer. c. Dec. 30, 1911.

343. LASS MICH DEINE STRUMPFCHEN SEH'N
aus "Der Brettlkonig" (harmonium u violin) by Walter Kollo, arr. by Alb. Wicher. c. Feb. 14, 1912.

344. LASS MICH DEINE STRUMPFCHEN SEH'N
aus "Der Brettlkonig" (orch.) by Walter Kollo, arr. by Alb. Wicher. c. Feb. 14, 1912.

345. LASST EUCH DIE HOFFNUNG NICHT RAUBEN
(salon orch.) by Rudolph Nelson. c. Feb. 25, 1916.

346. LAUTE (DIE)
op. 20, no. 1 (ges. and pf.) by Arthur Perleberg and Karl Rosner. c. Nov. 30, 1915.

347. LEDIGE (DER) GATTE
(klavierauszug mit text) by Gustav Wanda, Fritz Grunbaum and Heinz Reichert. c. Feb. 18, 1911.

348. LEDIGE (DER) GATTE
op. in 3 akten (chorstimmen) by Gustav Wanda, F. Grunbaum and H. Reichert. c. Oct. 26, 1910.

349. LEDIGE (DER) GATTE
(orch.) by Gustav Wanda, Fritz Grunbaum and Heinz Reichert. c. Feb. 18, 1911.

350. LEUTNANT (EIN) UND ZEHN MENN
(ges. and pf.) by Max Roth and Erich Motz. c. Oct. 23, 1914.

351. LEUTNANTSMARSCH
aus "Miss Dudelsack" (klav.) by Rudolph Nelson, F. Grunbaum and H. Reichert. c. Dec. 22, 1909.

352. LEUTNANTSMARSCH
aus "Miss Dudelsack" (militar musik) by Rudolph Nelson, F. Grunbaum and H. Reichert. c. May 7, 1910.

353. LEUTNANTSMARSCH
aus "Miss Dudelsack" (orch.) by Rudolph Nelson, Fritz Grunbaum and Heinz Reichert. c. Dec. 22, 1909.

354. LEUTNANTSMARSCH
aus "Miss Dudelsack" (salon orch.) by Rudolph Nelson, Fritz Grunbaum and Heinz Reichert. c. Dec. 22, 1909.

355. LIEBE (DIE) LIEBE
(ges. and pf.) by Gustav Wanda, Fritz Grunbaum and Heinz Reichert. c. Nov. 21, 1910.

356. LIEBE MICH, MEIN SUSSES BABY
(ges. and pf.) by Gustav Wanda, Fritz Grunbaum and Heinz Reichert. c. Feb. 18, 1911.

357. LIEBE (DER) PEPI
potpourri aus der op. (klav.) by Walter W. Goetze, Otto Sprinzel and Bruno Decker. c. July 15, 1915.

358. LIEBE UND HOFFNUNG
aus "Das Alte Lied" (ges. and pf.) by W. A. Mozart, arr. by Dr. Erich Fischer. c. May 5, 1915.

359. LIEBE UND HOFFNUNG
aus "Das Alte Lied" (spec. arr for ges. and klav.) by W. A. Mozart, arr. by Erich Fischer. c. Nov. 4, 1914.

360. LIEBE MELODIE
(lied) by Erich J. Wolff and Wilhelm Gomoll. c. May 17, 1910.

361. LIEBES NOTEN
no. 3 (ges. and pf.) by Leo Blech. c. July 1, 1910.

362. LIEBESPROBE
(ges. and pf.) by Manfred Gurlitt and Hebbel. c. April 7, 1910.

363. LIED DES EINSAMEN
no. 5 (ges. and pf.) by Ellen Kullmann and Otto Julius Bierbaum. c. Oct. 26, 1910.

364. LIED (EIN) IN ZENTIMETERN
(ges. and pf.) by Ludwig Friedmann and Fritz Grunbaum. c. Jan. 16, 1911.

365. LIED VOM APFELSTRUDEL
aus "Der Liebe Pepi" (ges. and pf.) by Walter W. Goetze, Dr. Bruno Decker and Otto Sprinzel. c. Dec. 30, 1914.

366. LIED (DAS) VOM BAUERLEIN
(ges. and pf.) by Amelie Nikisch and Ilse Friedlander. c. April 17, 1911.

367. LIED (DAS) VOM GRAFEN ZEPPELIN
op. 107A (eine singstimme u pf.) by W. Aletter and Heinrich Rupprecht. c. April 19, 1915.

368. LIED (DAS) VOM KATER
(cavallerie musik) by Walter Kollo, arr. by H. Worch. c. June 24, 1911.

369. LIED (DAS) VOM KATER
(infanterie musik) by Walter Kollo, arr. by H. Worch. c. June 24, 1911.

370. LIED (DAS) VOM KATER
aus "Alma Wo Wohnst Du" (lied) by Walter Kollo and Louis Taufstein. c. Dec. 30, 1911.

371. LIED (DAS) VOM KATER
aus "Alma Wo Wohnst Du" (violine u. guitar) by Walter Kollo. c. Jan. 8, 1912.

372. LIED (DAS) VOM LANDWEHRMANN
(ges. and pf.) by Rudolf Baron. c. Oct. 23, 1914.

373. LIEDER EINER KONIGIN
(klav.) by Ferdinand Hummel and Carmen Silva. c. Feb. 7, 1914.

374. LIEDER U. GESANGE
op. 14 nos. 1-5 (eine singstimme u pf.) by Lorenz Seemann and Reinhold Eichacker. c. Oct. 15, 1914.

375. LIZZI, ICH BITT'SIE, HOR'N SIE AUF
(ges. and pf.) by Octave Cremieux and Fritz Grunbaum. c. April 7, 1910.

376. LIZZI, ICH BITT'SIE, HOR'N SIE AUF
(zither with text) by Octave Cremieux and Fritz Grunbaum. c. May 27, 1910.

377. LOLA
op. 6 no. 1 (eine singstimme u pf.) by Fritz Furst. c. Oct. 27, 1909.

378. LONDON GIRL (DAS)
(orch.) by Walter Kollo and O. A. Alberts, arr. by H. Worch. c. Oct. 28, 1910.

379. LONDON GIRL (DAS)
(salon orch.) by Walter Kollo and O. A. Alberts. c. Oct. 28, 1910.

380. LONDON GIRL (DAS)
(ges. and pf.) by Walter Kollo and O. A. Alberts. c. Oct. 26, 1910.

381. LONDON BOY (DER)
aus "Alma Wo Wohnst Du" (accordion u. violine) by Walter Kollo. c. Jan. 8, 1912.

382. LONDON BOY (DER)
aus "Alma Wo Wohnst Du" (eine singstimme) by Walter Kollo and Louis Taufstein. c. Dec. 30, 1911.

383. LOR' (DIE) SITZT IM GARTEN
(ges. and pf.) op. 24 no. 8 by Erich J. Wolff and Gottfried Keller. c. May 27, 1910.

384. LULU MEIN LIEBLICHES BRAUTCHEN
aus "Der Brettlkonig" by Walter Kollo and Rudolf Schanzer. c. Dec. 30, 1911.

385. LULU MEIN LIEBLICHES BRAUTCHEN
aus "Der Brettlkonig" (harmonium and violin obl.) by Walter Kollo, arr. by Alb. Wicher. c. Feb. 14, 1912.

386. LULU, MEIN LIEBLICHES BRAUTCHEN
aus "Der Brettlkonig" (orch.) by Walter Kollo, arr. by Alb. Wicher. c. Feb. 14, 1912.

387. LUSTIGEN (DIE) NIBELUNGEN
potpourri aus der operette (klav.) by Oscar Strauss and Rideamus. c. April 24, 1911.

388. LUTTICHER TANZWEISE
(ges. and pf.) by Hans Herman and Robert Prechtl. c. Oct. 23, 1914.

389. LUTZ (DER) DER TUTS
(singstimmen u pf.) by Rudolph Nelson and Eddy Beuth. c. Oct. 27, 1909.

390. MADEL DU HAST MICH VERRUCKT GEMACHT
(ges. and pf.) by Gustav Wanda, Fritz Grunbaum and Heinz Reichert. c. Nov. 21, 1910.

391. MADEL DU HAST MICH VERRUCKT GEMACHT
(pf.) by Gustav Wanda. c. Dec. 3, 1910.

392. MADEL DU HAST MICH VERRUCKT GEMACHT
(grosses orch.) by Gustav Wanda. c. Dec. 3, 1910.

393. MADEL KOMMREICH MIR DEN ROTEN MUND
(ges. and pf.) by Rudolph Nelson and J. Freund. c. May 17, 1911.

394. MADEL KOMMREICH MIR DEN ROTEN MUND
(orch.) by Rudolph Nelson. c. May 17, 1911.

395. MADEL MEIN MADEL
aus "Der Liebe Pepi" (eine singstimme) by Walter W. Goetze, Dr. Bruno Decker and Otto Sprinzel. c. Dec. 30, 1914.

396. MADEL (DAS) MIT DEM, ETC. P. P.
(ges. and pf.) by Dr. Richard Hirsch and Willi Wolff. c. Jan. 16, 1911.

397. MADEL (DAS) VON DER THEMSE
aus "Alma Wo Wohnst Du" (cavallerie musik) by Walter Kollo. c. June 17, 1911.

398. MADEL (DAS) VON DER THEMSE
aus "Alma Wo Wohnst Du" (infanterie musik) by Walter Kollo. c. June 17, 1911.

399. MADEL VOM BALLETT
aus "Die Kleine Ratte" (ges. and klav.) by Lill Erik Hafgren and Robert Hank. c. Jan. 26, 1913.

400. MADEL'S HABT IHR DENN KEIN HERZ
(ges. and pf.) by Walter Kollo and Otto Otto. c. Oct. 26, 1910.

401. MAN IST NUR EINMAL JUNG
(orch.) by Scheiber and Richard Fall. c. Dec. 30, 1909.

402. MAN IST NUR EINMAL JUNG
(salon orch.) by Scheiber and Richard Fall. c. Dec. 30, 1909.

403. MAN MUSS GEHN MIT DER ZEIT
aus "Die Kleine Ratte" (ges. and pf.) by Lill Erik Hafgren and Robert Hank. c. Jan. 26, 1913.

404. MANDOLINE
(lied) by Erich J. Wolff and Paul Verlaine. c. May 17, 1910.

405. MARSCHLIED; MARSCHIEREN WIR IM LICHT
(ges. and pf.) by Walter Friedmann. c. April 9, 1915.

406. MAUSCHEN KLEIN
(ges. and pf.) by Rudolph Nelson and Julius Freund. c. May 17, 1911.

407. MAUSCHEN KLEIN
(orch.) by Rudolph Nelson. c. May 17, 1911.

408. MAUSCHEN-WALZER
(klav.) by Rudolph Nelson and J. Freund. c. June 10, 1911.

409. MAUSCHEN-WALZER
(infanterie musik) by Rudolph Nelson. c. Aug. 4, 1911.

410. MAUSCHEN-WALZER
(orch.) by Rudolph Nelson. c. June 30, 1911.

411. MAX, SEI MASSIG
(ges. and pf.) by Rudolph Nelson and M. Rappaport. c. April 30, 1910.

412. MEERES (DES) GEHEIMNIS
(ges. and pf.) no. 4 by Ellen Kullman. c. Oct. 26, 1910.

413. MEIN ARTUR IST EIN DEUTSCHER MANN
(ges. and klavierbegl) by Rudolf Baron. c. July 15, 1915.

414. MEIN FREUND DER MEYER UND ICH
(ges. and pf.) by Walter Kollo and Otto Otto. c. Oct. 26, 1910.

415. MEIN HERZ BRAUCHT LIEBE
aus "Jung England" (gitarre od. laute) by Leo Fall, arr. by F. Paul Schell. c. April 29, 1914.

416. MEIN HERZ BRAUCHT LIEBE
aus "Jung England" (zither mit text) by Leo Fall, arr. by F. Paul Schell. c. April 29, 1914.

417. MEIN HERZ BRAUCHT LIEBE
aus "Jung England" (klav. mit uberlegtem text) by Leo Fall, Rudolf Bernauer and Ernst Welisch. c. April 17, 1914.

418. MEIN HERZ BRAUCHT LIEBE
aus "Jung England" (singstimme mit klav.) by Leo Fall, Rudolf Bernauer and Ernst Welisch. c. Mar. 5, 1914.

419. MEIN KLEINES MADEL
(ges. and pf.) by Ernst Cussel. c. Aug. 19, 1915.

420. MEIN LIEBER, SUSSER SCHATZ
(lied) aus "Der Susse Doktor" by Henry Bender and Walter Kollo. c. Dec. 22, 1909.

421. MEIN WILDES TIGERKATZCHEN
(ges. and pf.) by Rudolph Nelson and Julius Freund. c. May 17, 1911.

422. MEIN WILDES TIGERKATZCHEN
(infanterie musik) by Rudolph Nelson. c. June 17, 1911.

423. MEIN WILDES TIGERKATZCHEN
(kavallerie musik) by Rudolph Nelson and Julius Freund. c. June 17, 1911.

424. MEIN WILDES TIGERKATZCHEN
(orch.) by Rudolph Nelson. c. May 17, 1911.

425. MEINE LEIDENSCHAFTEN UND ICH
(ges. and pf.) by Siegfried Nichlass Kempner. c. Jan. 16, 1911.

426. MEINE TANTE, DEINE TANTE
op. in 3 akten (klavierauszug mit vallstandiger text) by A. Nikisch and Ilse Friedlander. c. Nov. 25, 1911.

427. MEMENTO
op. 13, no. 1 (vierstimmigen gemischten chor. a cappella) by Julius Edgar Schmock. c. Dec. 30, 1915.

428. MEMENTO
op. 13, no. 2 (dreistemmingen frauen chor. a cappella) by Julius Edgar Schmock. c. Nov. 30, 1915.

429. MENSCH (DER) SOLL KEINEN KUSS VERSCHMAH'N
(ges. and klav.) by Walter Zachar, F. W. Hardt and Hermann Frey. c. May 29, 1914.

430. MENSCHEN (DIE) SIND GAR NIEMALS ZUFRIEDEN
(ges. and pf.) by Martin Knopf and Louis Taufstein. c. July 8, 1911.

431. MERRY, MEIN HOLDES VIS A VIS
(ges. and klavierbegl) by Johannes Grunwald and Alfred Serg. c. Nov. 30, 1915.

432. MICH TADELT DER FANATIKER
(ges. and pf.) op. 24, no. 4, by Erich J. Wolff and Gottfried Keller. c. May 27, 1914.

433. MIDSUMMER SONG
(mixed chor. with pf.) by Frederick Delius. c. May 6, 1910.

434. MIR GLANZEN DIE AUGEN
op. 24, no. 7 (ges. with pf.) by Erich J. Wolff and G. Keller. c. May 27, 1910.

435. MISS DUDELSACK
(orch.) by Fritz Grunbaum, Heinz Reichert and Rudolph Nelson. c. Dec. 30, 1909.

436. MISS DUDELSACK
potpourri aus der op. (klav. mit text) by Rudolph Nelson, Fritz Grunbaum and Heinz Reichert. c. Oct. 27, 1909.

437. MISS DUDELSACK
potpourri no. 2 aus der op. (klav. mit text) by Rudolph Nelson, F. Grunbaum and Heinz Reichert. c. Oct. 27, 1909.

438. MISS DUDELSACK
potpourri (orch.) by Rudolph Nelson, Fritz Grunbaum and H. Reichert. c. Dec. 22, 1909.

439. MISS DUDELSACK
potpourri (salon orch.) by Rudolph Nelson, Fritz Grunbaum and H. Reichert. c. Dec. 22, 1909.

440. MIT LORBIERN KEHRT IHR HEIM
(ges. and pf.) by Max Bertuch and O. Konig. c. Nov. 10, 1914.

441. MIT TANGO DA FANGT MAN KLEINE MADELS EIN
aus "Tangofieber" (grosses orch.) by Hugo Hirsch and Erich Urban. c. May 29, 1914.

442. MIT TANGO DA FANGT MAN KLEINE MADELS EIN
aus "Tangofieber" (salon orch.) by Hugo Hirsch and Erich Urban. c. May 29, 1914.

443. MIT TANGO DA FANGT MAN KLEINE MADELS EIN
aus "Tangofieber" no. 13 (ges. and pf.) by Hugo Hirsch and Erich Urban. c. Jan. 22, 1914.

444. MOND (DER) IST WIE EINE FEURIGE ROS'
(ges. and pf.) by Manfred Gurlitt and Max Dauthendey. c. Apr. 7, 1910.

445. MORITAT
(ges. and klav.) by Rudolph Nelson and Willy Wolff. c. Nov. 21, 1910.

446. NACH MEINE BEENE IST JA GANZ BERLIN VERRUCKT
(ges. and pf.) by Walter Kollo and F. W. Hardt. c. Dec. 3, 1910.

447. NACHT (DIE) VERGEHT SO SCHNELL
aus "Jung England" (salon orch.) by Leo Fall, arr. by A. Eckstein. c. May 20, 1914.

448. NACHTIGALLENLIED
(ges. and klav.) by Leo Fall. c. Nov. 22, 1912.

449. NE DUFTE STADT IST MEIN BERLIN
(ges. and pf.) by F. W. Hardt and Walter Kollo. c. Dec. 3, 1910.

450. NEHMT DES SPATEN
op. 11, no. 3 (eine mittlere stimme mit klavierbegl) by James Simon and Roda Roda. c. June 14, 1915.

451. NEIN NEIN HERR ZIMMERMANN SIE SIND EIN SCHLIMMER MANN
(ges. and klav.) by Albert Chambrier and Erich Motz. c. Nov. 21, 1913.

452. NEIN NEIN, HERR ZIMMERMANN SIE SIND EIN SCHLIMMER MANN
(pf. mit text) by Albert Chambrier. c. Nov. 21, 1913.

453. NELSON-WALZER
(klav.) by Rudolph Nelson, arr. by O. Lindemann. c. June 30, 1911.

454. NELSON-WALZER
(orch.) by Rudolph Nelson and Otto Lindemann. c. Nov. 25, 1911.

455. NELSON-WALZER
(harmonie musik) by Rudolph Nelson and H. Worch, arr. by Otto Lindemann. c. Dec. 15, 1911.

456. NELSON-WALZER
(blechmusik) by Rudolph Nelson and H. Worch, arr. by Otto Lindemann. c. Dec. 15, 1911.

457. NEUE KINDERLIEDER
op. 25, by Erich J. Wolff. c. May 20, 1910.

458. NEUN GEDICHTE
aus "Jost Seyfried" by Casar Flaischen and Erich J. Wolff. c. July 31, 1909.

459. NEUN SOLDATENLIEDER
(ges. and klavierbegl) by Walther Moldenhauer and A. DeNora. c. Nov. 9, 1915.

460. NIBELUNGEN-MARSCH
aus "Die Lustigen Nibelungen" (orch.) by Oscar Strauss. c. Mar. 2, 1911.

461. NIBILUNGEN-MARSCH
(blechmusik) by Oscar Strauss, arr. by Otto Lindemann. c. May 26, 1911.

462. NIBILUNGEN-MARSCH
(militar musik) by Oscar Strauss, arr. by O. Lindemann. c. May 26, 1911.

463. NIGGERGIRL
(klav.) by Walter Kollo and Herman Klink. c. May 6, 1910.

464. NOVELLETTE (DIE) VON DER CLARINETTE UND IHREM SCHNABEL
(ges., gitarre od. laute) by Jean Gilbert and Gaston Rouvier. c. May 12, 1914.

465. NOVELLETTE (DIE) VON DER CLARINETTE UND IHREM SCHNABEL
(song) by Jean Gilbert and Gaston Rouvier. c. July 17, 1909.

466. NUDELBURGER (DER)
by Herman Frey and Walter Kollo. c. Dec. 22, 1909.

467. NUDELBURGER (DER)
(grosses orch.) by Walter Kollo. c. Dec. 31, 1909.

468. NUDELBURGER (DER)
(salon orch.) by Walter Kollo. c. Dec. 31, 1909.

469. NUN SCHMUCKE MIR DEIN DUNKLES HAAR
(ges. and pf.) op. 24, no. 2, by Erich J. Wolff and Gottfried Keller. c. May 27, 1910.

470. NUR A KLANS HUTTERL
aus "Alma Wo Wohnst Du" (lied) by Walter Kollo and Louis Kaufstein. c. Dec. 30, 1911.

471. NUR EIN BISSEL, BISSEL, BISSEL
aus "Miss Dudelsack" (lied) by Rudolph Nelson, Fritz Grunbaum and Heinz Reichert. c. Dec. 22, 1909.

472. O ALMA, ALMA, ALMA, DU
aus "Alma Wo Wohnst Du" (eine singstimme) by Ludwig Friedmann and Louis Taufstein. c. Dec. 30, 1911.

473. O DU MY DARLING
(harmonie musik) by Rudolph Nelson, Fritz Grunbaum and H. Reichert. c. Jan. 21, 1910.

474. O DU MY DARLING DU, DU, DU
aus "Miss Dudelsack" (lied) by Rudolph Nelson, Fritz Grunbaum and Heinz Reichert. c. Sept. 3, 1909.

475. O DU MY DARLING, DU, DU, DU
(klav.) by Rudolph Nelson, Fritz Grunbaum and H. Reichert, arr. by Otto Lindemann. c. Apr. 30, 1910.

476. O DU MY DARLING DU, DU, DU
aus "Miss Dudelsack" (klav. mit text) by Fritz Grunbaum, Heinz Reichert and Rudolph Nelson. c. Oct. 27, 1909.

477. O DU MY DARLING
aus "Miss Dudelsack" (militar musik) by Rudolph Nelson, Fritz Grunbaum and Heinz Reichert, arr. by O. Lindemann. c. Oct. 27, 1909.

478. O DU MY DARLING
(orch.) by Rudolph Nelson, Fritz Grunbaum and Heinz Reichert. c. Sept. 3, 1909.

479. O DU MY DARLING, DU, DU, DU
(lied) aus "Miss Dudelsack" by Rudolph Nelson, Fritz Grunbaum and Heinz Reichert, arr. by A. Stelzl. c. May 10, 1910.

480. O ENGELLAND
aus "Gewonnene herzen" (ges. and pf.) by Leopold Schmidt and Walter Turczinsky. c. Dec. 31, 1914.

481. O HEILIGER AUGUSTIN
(ges. and pf.) op. 24, no. 5, by Erich J. Wolff and Gottfried Keller. c. May 27, 1910.

482. O MADELCHEN, O MADELCHEN
aus "Die Schone Cubanerin" (orch.) by Max Gabriel. c. Nov. 1, 1916.

483. OESTERREICHISCHES REITERLIED
(ges. and pf. mit gitarre) by Walter Friedmann and Hugo Zuckermann. c. May 22, 1915.

484. OH TE MY DARLING
(orch.) by Nelson Pal and Linka Camillo. c. June 11, 1910.

485. OJ-DIDEL-DOJ
(pf.) by M. Berkowitsch. c. May 1, 1914.

486. OJ-DIDEL-DOJ
(salon orch.) by M. Berkowitsch. c. Apr. 20, 1914.

487. ON CRAIG DDU
(mixed chor. with pf.) by Frederick Delius and Arthur Symons. c. May 6, 1910.

488. ONKEL TOBIAS
(klav.) by Erich Fischer. c. Sept. 20, 1916.

489. PERLEN DER WEISHEIT
op. 24, no. 1 (ges. and pf.) by Erich J. Wolff and Gottfried Keller. c. May 27, 1910.

490. PREFEKTE (DIE) KOCHIN
no. 11, aus "Vater Zieht Ins Feld" (ges. and pf.) by Rudolf Baron and Alfred Muller-Foerster. c. Nov. 4, 1914.

491. PREUSSISCHE (DIE) DISCIPLIN
(ges. and klavierbegl) by Rudolf Baron. c. June 14, 1915.

492. PRINZESSIN (DIE) VOM NIL
(klav. mit text) by Victor Hollaender and Willy Prager. c. Sept. 28, 1915.

493. PUPPENWASCHE
no. 10, aus "Vater Zieht Ins Feld" (ges. and pf.) by Rudolf Baron and A. Muller-Foerster. c. Nov. 4, 1914.

494. RATTE (DIE)
(ges. and pf.) by Manfred Gurlitt and Hans Bethge. c. Apr. 7, 1910.

495. REITE ROTERLEUTENANT
aus "Miss Dudelsack" (lied) by Rudolph Nelson, Fritz Grunbaum and H. Reichert. c. Sept. 3, 1909.

496. REITERLIED VOR PARIS
(ges. and pf.) by Waldemar Wendland and Fritz Keller. c. Oct. 23, 1914.

497. REIZENDE, KLEINE NYMPHE
(ges. and klav.) by Walter Zachar, F. W. Hardt and Hermann Frey. c. May 29, 1914.

498. REIZENDE MELODEI'N LADEN ZUM KOSEN EIN
(ges. and pf.) by Martin Knopf and Louis Taufstein. c. July 13, 1911.

499. REKRUT (DER)
(lied) by Erich J. Wolff and A. DeNora. c. May 17, 1910.

500. REQUIEM
(ges. and klav.) by Heinrich Rysling. c. June 19, 1916.

501. RESERVISTEN-MARSCH
aus "Die Liebe Fahrt" (ges. and pf.) by Max Bertuch. c. Feb. 17, 1915.

502. RHEINGOLD-WALZER
aus "Die Lustigen Nibelungen" (orch.) by Oscar Strauss. c. Apr. 14, 1911.

503. ROBINS ENDE
oper in 2 akten (orch.) by Edward Kunneke and M. Morris. c. Dec. 30, 1909.

504. ROBINS ENDE
overture (orch.) by Edward Kunneke and M. Moris. c. Dec. 30, 1909.

505. ROBINS ENDE
overture (orch. stimmen) by Edward Kunneke and M. Moris. c. Dec. 30, 1909.

506. ROBINS ENDE
potpourri (klav. mit text) by Edward Kunneke and M. Morris, arr. by Max Winterfeld. c. Dec. 22, 1909.

507. ROBINS ENDE
potpourri aus "Robins ende" (orch.) by Edward Kunneke, arr. by M. Winterfeld. c. Feb. 24, 1910.

508. ROBINS ENDE
potpourri aus "Robins ende" (salon orch.) by Edward Kunneke and M. Moris, arr. by M. Winterfeld. c. Feb. 24, 1910.

509. ROBINS ENDE
(klav.) by Edward Kunneke and M. Moris. c. Dec. 22, 1909.

510. ROLLE-RILLE-RUTSCH
(salon orch.) by Walter Kollo and O. A. Alberts, arr. by H. Worch. c. Feb. 18, 1911.

511. ROLLE-RILLE-RUTSCH
(ges. and pf.) by Walter Kollo and O. A. Alberts. c. Oct. 26, 1910.

512. ROMEO UND JULIA
(orch.) by Frederick Delius and G. Keller. c. Jan. 13, 1911.

513. ROMEO UND JULIA
(vocal) by Frederich Delius. c. Jan. 31, 1910.

514. ROSENROT UND HIMMELBLAU
aus "Jung England" (blechmusik) by Leo Fall, Rudolf Bernauer and Ernst Welisch, arr. by A. Reckling. c. May 1, 1914.

515. ROSENROT UND HIMMELBLAU
aus "Jung England" (infanterie harmonie musik) by Leo Fall, Rudolf Bernauer and Ernst Welisch, arr. by A. Reckling. c. May 1, 1914.

516. ROSENROT UND HIMMELBLAU
aus "Jung England" (zither) by Leo Fall, Rudolf Bernauer and E. Welisch, arr. by F. Paul Schell. c. Apr. 29, 1914.

517. ROSENROT UND HIMMELBLAU
aus "Jung England" (salon orch.) by Leo Fall, R. Bernauer and E. Welisch, arr. by Adolf Eckstein. c. Mar. 17, 1914.

518. ROSENROT UND HIMMELBLAU
aus "Jung England" (grosses orch.) by Leo Fall, arr. by Adolf Eckstein. c. Mar. 30, 1914.

519. ROSENROT UND HIMMELBLAU
aus "Jung England" (ges. and pf.) by Leo Fall, Rudolf Bernauer and Ernst Welisch. c. Apr. 1, 1914.

520. ROSENROT UND HIMMELBLAU IST DIE GAUZE WELT
aus "Jung England" (Wiener schrammel quartet) by Leo Fall, arr. by Th. Schild. c. June 9, 1914.

521. ROSENROT UND HIMMELBLAU IST DIE GAUZE WELT
aus "Jung England" (gitarre od. laute mit text) by Leo Fall, arr. by F. Paul Schell. c. Apr. 29, 1914.

522. ROSENROT UND HIMMELBLAU IST DIE GAUZE WELT
aus "Jung England" (klav.) by Leo Fall. c. Mar. 7, 1914.

523. ROTE (DAS) KLEID
(ges. and pf.) by Rudolph Nelson and Fritz Grunbaum. c. Nov. 21, 1910.

524. ROTES KREUZAUF WEISSENS GRUNDE
(ges. and pf.) by Rudolf Baron. c. May 5, 1915.

525. SAG DASZ DU MICH LIEBST
aus "Robins Ende" by Maximilian Moris and Edward Kunneke. c. Dec. 22, 1909.

526. SCHACH-DUETT
aus "Miss Dudelsack" by Rudolph Nelson, Fritz Grunbaum and H. Reichert. c. Sept. 3, 1909.

527. SCHELMENLIEDCHEN
(ges. and klav.) by Leo Blech. c. Feb. 24, 1910.

528. SCHLACHTGIBET
op. 172, no. 4 (eine singstimme mit klavierbegl) by Gustav Lazarus and Richard Zoozmann. c. July 15, 1915.

529. SCHLOSSGESPENST (DAS)
aus "Miss Dudelsack" (lied) by Rudolph Nelson, Fritz Grunbaum and Heinz Reichert. c. Sept. 3, 1909.

530. SCHNADAHUPFERLN
aus "Vater Zieht Ins Feld" (ges. and pf.) by Rudolf Baron and Alfred Muller-Foerster. c. Nov. 4, 1914.

531. SCHONE (DIE) CUBANERIN
potpourri aus der op. (pf.) by Max Gabriel and Georg Okonkowski, arr. by James Clement. c. Mar. 22, 1915.

532. SCHONE (DIE) CUBANERIN
potpourri aus der op. (orch.) by Max Gabriel and Georg Okonkowski, arr. by James Clement. c. Sept. 1, 1936.

533. SCHONES (EIN) TRAUM
(ges. and pf.) by Albert Wicher and Paul Henning. c. Jan. 16, 1911.

534. SECHS KAISERSOHNE
op. 172, no. 1 (klavierbegl) by Gustav Lazarus and Richard Zoozmann. c. July 15, 1915.

535. SECHS LIEDER
op. 17, nos. 1-6 (mittlere stimme und klavierbegl) by James Simon and O. J. Beirbaum. c. Nov. 9, 1915.

536. SECHS LIEDER NACH DAUTHENDEY
op. 14, nos. 1-6 (klav.) by James Simon and Dauthendey. c. Sept. 1, 1915.

537. SEHNSUCHT
op. 24, no. 1 (mittlere singstimme mit klavierbegleitung) by Julius Edgar Schmock. c. Dec. 17, 1915.

538. SEHNSUCHT WONDELT ALLEIN
(ges. and pf.) by Gustav Wanda, Fritz Grunbaum and Heinz Reichert. c. Nov. 21, 1910.

539. SIEBEN LIEDER
op. 22, by Erich J. Wolff. c. May 17, 1910.

540. SIEGESFEST
(ges. and pf.) no. 7, by Ellen Kullmann and Lilencron. c. Oct. 26, 1910.

541. SO EIN FEINER DICKER KLEINER HAMPELMANN
aus "Alma Wo Wohnst Du" (eine singstimme) by Walter Kollo and Louis Taufstein. c. Dec. 30, 1911.

542. SO VERRUCKT SIND DIE WEIBER VERLIEBT
(ges. and pf.) by Rudolph Nelson and Julius Freund. c. June 11, 1911.

543. SO WAS HAT DIE WELT NOCH NICHT GESEH'N
aus "Karussell" no. 1 (ges. and pf.) by Rudolph Nelson, Harry Waldau and Dr. Ralph Benatzky. c. Nov. 30, 1915.

544. SOLDATENLIED
(ges. and klav.) by Leo Fall. c. Nov. 22, 1912.

545. SOLL ICH IHN LIEBEN
(song) by Erich J. Wolff and Paul Heyse. c. May 18, 1910.

546. SPINNERIN (DIE)
(ges. and pf.) op. 24, no. 10, by Erich J. Wolff and Gottfried Keller. c. May 27, 1910.

547. STEUERZAHLER (DER)
(ges. and pf.) by Walter Kollo, Henry Bender and Erich Kersten. c. Oct. 27, 1909.

548. STROHWITWE; SCHLIESS DICH UNS AN
aus "Jung England" (1 singstimme mit gitarre oder laute) by Leo Fall, Rudolf Bernauer and Ernst Welisch. c. May 20, 1914.

549. STROHWITWE; SCHLIESS DICH UNS AN
aus "Jung England" (klav.) by Leo Fall. c. Apr. 17, 1914.

550. STROHWITWE; SCHLIESS DICH UNS AN
aus "Jung England" (eine singstimme u klavierbegl) by Leo Fall. c. Apr. 1, 1914.

551. SUSSEN (DIE) KLEINEN MAGDELEIN
(ges. mit gitarre od. laute) by Victor Hollaender and J. Freund, arr. by F. Paul Schell. c. May 12, 1914.

552. SUFFRAGETTEN-MARSCH
aus "Jung England" (pf.) by Leo Fall, arr. by Otto Lindemann. c. July 23, 1914.

553. TAGWACHT
(mannerchor, partitur u stimmen) by August Richard and Max Schneckenburger. c. Apr. Apr. 15, 1915.

554. TANGOFIEBER
(grosses posse mit ges. u tanz in 3 akten—Chorstimmen) by Hugo Hirsch and Erich Urban. c. Apr. 17, 1914.

555. TANGOFIEBER
(klav. mit text) by Hugo Hirsch, Theo. Walton, Leo Fall, and Erich Urban. c. Apr. 1, 1914.

556. TANGOFIEBER
(orch.) by Hugo Hirsch and E. Urban. c. May 1, 1914.

557. TANGOFIEBER—MARSCH
(salon orch.) by Hugo Hirsch and Erich Urban. c. July 6, 1914.

558. TANGOFIEBER—MARSCH
(klav.) by Hugo Hirsch and Erich Urban, arr. by A. Eckstein. c. May 12, 1914.

559. TANGOFIEBER—MARSCH
(grosses orch.) by Hugo Hirsch and Erich Urban. c. July 6, 1914.

560. TANGOFIEBER—WALZER
(klav.) by Hugo Hirsch. c. May 20, 1914.

561. TANZ MA LINKS HERUM
aus "Alma Wo Wohnst Du" (lied) by Bogumil Zepler and L. Taufstein. c. Dec. 30, 1911.

562. TANZEN WIR, MARQUIS
(walzerlied) by Rudloph Nelson and Erich Presber. c. May 26, 1911.

563. TEEBRETT (DAS)
(ges. and pf.) by Joseph Haydn, arr. by Erich Fischer. c. July 6, 1914.

564. TEDDYBAR (DER)
(ges. and pf.) by Walter Kollo and Eddy Beuth. c. May 12, 1911.

565. TOREADOR (DER)
buffo-oper in zwei akten (orch.) by Adolf Adam, T. Sauvage, R. Schikele and Franz Rumpel. c. Nov. 1, 1909.

566. TOREADOR (DER)
(orch. partitur) by Adolf Adam, T. Sauvage, Rene Schikele and Franz Rumpel. c. Nov 1, 1909.

567. TRALALA-ICH MOCHTE WAS ERLEBEN
aus "Jung England" (singstimme mit klavierbegl) by Leo Fall. c. Mar. 17, 1914.

568. TRAUM (DER)
(chorstimmen) by Joseph G. Mraczek. c. May 6, 1910.

569. TRUDCHEN AM TELEFON
aus "Vater Zieht Ins Feld" (ges. and pf.) by Rudolf Baron and Alfred Muller-Foerster. c. Nov. 4, 1914.

570. UBER DIE HEIDE
(ges. and pf.) by Erik Meyer-Helmund and Andreas Christoph Graf. c. Oct. 26, 1910.

571. UEBERN GROSSEN TEICH
(orch.) by Adolf Philipp. c. Dec. 22, 1909.

572. UEBERRASCHUNG
(piano) by Dr. Erich Fischer. c. Dec. 30, 1914.

573. UND BILD DIR NUR IM TRAUM NICHTS EIN
(song) by Erich J. Wolff and Paul Heyse. c. May 18, 1910.

574. UND GRADE WENN'S AM SCHONSTEN IST
aus "Jung England" (salon orch.) by Adolf Eckstein and Leo Fall. c. Feb. 18, 1914.

575. UND GRADE WENN'S AM SCHONSTEN IST
aus "Jung England" (Wiener Schrammel quartett) by Leo Fall, arr. by F. Th. Schild. c. June 9, 1914.

576. UND GRADE WENN'S AM SCHONSTEN IST
aus "Jung England" (1 singstimmen mit gitarre od. laute begleitung) by Leo Fall, Rudolph Bernauer and Ernst Welisch. c. May 20, 1914.

577. UND GRADE WENN'S AM SCHONSTEN IST
aus "Jung England" (ges. and pf.) by Leo Fall, Rudolf Bernauer and Ernst Welisch. c. Mar. 7, 1914.

578. UND ROSEN BLUHEN
(lied) by Erich J. Wolff and Elly Elisabeth Essers. c. May 17, 1910.

579. URWALDIDYL
aus "Hoheit Amusiert Sich" (klav. mit text) by Rudolph Nelson and Julius Freund. c. June 17, 1911.

580. URWALDIDYL
aus "Hoheit Amusiert Sich" (orch.) by Rudolph Nelson and J. Freund. c. June 17, 1911.

581. URWALDIDYL
aus "Hoheit Amusiert Sich" (infanterie musik) by Rudolph Nelson and Julius Freund. c. Aug. 11, 1911.

582. URWALDIDYL
aus "Hoheit Amusiert Sich" (cavallerie musik) by Rudolph Nelson and Julius Freund. c. Aug. 11, 1911.

583. VALSE MASCOTTE
(cavallerie musik) by Walter Kollo, arr. by H. Bluthgen. c. June 24, 1911.

584. VALSE MASCOTTE
(infanterie musik) by Walter Kollo, arr. by H. Bluthgen. c. June 24, 1911.

585. VALSE MASCOTTE
(orch.) by Walter Kollo, arr. by Otto Lindemann. c. Feb. 28, 1911.

586. VALSE MASCOTTE
(pf.) by Walter Kollo. c. Mar. 10, 1911.

587. VALSE PERVERSE
(ges. and pf.) by Fritz Werner and George Burghardt. c. Oct. 29, 1909.

588. VATER ZIEHT INS FELD
(salon orch.) by Rudolph Baron. c. Dec. 31, 1914.

589. VATERLANDISCHE LIEDER ZUR LAUTE ODER PIANO
by Hans Schmid-Kayser and Richard Zoozman. c. May 22, 1915.

590. VERRATENE LIEBE
(harmonie u blechmusik) by Ludwig Freund. c. Sept. 21, 1910.

591. VERRATENE LIEBE
(harmonie musik) by Ludwig Freund. c. Sept. 21, 1910.

592. VIER KINDERLIEDER
no. 1 Die Reise, no. 2 Fitzebutze, no. 3 Das grosse Karussel, no. 4 Furchtharschlimn, by Erich J. Wolff. c. July 31, 1909.

593. VIER LIEDER
by Franz Evers and Jeno Kerntler. c. July 13, 1909.

594. VIER MADCHENLIEDER.
by Erich J. Wolff and Paul Heyse. c. May 18, 1910.

595. VIOLINKONZERT
(klavierbegleitung) by Erich J. Wolff. c. July 2, 1909.

596. VIOLINKONZERT
(orch.) by Erich J. Wolff. c. Aug. 11, 1909.

597. VON VORNE, VON VORNE
(klav. mit text) by Oscar Strauss and Rideamus. c. Apr. 14, 1911.

598. VON VORNE, VON VORNE
(ges. mit klavierbegleitung) by Oscar Strauss and Rideamus. c. Mar. 21, 1911.

599. VON VORNE, VON VORNE, DA IST ER GANZ VON HORNE
(orch.) by Oscar Strauss. c. Apr. 12, 1911.

600. VON VORNE, VON VORNE
(cavallerie musik) by Oscar Strauss. c. June 1, 1911.

601. VON VORNE, VON VORNE
(infanterie musik) by Oscar Strauss. c. June 1, 1911.

602. VON ZWOLF BIS FRUH UM SIEBEN
(ges. and pf.) by Rudolph Nelson and Julius Freund. c. June 1, 1911.

603. VOR DER SCHLACHT
(eine mittlere stimme u pf.) by James Simon and Kurt Munzer. c. June 14, 1915.

604. VORWARTS FREUNDERL FOLGE MIR
(ges. and pf.) by Martin Knopf and Louis Taufstein. c. July 8, 1911.

605. WACHT (DIE) IN DEN LUFTEN
op. 107 (eine singstimme u klav.) by W. Aletter and Heinrich Ziers. c. Apr. 19, 1915.

606. WAHRSAGERIN (DIE)
(klav.) by Erich Fischer. c. Sept. 20, 1916.

607. WANDERER'S SONG
(men's cho. and pf.) by Frederick Delius and Arthur Symons. c. May 5, 1910.

608. WANDERVOGEL (DER)
(sop. alto u pf.) by Julius Edgar Schmock and Elfriede Schmock. c. Dec. 17, 1915.

609. WAS DAS LOCKENDE LEBEN BRINGT
aus "Die Schone Cubanerin" (pf.) by Max Gabriel, arr. by J. Clement c. July 23, 1914.

610. WAS DIE WANDERVOGEL SINGEN
(pf. mit text) by C. Morena. c. May 29, 1914.

611. WAS DIE WANDERVOGEL SINGEN
potpourri (Blechmusik) by C. Morena. c. June 26, 1914.

612. WAS DIE WANDERVOGEL SINGEN
potpourri (harmonie musik) by C. Morena. c. June 26, 1914.

613. WAS IST'S WAS UNS SO FROHLICH MACHT
(ges. and pf.) by Ellen Kullmann. c. Oct. 26, 1910.

614. WAS LIEGT BEI LEHMANN UNTERM APFELBAUM
(cavallerie musik) by Walter Kollo. c. June 1, 1911.

615. WAS LIEGT BEI LEHMANN UNTERM APFELBAUM
(infanterie musik) by Walter Kollo. c. June 1, 1911.

616. WAS LIEGT BEI LEHMANN UNTERM APFELBAUM
(orch.) by Walter Kollo. c. Oct. 28, 1910.

617. WAS LIEGT BEI LEHMANN UNTERM APFELBAUM
(ges. and pf.) by Walter Kollo and O. A. Alberts. c. Oct. 26, 1910.

618. WAS LEIGT BEI LEHMANN UNTERM APFELBAUM
(salon orch.) by Walter Kollo, arr. by H. Worch. c. Oct. 26, 1910.

619. WAS MEIN BRUDER SANG
(ges. and pf.) by Waldemar Wendeland and Friedel. c. Nov. 4, 1914.

620. WASCHETAG (DER)
(ges. and pf.) by Albert Lortzing, arr. by E. Fischer. c. July 16, 1914.

621. WEESTE NOCH WIE DUNNEMALSS
aus "Unsere Feldgrauen" (salon orch.) by Robert Winterberg and Artur Lokesch. c. Mar. 22, 1915.

622. WEESTE NOCH WIE DUNNEMALSS ROSENTHALEN TOR
aus "Unsere Feldgrauen" (ges. and pf.) by R. Winterberg and Artur Lokesch. Nov. 4, 1914.

623. WEM DANK ICH DAS
aus "Robins ende" (lied) by Edward Kunnecke and M. Moris. c. Dec. 22, 1909.

624. WENN DER BRAUTIGAM MIT DER BRAUT
(cavallerie musik) by Walter Kollo, arr. by H. Worch. c. June 17, 1911.

625. WENN DER BRAUTIGAM MIT DER BRAUT
(infanterie musik) by Walter Kollo, arr. by H. Worch. c. June 17, 1911.

626. WENN DER BRAUTIGAM MIT DER BRAUT
(ges. and pf.) by Walter Kollo and F. W. Hardt. c. Dec. 3, 1910.

627. WENN DER BRAUTIGAM MIT DER BRAUT
(orch.) by Walter Kollo, arr. by H. Worch. c. Mar. 6, 1911.

628. WENN DER BRAUTIGAM MIT DER BRAUT
(salon orch.) by Walter Kollo. c. Mar. 7, 1911.

629. WENN DER KUCKUCK SCHREIT
(klav.) by Rudolph Nelson and Julius Freund. c. Aug. 12, 1911.

630. WENN IM FRUHLING DIE BLUMEN BLUHN
(salon orch.) by Rudolph Nelson. c. Dec. 30, 1915.

631. WENN PETRUS BATTEN MACHT
aus "Der Brettlkonig" (klav.) by Walter Kollo and Rudolph Schanzer. c. Dec. 30, 1911.

632. WENN WIR MARSCHIEREN
(eine singstimme mit klavierbegl) by Gustav Lazarus and Richard Zoozmann. c. July 15, 1915.

633. WER IST DENN HEUT NOCHTREU
aus "Jung England" (1 oder 2 singstimme mit klavierbegl) by Leo Fall. c. Mar. 7, 1914.

634. WER WAGT GEWINNT
(klav. mit uberlegtem text) by Martin Knopf and Louis Taufstein. c. July 8, 1911.

635. WIE DIE PFLANZE WELKE (and) AM HIMMELSTOR
(ges. and pf.) 1. by Manfred Gurlitt and H. Bang, 2. by O. F. Meyer. c. Apr. 7, 1910.

636. WIE IST'S GEFAHRLICH JUNG ZU SEIN
aus "Robin's ende" (lied) by Edward Kunneke and Maximilian Moris. c. Dec. 22, 1909.

637. WIEDERSEHN (Ein)
(ges. and pf.) by Rudolph Nelson and O. A. Alberts. c. Nov. 21, 1910.

638. WIEGENLIED
op. 25, no. 3, by Erich J. Wolff and Detlev von Liliencrom. c. May 20, 1910.

639. WIEGENLIED
(ges. and pf.) by Hedwig Grosse. c. Dec. 17, 1915.

640. WIENER (DER) WALZER
aus "Der Liebe Pepi" (salon orch.) by Walter W. Goetze, Dr. Bruno Decker and Otto Sprinzel. c. Mar. 22, 1915.

641. WIENER (DER) WALZER
aus "Der Liebe Pepi" (ges. and pf.) by Walter W. Goetze, Dr. Bruno Decker and Otto Sprinzel. c. Mar. 9, 1915.

642. WIR DEUTSCHEN FURCHTEN GOTT
(pf.) by Rudolph Reich. c. Sept. 18, 1915.

643. WIR DEUTSCHEN FURCHTEN GOTT
(militar musik) by Rudolf Reich. c. Oct. 30, 1915.

644. WIR DEUTSCHEN FURCHTEN GOTT
(orch.) by Rudolf Reich. c. Dec. 30, 1915.

645. WIR DEUTSCHEN FURCHTEN GOTT
(salon orch.) by Rudolf Reich. c. Dec. 30, 1915.

646. WIR SIND DIE APACHEN DER LIEBE
(ges. and pf.) by Rudolph Nelson and Julius Freund. c. May 17, 1911.

647. WIR SIND DIE MACS, DIE EDLEN MACS
aus "Miss Dudelsack" (lied) by Rudolph Nelson, F. Grunbaum and H. Reichert. c. Sept. 3, 1909.

648. WIR TANZEN RINGELREIHN
aus "Dollarprinzessin (Die)" (woldzither mit text) by Leo Fall. c. Sept. 21, 1910.

649. WISSEN SIE NOCH
(ges. and klav.) by Martin Knopf, Erich Urban and Louis Taufstein. c. Jan. 13, 1911.

650. WISSEN SIE NOCH
(orch.) by Martin Knopf. c. Jan. 13, 1911.

651. YANKEE DOODLE (DAS) MADEL
aus "Der Susse Doktor" (lied) by Henry Bender and Walter Kollo. (c. Dec. 22, 1909.

652. YANKEE DOODLE (DAS) MADEL
aus "Der Susse Doktor" (orch.) by Walter Kollo. c. Dec. 22, 1909.

653. ZEHN LIEDER
op. 24 (ges. and pf.) by Erich J. Wolff and Gottfried Keller. c. May 27, 1910.

654. ZSBRAND
(streichquintette) by Cornielie von Oosterzee. c. Dec. 22, 1909.

655. ZU MEINEM BILDE
op. la (eine singstimme u klavierbegl) by Heinrich Rysling and Ernst Goll. c. Feb. 25, 1916.

656. ZURUCK ZUR NATUR
(klav.) by Erich Fischer. c. Sept. 20, 1916.

657. ZWEI LIEDER VOM GLUCK
(ges. and pf.) by A. Perleberg, Schellenberg and Casar Flaischlen. c. Nov. 30, 1915.

658. ZWEI (DIE) SCHMIEDE
(mannerchor) by August Richard and Max Schneckenburger. c. Apr. 15, 1915.

The musical copyright entries we found recorded in the period from 1927 to 1937 follow:

Period 1927–April 1, 1937

1. JUGEND IM MAI
(klav.) by Leo Fall, Rudolph Schanzer and Ernst Welisch. c. Apr. 21, 1927.

2. RHEINLANDER
potpourri (pf.) by Carl Robrecht. c. May 16, 1931.

3. THRON ZU VERGEBEN
burleske op. in drei akten (klavierauszug mit text) by Bert Witmann, August Neidhardt, Dr. Fritz Huhne and Ruth Feiner. c. Dec. 15, 1931.

1932–April 1, 1937

No copyright entries found.

An examination of the assignment records of the United States Library of Congress disclosed certain assignments which were made by HARMONIE VERLAG to the SESAC, and which are recorded in the United States Library of Congress. Copies of these assignments, marked Exhibits 75 to 78 inclusive, are attached to and made a part of this report.

It will be observed that only 3 copyright entries have been recorded during the last 10 years and none since 1931.

The music contained in this catalogue may be described as German popular music, light operatic and musical comedy selections of the world-war and pre-world-war periods.

The demand for popular music is created by constant repetition, and the ability of the listener to associate the words and the music. The value of the German popular music contained in this catalogue, therefore, may be appraised by reference to the titles of the selections among which will be found the following:

"HOCH! PRINZ LEOPOLD"
"HINDENBURG, DER BEFREIER" (The Liberator)
"SUFFRAGETTEN MARSCH"
"DIE PREUSSISCHE DISCIPLIN"
"HURRAH DER KAISER KOMMT"

Hearst Music Publishing Company of Canada, Ltd.

Winnipeg, Canada

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of HEARST MUSIC PUBLISHING COMPANY, Winnipeg, Canada, listed in the SESAC brochure dated June 1, 1936, as a publisher or organization included under its license.

Period 1870–1921

No copyright entries found.

Period 1922–1924

The following list:

1. ALL THE WORLD LOVES A BEAUTIFUL ROSE
   (song) by Frank Stairs. c. July 14, 1924.
2. ALWAYS LOOKING FOR A LITTLE SUNSHINE
   (song) by John Anderson and Joe Hearst. c. Apr. 2, 1923.
3. AS LONG AS THE WORLD ROLLS AROUND
   (song) by H. Berk and C. E. Bridwell. c. Nov. 25, 1920.
4. AS YOU WERE STILL YOU ARE AND ALWAYS WILL BE
   (song) by Frank Bannister and Gerard Schaffer. c. Oct. 27, 1924.
5. BEAUTIFUL ROSE
   (song) by John Anderson and Joe Hearst. c. Jan. 22, 1923.
6. BECAUSE
   (song) by John Anderson and Joe Hearst. c. May 23, 1924.
7. BETTER KEEP AWAY FROM ME
   (song) by Frank Bannister, Wm. Hard and H. A. Silvers. c. Sept. 19, 1924.
8. BOBBED HEAD
   (song) by Herman Kahn, Hampton Durand and Evans Lloyd. c. Sept. 19, 1924.
9. BRINGING HOME THE BACON
   (song) by Frank Bannister, Lew Colwell, Gus Van and Joe Schenk. c. May 23, 1924.
10. BROKEN DREAMS
    (song) by Saul Crane, Nelson Chon and Frank Westphal. c. June 4, 1924.
11. BROKEN HEART
    (song) by John Anderson and Joe Hearst. c. Nov. 27, 1922.
12. DANSOPATION
    (pf.) by Martin K. Mortensen. c. Nov. 26, 1923.
13. FORGET ME NOT MEANS REMEMBER ME
    (song) by Art Conrad, Henry Hamburg and Frank Gillen. c. Feb. 2, 1924.
14. GINNY
    (song) by John Anderson and Joe Hearst. c. Oct. 14, 1923.
15. HOME MY LOVIN' DIXIE HOME
    (song) by Joe Hearst and John Anderson. c. Jan. 22, 1923.
16. HONEY BROWN EYES
    (song) by Florence B. Fink and Joe Hearst. c. June 23, 1922.
17. HONEY BROWN EYES
    (song) by Florence B. Fink and Joe Hearst. c. Nov. 17, 1923.
18. I LOVED HER BUT SHE MOVED AWAY
    (song) by Leo Terry. c. Nov. 5, 1924.
19. I'M FALLING IN LOVE WITH THE SHADOW OF THE GIRL NEXT DOOR
    (song) by Fred Rose. c. Feb. 2, 1924.
20. I NEVER HAD SUCH A WONDERFUL PAL AS YOU
    (song) by Frank Stairs. c. July 14, 1924.
21. IF I HAD THE KEY TO THE DOOR OF YOUR HEART
    (song) by Frank Bannister & Gerard Schaffer. c. Oct. 27, 1924.
22. IF I HAD YOU
    (song) by Joe Hearst and John Anderson. c. July 30, 1923.
23. IN A WONDERFUL WORLD OF OUR OWN
    (song) by Roger Lewis and Joe Hearst. c. May 23, 1924.
24. IN BABY'S SMILE
    (song) by Jesse Lloyd and Joe Hearst. c. July 12, 1922.
25. IN THE LAND OF SWEET SIXTEEN
    (song) by Geo. W. Meyer. c. June 23, 1922.
26. IN THE LAND OF SWEET SIXTEEN
    (song) by Geo. W. Meyer. c. Oct. 11, 1923.
27. IRELAND, DEAR IRELAND
    (ballad) by Ward Ireland and Joe Hearst. c. Mar. 23, 1922.
28. IT'S ALWAYS PA OR MA
    (song) by John Anderson and Joe Hearst. c. Mar. 16, 1922.
29. JUNE
    (song) by Jerry Sullivan. c. May 23, 1924.
30. Just A LITTLE GOLD WATCH & CHAIN
    (song) by Jesse Lloyd and Joe Hearst. c. Apr. 28, 1928.
31. JUST A LITTLE LULLABY
    (song) by Joe Hearst, Chas. Harrison and Bill Davis. c. July 30, 1923.
32. LITTLE PUG NOSE
    (song, pf. & uke) by Frank Bannister & Gerard Schaffer. c. Oct. 22, 1924.
33. LONESOME TWO
    (song) John Anderson and Joe Hearst. c. Mar. 24, 1923.
36. LOVE IS LOVE FOREVER
    (song) by Florence B. Fink and Joe Hearst. c. Nov. 27, 1922.
37. LOVERS LANE IS A LONESOME TRAIL
    (song) by Ernie Loos, Billy Loos and Roger Lewis. c. Jan. 7, 1924.
38. MANY YEARS
    (song) by John Anderson and Joe Hearst. c. Mar. 23, 1922.
39. MOTHER MY OWN
    (song) by Joe Hearst. c. Nov. 27, 1923.
40. MY DREAM MOON
    (song) by John Anderson and Dan A. Russo. c. Mar. 5, 1924.
41. MY DREAM MOON
    (song) by John Anderson and Dan A. Russo. c. Mar. 14, 1924.
42. MY HEART WANTS LOVE AND YOU
    (song) by John Anderson and Willie Eckstein. c. Jan. 7, 1924.
43. ONLY A BUTTERFLY
    (song) by Clyde Hager and Jerry Sullivan. c. Dec. 15, 1923.
44. PIANO DREAMS
    (pf.) by Joe Hearst. c. Nov. 27, 1922.
45. POOR LITTLE MAME
    (song) by Sam Goold. c. May 23, 1924.

46. ROCK-A-BYE BABY AND YOU
(song) by Frank Stairs. c. July 24, 1924.

47. SHE'S GOT ANOTHER DADDY
(song) by Joe Hearst. c. Mar. 24, 1923.

48. SOME ONE LIKE YOU
(ballad song) by Edmund Vance Cook and Clay Smith. c. Oct. 11, 1923.

49. SOME DAY YOU'LL CRY OVER SOMEBODY ELSE
(song) by Robert H. Brennen and Everett J. Evans. c. Dec. 27, 1923.

50. SOMEONE ELSE TOOK YOUR PLACE IN MY HEART
(song) by Roger Lewis and Erwin R. Schmidt. c. May 23, 1924.

51. SPREAD A LITTLE GLADNESS
(song) by H. A. Saunders and F. Hutchins. c. Nov. 17, 1923.

52. STEP
(pf.) by Joe Hearst and Leon Ames. c. Dec. 22, 1922.

53. SUNSET, THE HILLS AND YOU
(song) by Russell J. England. c. Nov. 17, 1923.

54. TALLAHASSEE
(song) by Frank Bannister, Sam Goold and Dave Walters. c. Aug. 23, 1924.

55. TALLAHASSEE
(pf. and uke) by Frank Bannister, Dave Walters and Sam Goold. c. Sept. 19, 1924.

56. WAITING FOR THE RAINBOW
(song) by Albert Short and Fred Rose. c. Jan. 7, 1924.

57. WE MET, WAS IT ONLY GOOD BYE
(song) by John Anderson and Joe Hearst. c. July 12, 1922.

58. WHEN SHE TALKS ABOUT SEEING FATHER
(song) by John Anderson and Joe Hearst. c. July 30, 1923.

59. WHY CAN'T YOU GIVE ME YOUR SMILE
(song) by Ward Ireland and Joe Hearst. c. Mar. 23, 1922.

60. WONDERFUL CHILD
(song) by Joe Hearst. c. Mar. 24, 1923.

61. YOU CAN TAKE ME AWAY FROM DIXIE, BUT YOU CAN'T TAKE DIXIE FROM ME
by Roger Lewis and Fred Rose. c. Dec. 15, 1923.

62. YOU'LL NEVER KNOW, DADDY, HOW I LOVE YOU
(song) by Dave Vance. c. July 12, 1922.

Period 1925–April 1, 1937

No copyright entries found.

The HEARST MUSIC PUBLISHING COMPANY OF CANADA, LTD., is owned by the M. M. Cole Publishing Company. The acquisition of the HEARST MUSIC PUBLISHING COMPANY OF CANADA, LTD., by the M. M. Cole Publishing Company involves numerous assignments which we found of record in the United States Library of Congress. These assignments, marked Exhibits 79 to 82 inclusive, are attached to and made a part of this report.

Included in the above list of musical selections which were copyrighted in the period 1922 to 1924 are the following: Broken Dreams by Frank Westphal, In the Land of Sweet Sixteen by George W. Meyer, In a Wonderful World of Our Own, Lovers Lane is a Lonesome Trail and You Can Take Me Away from Dixie But You Can't Take Dixie from Me, by Roger Lewis, My Dream Moon by Dan A. Russo, Poor Little Mame and Tallahassee by Sam Goold, Someone Else Took Your Place in My Heart by Roger Lewis and Erwin R. Schmidt, and Some One Like You by Clay Smith. The composers or authors mentioned in this listing are all identified as members of the ASCAP in the June 1, 1925 ASCAP directory. It is important to note that these individuals are also named as members of the ASCAP in the January 1, 1936 ASCAP directory.

The complications arising out of the fact that several of the authors and composers of selections in this catalogue are members of the ASCAP are discussed in the foreword of this report.

Leon Idzikowski

Warsaw, Poland

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of LEON IDZIKOWSKI, Warsaw, Poland, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1870–1931

No copyright entries found.

Period 1932–April 1, 1937

The following list:

1. A MOZE PRZYJDZIESZ DZISIAT DO MNIE
   by Z. Wiehlera and W. Krystjana. c. Dec. 22, 1932.
2. BARKAROLA MILOSCI
   (piesn) by J. Petersburski and A. Wlast. c. Feb. 27, 1936.
3. BARKAROLA MILOSCI
   (ork. strony) by J. Petersburski, arr. by J. Wesby. c. Feb. 27, 1936.
4. BO MILOSC ZJAWIA SIE NAGLE
   by M. Jaworski and J. Wrzas. c. Sept. 11, 1933.
5. BRYDZ, TANGO ARGENTYNSKIE
   (piesn) by St. Ferszko and L. Brodzinski c. Nov. 22, 1934.
6. DLACZEGO
   (tango) by Z. Lewandowski and W. Gena. c. Dec. 3, 1934.
7. DOBRANOC, DOBRANOC
   by J. Krzewinski, St. Ferszko and L. Brodzinski. c. Dec. 8, 1934.
8. DUSZE RWIE TESKNOTA
   (tango) by Z. Karasinski and L. Szmaragd. c. Nov. 30, 1933.
9. ECIE-PECIE
   by Z. BIALASTOCKI. c. Nov. 4, 1935.
10. FALE DUNAJU
   (pf.) by L. Szmaragd and I. Ivanovici. c. Dec. 30, 1935.
11. GDY MROK ZAPADA
   by St. Ferszko, J. Krzewinski and L. Brodzinski. c. Dec. 8, 1934.
12. JEZELI KOCHAC TO TYLKO CIEBIE
   by S. Kataszka and L. Szmaragd. c. Dec. 8, 1934.
13. KACIK
   (ork. strony) by L. Kwiecinski and W. Rychter. c. Feb. 27, 1936.
14. KADEMU WOLNO KOCHAC
   by E. Schlechter, Z. Karasinski and S. Kataszka. c. Nov. 6, 1933.
15. KIELISZEK CZYSTEJ WODKI (and) MELODJA SERC
   (ork. strony) (1) by Marjanowski and Andy Kitschman; (2) by J. Krzewinski, Fanny Gordon and L. Brodzinski; 1 and 2 arr. by Wl. Eiger. c. Nov. 29, 1933.
16. KIELISZEK CZYSTEJ WODKI
   (piesn) by M. Marjanowski and Andy Kitschman. c. Dec. 15, 1933.
17. KOCHAJ
   (tango) by Adolf Kurz, arr. by Z. Bialostoski and W. Krystjan. c. Nov. 12, 1935.
18. KRES MILOSCI
   (tango) by Z. Wiehler and L. Szmaragd. c. Nov. 21, 1933.
19. KTOZ MI CIE WZIAL
   (tango) by M. Cieslakownej and Nalesz, arr. by Z. Bialostocki. c. Nov. 24, 1934.
20. KUJAWIAKI I OBEREK
   by T. Kwiecinski. c. Nov. 14, 1933.
21. MALOWANE USTA MALOWANE BRWI
   (piesn) by A. Bayman and W. Elektorowicz. c. Nov. 3, 1933.
22. MALOWANE USTA MALOWANE BRWI (and) POWIEDZ, ZE WROCISZ
   (ork. strony) 1. by A. Bayman, W. Elektorowicz and Z. Drabika; 2. by J. St. Bartlewicz and M. Jaworski. c. Nov. 3, 1933.
23. MORZE I MILOSC (and) INDJE
   (ork. strony) 1. and 2. by Fanny Gordon, J. Krzewinski and L. Brodzinski; 1. and 2. arr. by Wl. Eiger. c. Aug. 22, 1933.
24. MORZE I MILOSC
   (piesn) by Fanny Gordon, J. Krzewinski and L. Brodzinski. c. Aug. 22, 1933.
25. NIE WARTO
   (piesn) by Henry Wars and K. Tom. c. Nov. 3, 1933.
26. NIE WARTO (and) TO WSZYSTKO UMIEN JA
   (ork. strony) 1. and 2. by Henry Wars and K. Tom. c. Nov. 3, 1933.
27. NIGDY CIE NIE ZAPOMNE
   by St. Ferszko, J. Krzewinski and L. Brodzinski. c. Dec. 3, 1934.
28. PERLA GRENADY
   (piesn) by F. Gordon and St. Mara. c. Nov. 3, 1933.
29. PERLA GRENADY (and) PO TYM WALCZYKU SWE SERCE DASZ
   (ork. strony) 1. by F. Gordon and St. Mara; 2. by J. Petersburski and L. Szmaragd; 1. and 2. arr. by Wl. Eiger. c. Nov. 3, 1933.
30. PO TYM WALCZYKU SWE SERCE DASZ
   (piesn) by J. Petersburski and L. Szmaragd. c. Nov. 3, 1933.
31. POLNOC WYBILA
   by J. Swidler and St. Mara. c. Nov. 6, 1933.
32. POWIEDZ ZE WROCISZ
   (piesn) by M. Jaworski and J. St. Bartlewicz. c. Nov 3, 1933.
33. REVERIE
   by W. Prisowski. c. Nov. 14, 1935.
34. SAM NA SAM
   by Z. Karasinski, S. Kataszka and E. Schlechter. c. Dec. 13, 1933.
35. SERCE MATKI
   by Z. Karasinski, S. Kataszka, and Lud. Szmaragd. c. Oct. 25. 1933.
36. TO TANGO NIERAZ CI PRZYPOMNI
   by M. Julski and T. Stach. c. Nov. 14, 1933.
37. TO WSZYSTKO UMIEM JA
   (piesn) by H. Wars and K. Tom. c. Nov. 3, 1933.
38. TRZECIA SZUMKA UKRAINSKA
   op. 52, (pf.) by M. Zawadzki. c. Dec. 30, 1935.

39. TWE OCZY
by Wl. Eiger and M. Iks'a. c. Dec. 13, 1933.

40. TY ALBO ZADNA
by J. Petersburski and L. Szmaragd, arr. by Ol-Icz. c. Dec. 22, 1932.

41. WIOSNA
op. 13, (orch.) by S. Kataszka and L. Szmaragd. c. Oct. 5, 1933.

42. WIOSNA (and) KOLYSANKA
(orch.) 1. by S. Kataszka, 2. by L. Szmaragd and Z. Karasinski. c. Oct. 5, 1933.

43. ZA JEDNA NOC
(orch.) by Z. Karasinski and W. Jastrzebca. c. Dec. 8, 1932.

44. ZAL
op. 10, no. 3 by I. Tiumieniewa. c. Nov. 6, 1935.

45. ZGADNIJ
(tango) by K. Wirskiej and W. Jastrzebca, arr. by Wl. Eiger. c. Dec. 13, 1933.

46. ZRANIONY ORZEL
op. 102 (pf.) by W. A. Prisowski. c. Dec. 30, 1935.

47. ZULEJKA
(piesn) by W. Krystjan and M. Openheim, arr. by J. Bialostocki. c. Nov. 12, 1935.

48. ZWIEDLA CHYZANTEMA
(tango) by Jerzy Warrens and Wachlaw Stepien. c. Nov. 17, 1935.

An examination of the assignment records of the United States Library of Congress disclosed certain assignments which were made by LEON IDZIKOWSKI to the SESAC. Copies of these assignments, marked Exhibits 83 to 87 inclusive, are attached to and made a part of this report.

The vocal compositions contained in this catalog are in the Polish language and, therefore, probably have a certain performance value to those radio broadcasters who cannot operate in the public interest, convenience and necessity without using Polish music.

International Edition Musikverlag

Leipzig, Germany

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of INTERNATIONAL EDITION MUSIKVERLAG, Leipzig, Germany, listed in the SESAC brochure dated June 1, 1936, as a publisher or organization included under its license.

Period 1870–1928

No copyright entries found.

Period 1929–1930

The following list:

1. BLOND ODER BRAUN? (gesang u. pf.) by Dr. Josef Freudenthal and Rolf Flor (Dr. Max Maretski). c. April 15, 1929.
2. BLOND ODER BRAUN? (orch.) by Dr. Josef Freudenthal and Rolf Flor (Dr. Max Maretski). c. April 15, 1929.
3. MADEL, WIE DU ES BIST, DAS HATT ICH SO GERN GEKUSST (orch.) by Will Rollins and Egon Schubert, arr. by Hartwig Von Platen. c. Aug. 8, 1930.
4. MEIN SCHATZ IST BRAUN WIE SCHOKOLODE (orch.) by Dr. Josef Freudenthal, Rolf Flor (Dr. Max Maretski), and R. Rillo, arr. by Fred Ralph (Herman Krome). c. April 15, 1929.
5. MEIN SCHATZ IST BRAUN WIE SCHOKOLODE (gesang u. pf.) by Dr. Josef Freudenthal, Rolf Flor (Dr. Max Maretski), and R. Rillo. c. April 15, 1929.
6. MEINE KONIGIN (lied) by Erik Meyer-Helmund. c. Oct. 1, 1929.
7. MIT DIR MOCHT ICH ZIEHN BIS ANS ENDE DER WELT (orch.) by Dr. Josef Freudenthal and Richard Rillo, arr. by Hartwig Von Platen. c. April 15, 1929.
8. MIT DIR MOCHT ICH ZIEHN BIS ANS ENDE DER WELT (gesang u. pf.) by Dr. Josef Freudenthal and Richard Rillo. c. April 15, 1929.
9. NA ALSO MARIE (gesang u. pf.) by Joe Joyce (Dr. Josef Freudenthal) and Nik Zeram (Dr. Max Maretski). c. April 15, 1929.
10. NA ALSO MARIE (orch.) by Joe Joyce (Dr. Josef Freudenthal) and Nik Zeram (Dr. Max Maretski), arr. by Hartwig Von Platen. c. April 15, 1929.
11. PATIENCE (orch.) by Joe Joyce (Dr. Josef Freudenthal) and R. Flor (Dr. Max Maretski), arr. by Hartwig Von Platen. c. April 15, 1929.
12. PATIENCE (gesang u. pf.) by Joe Joyce (Dr. Josef Freudenthal) and R. Flor (Dr. Max Maretski), arr. by Hartwig Von Platen. c. April 15, 1929.
13. TRINKEN, DAS KUSSEN, DAS HAT SEINEN GRUND (gesang u. pf.) by Dr. Josef Freudenthal and Nik Zeram (Dr. Max Maretski). c. April 15, 1929.
14. TRINKEN, DAS KUSSEN, DAS HAT SEINEN GRUND (orch.) by Dr. Josef Freudenthal and Nik Zeram (Dr. Max Maretski), arr. by Bernhard Egg. c. April 15, 1929.
15. SING MIR NOCH EINMAL DAS LIED JENER NACHT (lied) by Will Rollins and Fred Barny. c. Nov. 4, 1929.
16. SING MIR NOCH EINMAL DAS LIED JENER NACHT (orch.) by Will Rollins and Fred Barny, arr. by Hartwig Von Platen. c. Nov. 4, 1929.
17. WENN EIN SUSSES MADEL TRAUMT, DANN WECK SIE NICHT (orch.) by Willy Rosen and Kurt Schwabach, arr. by Hartwig Von Platen. c. Oct. 1, 1929.
18. WENN EIN SUSSES MADEL TRAUMT, DANN WECK SIE NICHT (lied) by Willy Rosen and Kurt Schwabach. c. Oct. 1, 1929.

Period 1931–April 1, 1937

No copyright entries found.

It will be observed that we failed to find any copyright entries subsequent to 1930.

An examination of the assignment records of the United States Library of Congress disclosed an assignment which was made by INTERNATIONAL EDITION MUSIKVERLAG to the SESAC. A copy of this assignment, marked Exhibit 88, is attached to and made a part of this report.

It will be observed that the assignment made by INTERNATIONAL EDITION MUSIKVERLAG to the SESAC does not include the title "Meine Konigin."

All of the compositions contained in this catalog are of the "popular music" classification, and the lyrics of the vocal compositions are in German.

The demand for popular music is created by constant repetition, and the ability of the listener to associate the words and the music. On this basis, broadcasters may refer to the musical compositions contained in this catalog, and appraise their value for use in building radio programs for American radio listeners.

Information from a reliable source shows that this firm has been dissolved and taken over by the firm of ROBERT FORBERG. The repertory of ROBERT FORBERG, as represented in this country by the SESAC, is discussed in this report.

Jastrzab

Warsaw, Poland

An examination of the musical copyright entries in the United States Library of Congress credited to JASTRZAB required an examination also of the copyright entries credited to EDITION JASTRZAB (I. Rzepecki) and Walery Rudnicki. The association of Walery Rudnicki results not from any information from the SESAC, but from information received from a reliable source to the effect that the "Sales rights in Poland for the publication of 'Edition Jastrzab' and 'Edition W. J. R.' are in the hands of Mr. Rzepecki; the publisher of the above being Mr. Walery Rudnicki."

This examination, as of April 1, 1937, disclosed the following entries under the name of JASTRZAB, 1 Krak. Przedmiescie, Warsaw, Poland, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1870–1933

No copyright entries found.

Period 1934–April 1, 1937

The following list:

1. CZYWIESZ CO TO JIST
   (piesn) by J. Rosner and W. Krystjan. c. Dec. 20, 1934.
2. GDY ZAKOCHASZ SIE WE MNIE
   (tango piesn) by M. Wroblewski and L. Starski. c. Dec. 20, 1934.
3. LILI
   (tango piesn) by Ch. Wolkowyski and Walerego Jastrzebca. c. Dec. 23, 1935.
4. MOJA NATASZA
   (piesn) by Z. Bialostocki and Wiktor Krystjan. c. Dec. 30, 1933.
5. NIE BEDZIESZ ZE MNIE DRZWIL
   Tango (piesn) by J. Haftman and W. Jastrzebca. c. Dec. 23, 1935.
6. ON, CZY JA
   Tango (piesn) by M. Cieslakowny and Walerego Jastrzebca, arr. by Z. Bialostocki. c. Dec. 20, 1934.
7. PRZYTUL MNIE
   Tango (piesn) by Cieslakowny and Walerego Jastrzebca, arr. by Z. Bialostocki. c. Dec. 30, 1933.
8. ROZOWY
   (piesn) by Z. Bialostocki and Walerego Jastrzebca. c. Dec. 30, 1933.
9. TO GRZECH
   Tango (piesn) by D. Beigelman and Walerego Jastrzebca. c. Dec. 20, 1934.
10. TYLKO CIEBIE MAM NA SWIECIE
   (piesn) by Z. Bialostocki and W. Jastrzeba. c. Dec. 23, 1935.
11. ZAKOCHANE OCZY
   tango (piesn) by Z. Bialostocki and L. Starski. c. Dec. 20, 1934.
12. ZAL
   tango (piesn) by J. Front, St. Ferszko and Walerego Jastrzebca. c. Dec. 30, 1933.

This examination disclosed also, as of April 1, 1937, the following copyright entries under the name of I. Rzepecki, 1 Krak. Przedmiescie, Warsaw, Poland, listed in the SESAC brochure dated June 1, 1936 as a part of JASTRZAB.

Period 1870–1934

No copyright entries found.

Period 1935–April 1, 1937

The following list:

1. ALMERI
   tango espagnole (ork strony) by Zygmunt Lewandowski and Zbigniew Maciejowski. c. Oct. 5, 1936.
2. CALY SWIAT TO NUCI
   (ork strony) by Igo Kranowski, arr. by Wl. Eiger. c. Dec. 30, 1935.
3. JAK DAWNIEJ
   tango (ork strony) by Jan. Kozlowski and Zbigniew Maciejowski, arr. by Wl. Eiger. c. Oct. 5, 1936.
4. KATIA
   tango rosyjskie (ork strony) by Zygmunt Lewandowski and B. Konskowolski, arr. by T. Czak. c. Dec. 30, 1935.
5. KOCHAM TWOJE USTA
   tango (ork strony) by J. Kagan and Zb. Maciejowski. c. Oct. 5, 1936.
6. OTWARTE KARTY
   tango (ork strony) by Artur Gold and Zbigniew Maciejowski. c. Oct. 5, 1936.
7. PRZESTAN
   tango (ork strony) by Fanny Gordon and Zb. Maciejowski. c. Oct. 5, 1936.
8. SZKODA NASZEJ MILOSCI
   tango (ork strony) by Zygmunt Lewandowski and Zbigniew Maciejowski. c. Oct. 5, 1936.
9. TY BYLAS SNEM
   tango (ork strony) by Fred Scher and Zenon Friedwald. c. Oct. 5, 1936.

An examination of the assignment records of the United States Library of Congress disclosed an assignment which was made by I. Rzepecki to the SESAC. A copy of this assignment, marked Exhibit 89, is attached to and made a part of this report.

The musical selections contained in this catalogue probably have a certain value to those broadcasters who cannot operate in the public interest, convenience and necessity without the use of this type of Polish music.

Jewel Music Publishing Co.

New York, N. Y.

An examination of the musical copyright entries of the United States Library of Congress as of April 1, 1937 disclosed the following entries in the name of the JEWEL MUSIC PUBLISHING CO., New York City, which is listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license:

Period 1870–1935

No copyright entries found.

Period 1936–April 1, 1937

The following list:

1. CARNIVAL IN COTTON TOWN
   song (guitar) by Louis Ricca and J. Loman. c. Dec. 30, 1936.
2. GEE I WISH I KNEW
   song (uke and guitar) by L. Ricca, W. Lackenbauer, and R. Sterling. c. Sept. 3, 1935.
3. GOOD OLD MOON
   (song) by L. Ricca, W. Lackenbauer, A. B. and R. Sterling. c. Feb. 13, 1936.
4. I LIKE TO SING THE OPERY
   song (guitar) by Mike Mikita and Mac Benoit. c. Feb. 27, 1936.
5. I'LL FOLLOW MY HEART STRINGS
   song (guitar) by Harold Fonville and Aaron Foster, c. Feb. 27, 1936.
6. I'M HOLDING THE WORLD IN MY ARMS
   song (uke) by A. B. and R. Sterling, L. Ricca and W. Lackenbauer. c. Feb. 13, 1936.
7. In OLD HOLLAND
   song (guitar) by Charles J. Sinning, Nat Brusiloff, and Raymond Leveen. c. Dec. 30, 1936.
8. IS THAT GRATITUDE
   song (guitar) by Marjorie Harper, Kay Twomey and Bill Livingston. c. Feb. 27, 1936.
9. MILLION DREAMS FROM NOW
   song (uke) by R. Sterling and Wm. Lackenbauer. c. Feb. 13, 1936.
10. MY HEARTS ON STRIKE
    song (guitar) by W. J. Kastor, Fred Patten, and Gerald Marqusee. c. June 18, 1936.
11. NEVER
    song (guitar) by L. Ricca and Jules Loman. c. Dec. 30, 1936.

We call attention to the fact that in the case of the selections entitled "I'm Holding the World in My Arms," and "Good Old Moon," one of the composers, namely A. B. Sterling, is listed in the ASCAP Directory (1931 and 1936 Editions) as a member of the ASCAP. A discussion of this complication appears in the foreword of this report.

Henryk Lebendiger

Warsaw, Poland and Buenos Aires, Argentina

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, failed to disclose any copyrights in the name of HENRYK LEBENDIGER, Warsaw and Buenos Aires, who is listed in the SESAC brochure dated June 1, 1936, as a publisher or organization included under its license.

The identity of HENRYK LEBENDIGER was disclosed to us in our investigation of EDITIONS FERMATA. Information obtained from a reliable source shows that the firm of HENRYK LEBENDIGER and EDITIONS FERMATA are one and the same firm.

A report dated February 5, 1937, shows that Mr. Lebendiger moved to Buenos Aires, Argentina, about the middle of 1936 and set himself up there as a publisher of local orchestral and popular sheet music. Also, according to advices, he republishes American music, and is in contact with European music houses as well.

Since EDITIONS FERMATA and HENRYK LEBENDIGER are one and the same, and since we failed to find any copyright entries credited to LEBENDIGER, the inclusion of LEBENDIGER in the SESAC brochure should not be construed as a separate publisher or organization.

Master Music Makers

Portland, Oregon

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of MASTER MUSIC MAKERS, Portland, Oregon, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

The melodies to practically all of the musical selections contained in this catalogue were written by Sylvester Long Cross; and it is our belief, based on the information contained in Exhibit 37, which is attached to and made a part of this report, that the lyrics of this music are the works of amateur "song poem" writers.

An examination of the musical copyright entries of the Library of Congress also disclosed more than 1300 entries in the name of Sylvester Long Cross, each identifying an unpublished work. In almost all cases, the melody has been written by Sylvester Long Cross and, in most instances the words are credited to a different person.

Moreover, the copyright entries of the Library of Congress are the basis for our belief that Sylvester Long Cross is identified also with Cross & Winge, Inc., MASTER MUSIC MAKERS, and Cross Publishing Company, as the address of each of these is given as 607 Studio Building, Portland, Oregon; and the information contained in Exhibit 38 is the basis for our belief that Sylvester Long Cross is identified with the MMM Publishing Company of the same address.

Period 1870–1933

No copyright entries found.

Period 1933–April 1, 1937

The following list:

1. ALBUM OF NEW RADIO FAVORITES NO. 2
   (songs with uke arr.) by Sylvester Long Cross and others. c. Mar. 21, 1934.
2. ALBUM OF NEW RADIO FAVORITES NO. 3
   (songs with uke arr.) by Sylvester Long Cross and others. c. Jan. 10, 1935.
3. ALBUM OF NEW RADIO FAVORITES NO. 5
   (songs with uke arr.) by Sylvester Long Cross, words by Vern Grinde and others. c. Nov. 16, 1935.
4. ALBUM OF NEW RADIO FAVORITES NO. 6
   (songs with guitar arr.) by Sylvester Long Cross, words by C. G. Gage and others. c. Dec. 20, 1935.
5. ALBUM OF NEW RADIO FAVORITES NO. 4 AND 20 BEAUTIFUL NEW SONGS
   (songs with guitar arr.) by Sylvester Long Cross, words by Geo. Turner and others. c. Mar. 10, 1935.
6. ALBUM OF NEW RADIO FAVORITES
   (20 songs with arrangements for guitars, etc.) by Russ O. Molray and others. c. Nov. 23, 1936.
7. FOR SERVICES RENDERED
   (song-uke arr.) by Sylvester Long Cross, Matt Howard, words by Paul Yazolino. c. Nov. 29, 1934.
8. KINKY HEAD
   (song-uke arr.) by Sylvester Long Cross, Matt Howard, words by Clara Cromwell Wright. c. Oct. 30, 1934.

The "Albums of New Radio Favorites" have been examined and the various titles contained therein are set forth below. When indicated, the address of the author has been included.

ALBUM NO. 1

ROMANCING
by Agnes E. Wright, 2057 E. Burnside, Portland, Ore.
NEVA
by James Robinson (address not found).
LET ME DRIFT OFF TO SLEEP
by James Dierickx (address not found)
I'VE GOT TO HAVE YOU
by Levi C. Chapiewsky (address not found).
THERE WON'T BE NEARLY YEARS ENOUGH
by Norell Hobson (address not found).
WILL YOU LOVE ME?
by S. Rose Mill, 911 10th St. S., Nampa, Idaho.
MY WESTERN ROSE
by Jessie Belknap, Camas, Wash.
THAT LITTLE GIRL FRIEND OF MINE
by George Anderson (address not found)
I SIT ALONE
by Wm. Herbert Grabeel, box 4622, Sellwood Station, Portland, Ore.
WHEN I'M WITH YOU I'M IN CHARMLAND
by Jack A. Costello and R. D. Vann, 339 N. 3rd St., Douglas, Wyo.
DREAMY ISLE
by Jessie Belknap (address not found)
SMILING MEMORY SEA
by Birdie Kanary, Odell, Ore.
SETTLE DOWN MY BOY
by A. M. Lysted (address not found).
WHAT DOES IT MATTER NOW?
by Marie E. Fredrickson (address not found).

MY LOVE IS TRUE
Eveline Myrtle Miller (address not found)

THE CABIN 'NEATH THE OLD PINE TREE
by Fay E. Ive (address not found).

WAITING FOR ME
by Alice Jagger (address not found)

MY PRAIRIE WILD FLOWER
by Jack Costello (address not found).

WHEN I THINK OF YOU
by S. Kage (address not found).

I'M DRIVING THE BLUES AWAY
by Leonard B. Brant (address not found).

ALBUM NO. 2

WALTZING WITH YOU
by H. E. Nye, Route 1, Box 224, Clackamas, Ore.

UNDER THE LOVERS MOON
by Stanley L. Williams, 724 E. 13th St., Erie, Pa.

WHERE HAVE YOU BEEN?
by Leon Anderson, 857 Wheeler St., Cadillac, Mich.

CALLING TO YOU
by Jeanette Mullins, 416 W. 6th Ave., Spokane, Wash.

COEUR D'ALENE
by Dale Fulton, 305 N. Meadow St., Grangeville, Idaho.

HUSH-A-BYE MY BABY
by Ira Wade, Route 1, Hammondsville, Ohio.

IN A COZY CORNER
by Frank Clarke, Glenwood, Wash.

I'M HAPPY IN OUR HOME SWEET HOME
by Ruby Overcash and Adophe Jystad, Ferdig, Montana, and c/o Daily Interlake, Kalispell, Montana.

FAIR WEATHER FRIEND
by Mary Shipton (address not found).

BABY BOY
by Mrs. Elfie Pomeroy Rignall, 603 7th St. N., St. Petersburg, Fla.

MY ROSE DREAM
by Rose Stockwell (address not found).

SONYA, MY DREAM GIRL
by Burrell Van Buren and Lorraine Lawson, 131 S. 4th St., Klamath Falls, Ore.

THE LURE OF THE TRAIL
by Jean Lawrence (address not found)

IN GOD'S GARDEN
By Sue Lilly Colby, Limerick, York County, Maine.

I'M IN LOVE WITH YOU
by Werner C. Ott, Fairfield, Wash.

TELL ME DO YOU LOVE ME BABY
by Dora Cone, Box 599, Idaho Falls, Idaho.

THE SUN IS GENTLY SHINING ON MY HOME IN WASHINGTON
by Joseph Wm. Atkinson, Retsil, Washington.

WHY CAN'T THINGS LIKE THAT HAPPEN TO ME
by Sara T. Haust, R. D. 1, Romulus, Seneca County, N. Y.

SING ME TO SLEEP
by Floyd Simmons, 12 Valley Street, Saugerties, N. Y.

ALBUM NO. 3

JUST TO BE WITH YOU
by Carolyn Elva Vale (address not found).

EVERY NIGHT
by Christel Palmer Brown, E. 4214 22nd Ave., Spokane, Wash.

SILENT MELODY
by Chet Springer, Crescent Lake, Ore.

CALLING
by Florence A. Hill and M. Benson (addresses not found).

LITTLE COTTAGE OF DREAMS
by Ruth D. Pollard, Box 595, Oswego, Ore.

I'M 'FRAID OF YOU OLE RIVER
by Frank Rodrigues, Box 64, Niles, Calif.

SILVER MOON
by May Straughan, Marshall Apts., Apt. 8, King St., Portland, Ore.

LONELY LITTLE YOU
Lilyan Rush (address not found).

AN OLD SWEETHEART
by Florence Carmen, White Salmon, Wash.

I'M SINGING BUT I'M FEELING BLUE
by Minnie Dalton, East Radford, Va.

I'LL BUY A HOME JUST FOR OUR OWN
by Julia Michel (address not found).

THERE'S A BIG NEW SMILE
by Ruth Mills, Route 3, Newberg, Ore.

DARLING
by Frank Clark, Glenwood, Wash.

MY DAD
by Melvin Bernard Wells, Box 243, Olympia, Wash.

LITTLE WILD ROSE OF THE MOUNTAINS
by Hazel Winney Broady, Box 357, Sutherlin, Ore.

LONELY
by Helena L. Christensen, Wallowa, Ore.

IN THAT COZY LITTLE COTTAGE
by Mrs. Grace M. Turner, Box 199, Ione, Ore.

MOON OF MY DREAMS
by Ella Bruce, Route 3, Sherwood, Ore.

OUR MT. VALLEY HOME
by Virgil Ownbey, Route 1, Box 97, Joseph, Ore.

I'M RIDING ALL ALONE 'CAUSE THE GIRL I LOVE ISN'T TRUE
by Leo. K. Henry.

ALBUM NO. 4

DRIFTING DOWN THE RIVER OR ROMANCE
by Grace Turner, Box 199, Ione, Ore.

DROWSY VILLAGE
by Anna M. Whelan, 911 W. Wishkah St., Aberdeen, Wash.

GEORGIA MOON
by Ellen Lynne (address not found)

THE LITTLE WHITE HOUSE (IN THE VALLEY)
by Marie A. Wells (address not found).

I'M WEARING YOU INTO MY DREAMS
by Margery Laird Newton, 489 DST. Independence, Ore.

KISS ME IN THE MOONLIGHT
by Herbert A. Sleep, Fort Jones, Calif.

IN MY DREAMS (I AM WITH YOU)
by Anne Bassett, 254 Central Ave., St. Petersburg, Fla.

MY ROADSIDE HOME
by Sadie Luelling (address not found).

CEASE TO REMEMBER
by Violet Oehring Stamper, Plainview, Nebraska.

FIRESIDE DREAMS
by Mrs. Hazel Winney Broady, Sutherlin, Ore.
THE HEART OF A ROSE
by Alice M. Prescott, 1690 So. Church St., Salem, Ore.
YOU ARE MY BELOVED
by Abraham R. Farolan, % Queens Hospital, Honolulu, T. H.
UNFINISHED MELODY OF LOVE
by May Straughan, Marshall Apts., Apt. 8, King St., Portland, Ore.
JUST FOR FUN
by George Davis (address not found).
BECAUSE I LOVE YOU
by M. Lenore Paslay, box 15, Hagarstown, Ill.
A PICTURE IN MEMORY
by Patrick Smith, 134 3rd St., Watsonville, Calif.
HOLD ON, BROTHER MINE
by Martha Hill, 1835 N. Commercial St., Salem, Ore.
WHEN THE LEAVES ARE GENTLY FALLING IN THE FALL
by Muriel M. Newman, Route 2, Ironton, Ohio.
MOTHER, DON'T YOU HEAR ME CALLING?
by Mrs. Emma S. Ball, Moxee, Wash.
SWEETHEART OF MY OLD AGE
by Mrs. Clara Bennell, Guler, Wash.

ALBUM NO. 5

IN THE CANDLELIGHT WITH YOU
by Verna Grinde, 823 N. Inglewood Ave., Inglewood, Calif.
FIVE LITTLE GIRLS
by Jack Bradford, Port Elgin, Ontario, Canada.
YOU'RE THE SWEETEST THING THIS SIDE OF HEAVEN
by Rae Pingree, 129-18 Ave., Lewiston, Idaho.
NATIONAL RECOVERY MARCH
by Selma Nordling, 4223 E. 16th Street, Spokane, Wash.
BECAUSE OF YOU
by Clifton Wise, Route 2, Box 38, Carlton, Ore.
THE COZY LITTLE FIREPLACE
by Nancy Barr (address not found).
ON THE LOVELY SHORE OF WAIKIKI
by Thomas Leather and William Coperudi, Route 2, Box 82, Hood River, Ore.
WHAT DID YOU DO WITH LOVE?
by Elmer Pinder, Box 100, Charlestown, Mass.
WHEN ITS ARBUTUS TIME IN OLD GEORGIA
by Ann Eleanor Victorine (address not found).
MOONLIGHT ON THE MISSISSIPPI
by Zella Dean Cochran, Black Butte, Ore.
YOU STOLE MY HEART, YES YOU DID
by J. Plack, Box 113, Brimfield, Ill.
YOUR PICTURE
by M. A. Dill (address not found).
SWEETHEART
by Ethel Jennings Patchin Scott, Portage, Wisc.
NEATH THE MAGIC OF THE MOON
by Katharine Cook, by Earl Slatt, Route 1, Box 990, Rio Linda, Calif.
HOW I LOVE THE TENNESSEE VALLEY
by Mrs. Della Harris, 4913 First Ave. N., Birmingham, Ala.
THE DARNDEST THING
by Kristine Thorpe, 325 "M" St., Salt Lake City, Utah.
PLEASE DON'T GIVE ME THE GATE
by John Marh (address not found).
ON THE BEACH OF BROAD LAKE ERIE
by William Young (address not found)
SWEETHEART AND PAL
by Herman C. Becker, 304 Main St., Irwin, Pa.

ALBUM NO. 6

PRAIRIE CLOUDS
by Clayton George Gage, Route 1, Richfield Springs, N. Y.
TRAIN WHISTLES
by Arthur Albert (address not found).
THAT ROCKY MOUNTAIN LULLABY
by Elizabeth Jane Powers, Star Route 3, Troy, Montana.
I'M ONLY DREAMING
by Verel C. Ross, Goldendale, Wash.
YOU'VE GOT ME GOING, HONEY
by Katherine Cook (address not found).
STROLLING BY THE RIVER
by Mrs. Grace M. Turner, Box 199, Ione, Ore.
IT'S TOO LATE TO BE SORRY
by Carol Lynne (address not found).
THE DAYS OF THE OLD FASHIONED WAYS
by Clayton E. Clark, 309 N. Main St., Herkimer, N. Y.
HEART SONG
Thalia A. White, c/o Capt. White, 10th Field Artillery, Fort Lewis, Wash.
NO ONE BUT YOU
by G. E. Smith, 423 N. E. 10th St., Oklahoma City, Okla.
HONEY, LET'S NEVER REGRET
by John Marh (address not found).
TALKING AND DREAMING
by Elsie Lee Mae Ochs, 617 S. Broadway, Leavenworth, Kan.
THROUGH THE LAND OF DREAMS TO YOU
by Ben Anderson, 188-5th St., Coalinga, Calif.
NOW I KNOW
by Verel C. Ross, Goldendale, Wash.
TWILIGHT IN OLD WISCONSIN
Emma M. Jacobs, Route 1, Coloma, Wisc.
DREAMY MOONLIT VALLEY
by Phil Boockus, Parma, Idaho.
THE CHEROKEE ROSE
by Julia Smith (address not found).
BY THE OLD MILL
by Tom Carlisle (address not found).
LAY YOUR HEAD UPON MY SHOULDER
by John William Haynes, Story Club, Susanville, Calif.
I LOVED YOU ERE I MET YOU
by Agnes J. Shedd (address not found).

The copyright office of the United States Library of Congress reports that Albums No. 7 and No. 8 have not been deposited for copyright registration.

ALBUM NO. 9

RESTLESS RIVER
by Russ Dean Malray, Montesano, Wash.

GRAY HOUSES—BROWN HOUSES
by Nellie M. Seely (address not found).

MY FASCINATING BABY
by Bob Robinson (address not found).

NO ONE BUT YOU
by Marie Flynn Brown (address not found).

WHEN YOU CAME BACK TO ME
by Irene Meredith Hanson, Schuyler, Nebr.

HAPPY VALLEY
by Delia R. White, Estacada, Ore.

NOW I KNOW WHAT MY HEART IS SAYING
by Dennis Fernando, Box 1073, Los Angeles, Calif.

TRULY, I LOVE YOU
by Lucy Willett Miller (address not found).

I WANT TO BE A STAR
by Lola Culpepper, 4507 Girouard Ave., Mont, Que, Canada.

MEMORIES OF MOTHER
by Lulu Sexton, Route #2, Chetopa, Kans.

THOSE ROLLING KANSAS PLAINS
by Simon E. Matson, St. Francis, Kans.

LOVE DOES IT ALL
by Betty Rose (address not found)

SITTING BY THE FIRESIDE
by Jessica Brogdon, Homeland, Fla.

MY CAROLINA MAIDEN
by Gertrude Highsmith, 311 Woodlawn Ave., Buffalo, N. Y.

DOWN IN THE VALLEY OF SUNSHINE
by Ed. Shaw, 1535 Major St., Salt Lake City, Utah.

WHY DID YOU TEACH ME TO CALL YOU SWEETHEART
by Lulu Belle Craig Cunningham, 407 Milton Ave., Paris, Ill.

I WANT YOU TO COME BACK TO ME
by Bernerd O. Kleve (address not found).

THE GIRL THAT I LOVE
by Lionel Charles (address not found).

UNDER THE SEVEN PINES
by Daisy Johnson Boone, Stanton, Ky.

BY THE WATERFALL MULTNOMAH
by John Becker, 104 Ivy St., Nampa, Idaho.

Moderne Edition and Moderne Publications

Chicago, Illinois

An examination of the musical copyright entries in the United States Library of Congress as of April 1, 1937 failed to disclose any copyright entries in the name of MODERNE EDITION listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license. However, such examination disclosed 21 musical copyright entries in the name of MODERNE PUBLICATIONS, 2611 Indiana Avenue, Chicago, Illinois (Moderne Publications is listed as a publisher or organization in the SESAC brochure dated January 1, 1937). These entries were copyrighted in the name of Moissaye Boguslawski. A comparison of these copyright entries with MODERNE EDITION, a pamphlet, published by the M. M. Cole Publishing Company of 2611 Indiana Avenue, Chicago, Illinois and supplied to us by the SESAC, indicates they are one and the same.

The 21 musical copyright entries were all recorded in the calendar year 1936 as follows:

1. ARABIAN NIGHTS (SCHEHERAZADE) (pf. solo) by Moissaye Boguslawski. c. Aug. 18, 1936.
2. THE BALLET DANCER (pf. solo) by Moissaye Boguslawski. c. July 10, 1936.
3. CHATTER BOX (pf. solo) by Moissaye Boguslawski. c. July 15, 1936.
4. CIRCUS DAYS (pf. solo) by Moissaye Boguslawski. c. Aug. 18, 1936.
5. DONKEY RIDE (pf. solo) by Moissaye Boguslawski. c. July 31, 1936.
6. DUBLIN DEVILS (pf. solo) by Moissaye Boguslawski. c. Aug. 18, 1936.
7. EIGHTY DELIGHTFUL TUNES (pf. solo) by Moissaye Boguslawski. c. Sept. 14, 1936.
8. FIRST HUNGARIAN RHAPSODY (pf. solo) by Moissaye Boguslawski. c. July 30, 1936.
9. FRENCH SOLDIERS' MARCH (pf. solo) by Moissaye Boguslawski. c. July 10, 1936.
10. FROG'S FROLIC (pf. solo) by Moissaye Boguslawski. c. Aug. 18, 1936.
11. GOLDEN ORIOLE MINUET (pf. solo) by Moissaye Boguslawski. c. July 30, 1936.
12. OLD TICK TOCK (pf. solo) by Moissaye Boguslawski. c. Aug. 18, 1936.
13. LITTLE JUMBO (pf. solo) by Moissaye Boguslawski. c. July 27, 1936.
14. PARADE OF THE BUNNIES (pf. solo) by Moissaye Boguslawski. c. July 9, 1936.
15. PICANINNY PICNIC (pf. solo) by Moissaye Boguslawski. c. Aug. 18, 1936.
16. RUSSIAN DANCER (pf. solo) by Moissaye Boguslawski. c. July 9, 1936.
17. SPANISH COQUETTE (tango) (pf. solo) by Moissaye Boguslawski. c. July 30, 1936.
18. SUNNY ITALY (pf. solo) by Moissaye Boguslawski. c. Aug. 18, 1936.
19. TAMBOURINES AND CASTANETS (pf. solo) by Moissaye Boguslawski. c. July 24, 1936.
20. VALSE RUSSE (pf. solo) by Moissaye Boguslawski. c. Aug. 18, 1936.
21. VENETIAN BOAT SONG (pf. solo) by Moissaye Boguslawski. c. July 10, 1936.

A copy of the MODERNE EDITION pamphlet published by the M. M. Cole Publishing Company of Chicago, Illinois and supplied to us by the SESAC, marked Exhibit 90, is attached to and made a part of this report.

Twenty of the twenty-one copyright entries above referred to are described in Exhibit 90-p. 2 as Grade One and Grade Two original compositions, as follows:

GRADE ONE

DONKEY RIDE
FRENCH SOLDIERS' MARCH.
FROG'S FROLIC.
OLD TICK TOCK.
LITTLE JUMBO.
PARADE OF THE BUNNIES.
SUNNY ITALY.
TAMBOURINES AND CASTANETS.
VALSE RUSSE.
VENETIAN BOAT SONG.

GRADE TWO

ARABIAN NIGHTS.
THE BALLET DANCER.
CHATTER BOX
CIRCUS DAYS
DUBLIN DEVILS
FIRST HUNGARIAN RHAPSODY
GOLDEN ORIOLE MINUET
PICANINNY PICNIC
RUSSIAN DANCER
SPANISH COQUETTE (tango)

Grade One is recognized as beginner's grade or primary grade for piano students.

Grade Two is for second-year students of piano.

The copyright entry entitled "Eighty Delightful Tunes" is made up of 80 musical selections which, in their original form, are in the Public Domain. An examination has been made to determine their availability in various music catalogues, and this examination showed that each of these 80 selections is available to broadcasters from one or more music publishers included under their ASCAP license. The 80 selections and the identity of one ASCAP publisher from whom each selection is available follow:

1. ALBUMBLATT (Fur Elise)
   L. von Beethoven. (G. Schirmer.)
2. AMARYLLIS
   H. Ghys. (Century.)
3. ANDANTINO
   E. H. Lemare. (Paul Pioneer.)
4. ANITRA'S DANCE
   E. Grieg. (Carl Fischer.)
5. ASE'S DEATH
   E. Grieg. (Carl Fischer.)
6. BEAUTIFUL BLUE DANUBE
   J. Strauss. (Carl Fischer.)
7. BLACK HAWK WALTZ
   M. E. Walsh. (Century.)
8. CHANSON TRISTE
   P. Tchaikowsky. (Century.)
9. CLAYTON'S GRAND MARCH
   C. Blake. (McKinley.)
10. CHOP STICKS
    A. De Lulli. (Ditson.)
11. DANCING DOLL
    E. Poldini. (Century.)
12. EL CHOCLO
    A. Villodo. (E. B. Marks.)
13. EDELWEISS GLIDE
    E. Vanderbeck. (Century.)
14. EVENING STAR
    R. Wagner. (Century.)
15. FAIRY WEDDING
    J. W. Turner. (Century.)
16. FALLING WATERS
    J. Truax. (Century.)
17. FAUST WALTZ
    Charles Gounod. (Century.)
18. FIFTH NOCTURNE
    J. Leybach. (Century.)
19. FLATTERER (THE)
    ——— (Century.)
20. FLIGHT OF THE BUMBLEBEE
    Rimsky Korsakoff. (Carl Fischer for violin and piano.)
21. FLOWER SONG
    Gustave Lange. (Century.)
22. FUNERAL MARCH
    Fr. Chopin. (Century.)
23. GARLAND OF ROSES
    L. Streabbog. (Carl Fischer.)
24. GENERAL GRANT'S MARCH
    E. Mack. (McKinley.)
25. GOLD AND SILVER
    Franz Lehar. (Carl Fischer.)
26. GOLDEN WEDDING (La Cinquantaine)
    Gabriel-Marie. (Century.)
27. GYPSY DANCE
    H. Lichner. (Century.)
28. GYPSY RONDO
    J. Hayden. (Century.)
29. HABANERA (From Carmen)
    G. Bizet. (Century.)
30. HUMORESKE
    A. Dvorak. (Century.)
31. HUNGARIAN DANCE NO. 5
    J. Brahms. (Century.)
32. HYMN TO THE SUN
    Rimsky Korsakoff. (Carl Fischer.)
33. JOLLY COPPERSMITH (THE)
    C. Peter. (Century.)
34. LA GOLONDRINA (The Swallow.)
    N. Serradell. (Century.)
35. LA PALOMA
    S. de Yradier. (Century.)
36. LARGO
    (From the New World Symphony)
    A. Dvorak. (Century.)
37. LIEBESTRAUM
    F. Liszt. (Century.)
38. LITTLE FAIRY MARCH
    L. Streabbog. (Century.)
39. LITTLE FAIRY POLKA
    L. Streabbog. (McKinley.)
40. LISTEN TO THE MOCKING BIRD
    Alice Hawthorne. (Century.)
41. LOVE'S DREAMLAND
    O. Roeder. (Century.)
42. A MAIDEN'S PRAYER
    T. Badarzewska. (Century.)
43. MARCH OF THE DWARFS
    E. Greig. (Century.)
44. MELODY IN F
    A. Rubinstein. (Century.)
45. MENDELSSOHN'S WEDDING MARCH (Midsummer Night's Dream)
    F. Mendelssohn. (Century.)
46. MERRY WIDOW WALTZ
    F. Lehar. (Century.)
47. MARCH MILITAIRE
    F. Schubert. (Century.)
48. MELODIE (Elegy)
    J. Massenet. (Century.)
49. MINUET
    I. J. Paderewski. (Century.)
50. MINUET IN G
    L. von Beethoven. (Century.)
51. MOMENTS MUSICAUX
    F. Schubert. (Century.)
52. MOONLIGHT SONATA
    L. von Beethoven. (Century.)
53. MORNING PRAYER
    L. Streabbog. (Century.)
54. ON THE MEADOWS
    Lichner. (Century.)
55. ORANGE BLOSSOM WALTZ
    G. Ludovic. (Century.)
56. OVER THE WAVES
    Juventino-Rosas. (Century.)
57. PAPILLON (Butterfly)
    E. Greig. (Century.)
58. POEME
    Z. Fibich. (Carl Fischer.)
59. POLISH DANCE (simplified)
    X. Scharwenka. (Century.)
60. PRELUDE IN C SHARP MINOR
    S. Rachmaninoff. (Century.)
61. RIPPLING WAVES
    G. Millward. (Century.)
62. ROBIN'S RETURN
    L. Fisher. (Century.)
63. RUSTIC DANCE
    C. Howell. (Century.)
64. RUSTLE OF SPRING
    Christian Sinding. (Century.)
65. SACK WALTZ
    J. Metcalf. (Century.)
66. SCARF DANCE
    C. Chaminade. (Century.)
67. SECOND VALSE
    A. Durand. (Century.)
68. SERENADE (Schubert)
    F. Schubert. (Century.)
69. SERENATA
    M. Moszkowski. (Century.)
70. Simple Aveu
    F. Thome. (Century.)
71. SONG OF INDIA
    Rimsky-Korsakoff. (Century.)
72. SOUVENIR
    F. Drdla. (Century.)
73. SPRING SONG
    F. Mendelssohn. (Century.)
74. SWAN (THE)
    C. Saint-Saens. (Century.)
75. TRAUMEREI
    R. Schumann. (Century.)
76. UNDER THE DOUBLE EAGLE
    J. Wagner. (Carl Fischer.)
77. MINUTE WALTZ
    F. Chopin. (Carl Fischer.)
78. VALSE IN E FLAT
    A. Durand. (Ditson.)
79. WALTZ IN A FLAT
    J. Brahms. (Century.)
80. YOU AND I WALTZ
    Claribel. (Century.)

To summarize, our examination shows that the 20 individual numbers entered in the United States Library of Congress have been composed, arranged and edited for primary pupils of piano. As such, it does not seem possible that they hold any special value for radio performance; and the "Eighty Delightful Tunes" edited, fingered and arranged by Moissaye Boguslawski can be found in the same type of muscial arrangements in the catalog of ASCAP publishers.

Jose Mora

Barcelona, Spain

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of JOSE MORA, Barcelona, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1870–1934

No copyright entries found.

Period 1934–April 1, 1937

The following list:

1. BRASILERA
   rumba, (orch.) by Jose Mora and R. Solves. c. Jan. 1, 1936.
2. CURRO MOLINA
   pasodoble, (orch.) by Jose Mora. c. Dec. 1, 1935.
3. GUAYABA
   rumba, (orch.) by Jose Mora. c. Jan. 2, 1936.
4. LUCERO
   tango, (orch.) by Jose Mora. c. Oct. 1, 1935.
5. MI MOCITA
   pasodoble, (orch.) by Jose Mora. c. Aug. 12, 1935.
6. PESARES
   pasodoble, (orch.) by Jose Mora. c. Dec. 1, 1935.

An examination of the assignment records of the United States Library of Congress disclosed certain assignments which were made by JOSE MORA to the SESAC. Copies of these assignments, marked Exhibits 91 to 93 inclusive, are attached to and made a part of this report.

As an aid in appraising the value of this type of music in building radio programs for American radio listeners, we again invite your attention to Exhibit 16.

Music Products Corp.

Chicago, Illinois

An examination of the musical copyright entries of the United States Library of Congress, as of April 1, 1937, disclosed the following entries in the name of MUSIC PRODUCTS CORP., Chicago, Illinois, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization, included under its license:

Period 1897–1933

No copyright entries found.

Period 1934–April 1, 1937

The following list:

1. ADVANCED HARMONICA BAND FOLIO (harmonicas 1-3 with pf. acc.) by G. Mann. c. Sept. 11, 1934.
2. AIR WAVES (band.) c. Feb. 15, 1936.
3. BACK TO CHRIST OUR KING (song) by Rev. Chas. E. Coughlin and Geoffrey O'Hara. c. Oct. 26, 1934.
4. CLOUDS FILLED WITH LIGHT (song) by Margaret MacRae and W. B. Dublin. c. July 16, 1934.
5. EARLY MORN (song) by Margaret MacRae and H. Skeath. c. July 16, 1934.
6. EMBLEM OF VICTORY (band) by Vernon Leftwich and Frank Godwin. c. Aug. 25, 1936.
7. I HAVE A RENDEVOUS WITH LIFE (song) by Geoffrey O'Hara and W. M. Thayer, Jr. c. Dec. 5, 1934.
8. IN THE HUSH OF THE AFTERNOON (song) by Margaret MacRae and H. Skeath. c. July 16, 1934.
9. LAWDY, WHAT A LONESOME DAY (mixed voices) by Margaret MacRae and H. Skeath. c. July 16, 1934.
10. LEGIONNAIRES ON PARADE (band) by Jos. Olivadoti. c. Dec. 15, 1935.
11. SPIRIT OF OUR NAVY (band) by Jos. Olivadoti. c. Feb. 15, 1936.
12. WINGS OF VICTORY (band) by Jos. Olivadoti. c. Feb. 15, 1936.

We call attention to the fact that in the case of the selections entitled "Back to Christ Our King" and "I Have A Rendezvous With Life," the composer of the music, namely, Geoffrey O'Hara, is listed in the ASCAP Directory (1931 and 1936 Editions) as a member of the ASCAP. A discussion of this complication appears in the foreword of this report.

Nattrass-Schenck, Inc.

New York, N. Y.

An examination of the musical copyright entries of the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of NATTRASS-SCHENCK, INCORPORATED, New York, New York, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1870–1930

No copyright entries found.

Period 1931–April 1, 1937

The following list:

((E2) indicates unpublished copyright entries.)

1. AINT YOU EVER COMIN' BACK (E2) (song) by Joe Goodwin and Larry Shay. c. Dec. 7, 1931.
2. AINT YOU EVER COMIN' BACK (song, pf. and uke) by Joe Goodwin and Larry Shay, uke arr. by May Singhi Breen. c. July 25, 1932.
3. BOOM TARARA BOOM (E2) (song) by Maurice Beresford, Wm. E. Haines, and Frank Somner. c. July 16, 1932.
4. BY THE MOSS COVERED GRAVE ON THE HILL (E2) (pf. and vocal) by George B. McConnell, Tom Kennedy and Dick Sanford. c. Jan. 31, 1933.
5. BY THE WINDOW IN THE EVENING WITH YOU (E2) (song) by Solly Violinsky and Ben Ryan. c. Sept. 8, 1932.
6. BY THE WINDOW IN THE EVENING WITH YOU (pf. and uke) by Solly Violinsky and Ben Ryan. c. Nov. 10, 1932.
7. CHASING FLIES OFF THE OLD GRAY MARE (pf. with guitar) by Louis Herscher and Frank E. Nattrass. c. Dec. 11, 1934.
8. CONGRATULATIONS LIBERTY BELL (E2) (pf. and vocal) by Allen Sherman, Al Lewis and Joe Goodwin. c. Jan. 7, 1933.
9. CONGRATULATIONS LIBERTY BELL (pf. and uke) by Allen Sherman, Al Lewis and Joe Goodwin, arr. by W. C. Lindemann. c. Feb. 8, 1933.
10. CORN COBB WILLIE (E2) (pf. and vocal) by George B. McConnell, Tom Kennedy and Dick Sanford. c. Jan. 31, 1933.
11. DOWN AT THE GENERAL STORE (E2) (pf.) by George B. McConnell, Tom Kennedy and Dick Sanford. c. Jan. 31, 1933.
12. DOWN AT THE OLD RED BARN (E2) (pf.) by George B. McConnell, Tom Kennedy and Dick Sanford. c. Jan. 31, 1933.
13. DOWNHEARTED (E2) (song) by Vincent Rose, Ray Klages and Jack Meskill. c. Dec. 19, 1931.
14. DOWNHEARTED (pf. and uke) by Vincent Rose, Ray Klages and Jack Meskill, uke arr. by May Singhi Breen. c. Jan. 12, 1932.
15. FIDDLE DOESN'T FIT HIS CHIN (E2) (pf.) by George B. McConnell, Tom Kennedy and Dick Sanford. c. Jan. 31, 1933.
16. HE JUST KEPT BITING HIS NAILS (E2) (pf. and vocal) by George B. McConnell, Tom Kennedy and Dick Sanford. c. Jan. 31, 1933.
17. HE KISSED HER GOODNIGHT UNTIL MORNING (E2) (pf. and vocal) by George B. McConnell, Tom Kennedy and Dick Sanford. c. Jan. 31, 1933.
18. I'M A RUNAWAY FROM A CHAIN GANG (E2) (pf. and vocal) by George B. McConnell, Tom Kennedy and Dick Sanford. c. Jan. 31, 1933.
19. I'M GONNA GO BACK TO THE MOUNTAINS (E2) (pf. and vocal) by George B. McConnell, Tom Kennedy and Dick Sanford. c. Jan. 31, 1933.
20. I'M READY FOR LOVE (E2) (song) by Jack Stanley, George Little, and George Little, Jr. c. Dec. 7, 1931.
21. I'M SO HAPPY WHEN THE SUN IS SHINING (E2) (pf. and vocal) by George B. McConnell, Tom Kennedy and Dick Sanford. c. Jan. 31, 1933.
22. LAST NIGHT (E2) (pf. and vocal) by George B. McConnell, Tom Kennedy and Dick Sanford. c. Jan. 31, 1933.
23. LONESOME VALLEY SALLY (E2) (pf. and vocal) by George B. McConnell, Tom Kennedy and Dick Sanford. c. Jan. 31, 1933.
24. LONESOME VALLEY SALLY (guitar and banjo) by George B. McConnell, Tom Kennedy and Dick Sanford, arr. by W. C. Lindemann. c. Dec. 11, 1934.
25. MORE I GREW TOMATOES (E2) (pf. and vocal) by George B. McConnell, Tom Kennedy and Dick Sanford. c. Jan. 31, 1933.
26. MY LOVE WILL NEVER GROW OLD (song, pf. and uke) by Jas. C. Johnson and Andy Razaf. c. June 27, 1933.
27. NEATH THE MOON OF OLD MANHATTAN (E2) (song) by Carroll Loveday. c. Dec. 7, 1931.
28. NEATH THE MOON OF OLD MANHATTAN (song, pf. and uke) by Carroll Loveday, uke arr. by May Singhi Breen. c. Jan. 12, 1932.
29. NEATH THE OLD HANGING LAMP IN THE PARLOR (E2) (pf. and vocal) by George B. McConnell, Tom Kennedy and Dick Sanford. c. Jan. 31, 1933.
30. OLD BILL SMITH (E2) (pf. and vocal) by George B. McConnell, Tom Kennedy and Dick Sanford. c. Jan. 31, 1933.
31. POLLY WANTS A CRACKER (E2) (pf. and vocal) by Harold Spinner, Johnny Burke and Chas. Newman. c. Feb. 17, 1933.
32. PUMPKIN HAS NO PUMP (E2) (pf. and vocal) by George B. McConnell, Tom Kennedy and Dick Sanford. c. Jan. 31, 1933.
33. RADIO RUBES COLLECTION OF HILL COUNTRY BALLADS AND COMIC SONGS (pf. and uke) by George B. McConnell, Tom Kennedy and Dick Sanford. c. Apr. 12, 1933.
34. RED RIVER LULLABY (E2) (pf. and vocal) by George B. McConnell, Tom Kennedy and Dick Sanford. c. Jan. 31, 1933.

35. THERE AIN'T MUCH GOOD IN A WOMAN (E2)
(pf. and vocal) by George B. McConnell, Tom Kennedy and Dick Sanford. c. Jan. 31, 1933.

36. UNDER THE MOON TALKING TO YOU ABOUT ME (E2)
(pf. and vocal) by Theodore Snyder and George Whiting. c. Apr. 29, 1932.

37. UNDER THE MOON TALKING TO YOU ABOUT ME
(pf. and uke) by Theodore Snyder, George Whiting and Nick Kenny. c. May 24, 1932.

38. WHEN GABRIEL BLOWS HIS HORN (E2)
(song) by Thos. Waller and Andy Razaf. c. Feb. 10, 1932.

39. WHEN GABRIEL BLOWS HIS HORN
(pf. and uke) by Thos. Waller and Andy Razaf, uke arr. by May Singhi Breen. c. Mar. 26, 1932.

40. WHEN IT'S HARVEST TIME IN OLD NEW HAMPSHIRE (E2)
(pf. and vocal) by George B. McConnell, Tom Kennedy and Dick Sanford. c. Jan. 31, 1933.

41. WHERE THE ARIZONA MOON IS SHINING (E2)
(pf. and vocal) by George B. McConnell, Tom Kennedy and Dick Sanford. c. Jan. 31, 1933.

42. WHO BESIDES ME SITS BESIDE YOU? (E2)
(song) by Johnny Burke, Bob Shafer and Jack Hauser. c. Jan. 12, 1932.

43. WHO BESIDES ME SITS BESIDE YOU?
(pf. and uke) by Johnny Burke, Bob Shafer and Jack Hauser, uke arr. by May Singhi Breen. c. Feb. 2, 1932.

Although 33 of the 43 selections enumerated above are classified in the records of the Library of Congress as being in unpublished form, 19 of the 33 do appear in a publication of NATTRASS-SCHENCK, INC., entitled "Radio Rubes Collection of Hill Country Ballads and Comic Songs." The 19 selections contained in "Radio Rubes Collection of Hill Country Ballads and Comic Songs" are as follows:

I'M SO HAPPY WHEN THE SUN IS SHINING
A PUMPKIN HAS NO PUMP
WHERE THE ARIZONA MOON IS SHINING
OLD BILL SMITH
LAST NIGHT
BY THE MOSS COVERED GRAVE ON THE HILL
THE MORE I GREW TOMATOES
HE KISSED HER GOODNIGHT UNTIL MORNING
'NEATH THE OLD HANGIN' LAMP IN THE PARLOR
THE FIDDLE DOESN'T FIT HIS CHIN
HE JUST KEPT BITIN' HIS NAILS
LONESOME VALLEY SALLY
DOWN AT THE GENERAL STORE
RED RIVER LULLABY
THERE AIN'T MUCH GOOD IN A WOMAN
DOWN AT THE OLD RED BARN
WHEN IT'S HARVEST TIME IN OLD NEW HAMPSHIRE
CORN COB WILLIE
I'M GONNA' GO BACK TO THE MOUNTAINS
I'M A RUNAWAY FROM THE CHAIN GANG

Of the remaining 6 selections contained in "Radio Rubes Collection of Hill Country Ballads and Comic Songs", one, "Lonesome Valley Sally" is published in separate form; and 5, namely "Red River Valley," "She'll Be Comin' Round the Mountain," "A Home On the Range," "Hand Me Down My Walking Cane," and "O Dem Golden Slippers" are published also by one or more of the publisher members of the ASCAP.

We call attention to the fact that except in the cases of the musical selections entitled "Boom Tarara Boom," "Neath the Moon of Old Manhattan," and "Who Besides Me Sits Beside you?," one or more of the composers of each of the remaining musical selections which we found of record as of April 1, 1937, is listed in the ASCAP directory (1931 edition) as a member of the ASCAP. We refer to the following:

Joe Goodwin
Louis Herscher
Nick Kenny
Ray Klages
Al Lewis
George Little
George B. McConnell
Jack Meskill
Charles Newman
Andy Razaff
Vincent Rose
Ben Ryan
Larry Shay
Al Sherman
Ted Snyder
Nat Vincent
Tom Waller
George Whiting

The complications arising out of the fact that several of the authors and composers of selections in this catalogue are members of the ASCAP are discussed in the foreword of this report.

Nowa Scena

Warsaw, Poland

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of NOWA SCENA, Warsaw, Poland, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1870–1933

No copyright entries found.

Period 1933–April 1, 1937

The following list:

1. ABDUL BEJ (orch.) by L. Szmaragd and F. Gordon, arr. by A. Rapacki. c. Dec. 28, 1933.
2. ABDUL BEJ by L. Szmaragd and F. Gordon, arr. by A. Rapacki. c. Dec. 28, 1933
3. ACH TY MI SIE TAK PODOBASZ (and) WALC TYROLSKI (orch.) 1. by Z. Friedwald and S. Kataszek, arr. by J. Wesby. 2. by Al Jellin, M. Wroblewski and W. Tychowski, arr. by Wl. Eiger. c. July 24, 1935.
4. ACH TY MI SIE TAK PODOBASZ (vocal & pf.) by Z. Friedwald and S. Kataszek. c. July 24, 1935.
5. ANDRJUSZA (and) NANNETTE (orch.) 1. by L. Starski and Z. Bialostocki, arr. by J. Wesby. 2. by Al. Jellin and W. Krupinskiego, arr. by J. Belzacki. c. April 27, 1934.
6. ANDRJUSZA (vocal & pf.) by L. Starski and A. Bialostocki. c. April 27, 1934.
7. BATIUSZKA (and) PIEKNE RUMUNKI (orch.) 1. by Al. Jellin and S. Kataszek. 2. by A. Wlast and Z. Bialostocki, arr. by Wl. Eiger. c. Aug. 9, 1935.
8. BATIUSZKA (vocal & pf.) by Al. Jellin and S. Kataszek. c. Aug. 9, 1935.
9. BEZ PRZERWY SMIEJI SIE by E. Schlechter and Fred Scher. c. Nov. 25, 1936.
10. BO JESTESMY MLODZI (vocal & pf.) by Fred Scher and A. Wlast. c. Nov. 12, 1935.
11. CALUJE RACZKI (tango) by W. Krupinski and L. Starski. c. Dec. 28, 1933.
12. CODZIEN MI JESTES BARDZIEJ BLISKA (vocal & pf.) by E. Schlechter and J. Petersburski. c. Aug. 2, 1935.
13. CODZIENNIE INNA (vocal & pf.) by Alfred Schutz and Wili Wilinski. c. Nov. 25, 1936.
14. CZTERY NOGI (and) JA JUZ NIE MOGE (orch.) 1 and 2 by E. Schlechter and J. Petersburski. 1. arr. by Wl. Eiger, 2 arr. by J. Belzacki. c. Dec. 5, 1934.
15. CZY PAMIETACZ MALENKA KAWIARENKE (vocal & pf.) by W. Krupinski and T. Ortym. c. Dec. 30, 1935.
16. DAJ MI TYLKO JEDNA NOC (vocal & pf.) by S. Kataszek and Al. Jellin. c. June 18, 1935.
17. DLA CEIBIE (and) KLEMENTYNA (orch.) 1. by Z. Friedwald and M. Ferszko, arr. by M. Ferszko. 2. by I. Kranowski and Artur Gold, arr. by J. Wesby. c. June 3, 1936.
18. DLA CEIBIE (vocal & pf.) by Z. Friedwald and M. Ferszko. c. June 3, 1936.
19. DLA TWEJ MILOSCI (orch.) by S. Karasinski and Al. Jellin. c. Feb. 15, 1934.
20. DLA TWEJ MILOSCI (vocal & pf.) by S. Karasinski and Al. Jellin. c. Feb. 15, 1934.
21. DLACZEGO WLASNIE DZIS (vocal & pf.) by K. Tom and Wl. Eiger. c. Nov. 25, 1935.
22. DOWID ZENIA (vocal & pf.) by Z. Karasinski, Z. Friedwald and St. Landau. c. Aug. 20, 1935.
23. DZIS BEDZIESZ MOJA (tango) by Al. Jellin and H. Wars. c. Dec. 28, 1933.
24. GDY SIE NOC ZACZYNA (and) PENSJONARKA (orch.) 1. by I. Kranowski and J. Skotnicki. 2. by J. Rosciszewski and W. Krupinski, arr. by J. Wesby. c. June 3, 1936.
25. GDY SIE NOC ZACZYNA (vocal & pf.) by I. Kranowski and J. Skotnicki. c. June 3, 1936.
26. GDYBYM JA MIAL CZTERY NOGI (vocal & pf.) by J. Petersburski and E. Schlechter. c. Dec. 5, 1934.
27. GONDOLA PLYN (vocal & pf.) by Fred Scher and Jerry. c. Dec. 30, 1935.
28. GONDOLO PLYN (and) TA JEDNA NOC (orch.) 1. by Jerry and Fred Scher. 2. by Olga Org, J. Petersburski, arr. by Wl. Eiger. c. Dec. 30, 1935.
29. GRAJ SKRZYPKU (vocal & pf.) by Wl. Lidauer and St. Zdrojewski. c. Dec. 13, 1935.
30. ILLONA by Al. Jellin and Fred Scher. c. Aug. 22, 1935.
31. JA JUZ NIE MOGE (vocal & pf.) by J. Petersburski and E. Schlechter. c. Dec. 5, 1934.
32. JA KOCHAM CALY SWIAT (vocal & pf.) by Z. Friedwald and A. Gold. c. Dec. 30, 1935.
33. JA NIE BYLEM CEIBIE WART (vocal & pf.) Z. Friedwald and M. Wroblewski. c. Dec. 30, 1935.
34. JADZIA (vocal & pf.) by Fred Scher and E. Schlechter. c. Nov. 25, 1936.
35. JADZIA (and) BEZ PRZERWY SMIEJI SIE (orch.) by Fred Scher and E. Schlechter, arr. by J. Wesby. c. Nov. 25, 1936.
36. JAK DROGIE SA WSPOMNIENIA (orch.) by Fred Scher and E. Schlechter, arr. by J. Wesby. c. Nov. 25, 1936.
37. JAK DROGIE SA WSPOMNIENIA (vocal & pf.) by Fred Scher and E. Schlechter, arr. by J. Wesby. c. Nov. 25, 1936.
38. JEST TYLKO JEDNA MILOSC (orch.) by Z. Friedwald and S. Rozsnyai, arr. by E. Damith. c. June 3, 1936.
39. JEST TYLKO JEDNA MILOSC (vocal & pf.) by Z. Friedwald and S. Rozsnyai. c. Nov. 24, 1936.
40. JOLA (vocal & pf.) by Z. Bialostocki and Al. Jellin. c. July 24, 1934.
41. KLAM (piesn) by W. Musnicki. c. Nov. 17, 1936.

42. KLEMENTYNA
(vocal & pf.) by A. Gold and Igo Kranowski. c. June 3, 1936.

43. KOBIETA JEST JAK ROZA (and) JA NIE BYLEM CEIBIE WART
(orch.) 1. by J. Skotnicki and F. Motylewski. 2. by M. Wroblewski and Z. Friedwald. c. Dec. 30, 1935.

44. KOBIETA JEST JAK ROZA
(vocal & pf.) by J. Skotnicki and F. Motylewski, arr. by D. Kahanowicz. c. Dec. 30, 1935.

45. KOCHAJ TYLKO MNIE
(vocal & pf.) by E. Schlechter. c. Dec. 30, 1935.

46. KTO TANCZY WALCA
(vocal & pf.) by A. Melodyst and Al. Jellin, arr. by J. Wesby. c. May 22, 1935.

47. KTO TANCZY WALCA
(orch.) by A. Melodyst and Al. Jellin. c. May 22, 1935.

48. LOTNIK TO ZALOTNIK
(orch.) by W. Krupinski and T. Ortym, arr. by J. Wesby. c. Dec. 5, 1934.

49. LOTNIK TO ZALOTNIK
(vocal & pf.) by W. Krupinski and T. Ortym. c. Dec. 5, 1934.

50. MARIE
(vocal & pf.) by M. Ferszko and Al. Jellin. c. Dec. 28, 1933.

51. MARIKA
(vocal & pf.) by Jerzy and H. Rosner. c. Apr. 27, 1934.

52. MERCI MADAME
(vocal & pf.) by Z. Bialostocki and W. Krystjan. c. July 18, 1935

53. MILOSC JAK PIOSENKA
(orch.) by J. Rosner and J. Wrzos. c. Feb. 15, 1934.

54. MILOSC JAK PIOSENKA
(vocal & pf.) by J. Rosner and J. Wrzos. c. Feb. 15, 1934.

55. MILOSC PALI JAK SLONCE
(vocal & pf.) by Ernest Roger and Alfred Schutz. c. Nov. 25, 1936.

56. MILOSC PALI JAK SLONCE (and) CODZIENNIE INNA
(orch.) 1. by Ernest Roger and Alfred Schutz, arr. by Wl. Eiger. 2. by Wili Wilinski and Alfred Schutz, arr. by J. Wesby. c. Nov. 25, 1936.

57. MILOSC TRWALA KROTKO
(vocal & pf.) by H. Gold and Z. Friedwald. c. Nov. 25, 1935.

58. MILOSC TRWALA KROTKO (and) TWE OCZY MOWIA KOCHAM
(orch.) by H. Gold and Z. Friedwald, arr. by J. Wesby. c. Nov. 25, 1935.

59. MNIE WYSTARCZY SLOWKO
(vocal & pf.) by E. Schlechter, arr. by Wl. Eiger. c. Dec. 30, 1935.

60. MNIE WYSTARCZY SLOWKO (and) KOCHAJ TYLKO MNIE
(orch.) 1 and 2 by E. Schlechter and Wl. Eiger. c. Dec. 27, 1935.

61. NAD KOLYSKA
(vocal & pf.) by Fred Scher and Z. Friedwald. c. Nov. 20, 1935.

62. NAJPIEKNEIJSZA SIGNORINA
(tango) by E. Schlechter and J. Petersburski. c. Dec. 5, 1934.

63. NAJSLODSZE TANGO
(orch.) by Z. Friedwald and J. Petersburski, arr. by J. Wesby. c. June 3, 1936.

64. NAJSLODSZE TANGO
by Z. Friedwald and J. Petersburski. c. June 3, 1936.

65. NANNETTE
(vocal & pf.) by W. Krupinski and Al. Jellin. c. Jan. 25, 1934.

66. NARKOZA
(vocal & pf.) by J. Belzacki and Al. Jellin. c. Apr. 27, 1934.

67. NARKOZA (and) MARIKA
(orch.) 1. by J. Belzacki and Al. Jellin. 2. by Jerzego, H. Rosnerow and Al. Jellin, arr. by J. Berzacki. c. Apr. 27, 1934.

68. NIE BADZ GLUPI
by W. Krupinski and B. Hertza. c. Dec. 28, 1933.

69. NIE BADZ GLUPI
(orch.) by W. Krupinski and B. Hertza. c. Dec. 28, 1933.

70. NIE CHCE WIEDZIEC
(vocal & pf.) by Fred Scher and Z. Friedwald. c. Nov. 25, 1936.

71. NIE KOCHAM CIE
(piesn) by J. Tychowski. c. July 3, 1934.

72. NIE KOCHAM CIE
(orch.) by J. Tychowski and J. Nela, arr. by J. Wesby. c. Oct. 26, 1934.

73. NIE MOZNA ZMUSZAC DO MILOSCI
(vocal & pf.) by Z. Friedwald and Z. Bialostocki. c. Nov. 20, 1935.

74. NIE MOZNA ZMUSZAC DO MILOSCI (and) NAD KOLYSKA
(orch.) 1. by Z. Friedwald and Z. Bialostocki. 2. by Fred Scher and Z. Friedwald, arr. by J. Wesby. c. Nov. 20, 1935.

75. NIE PLACZ, BABY
by S. Kataszek and Al. Jellin. c. Dec. 5, 1934.

76. NIE PLACZ, BABY
(orch.) by S. Kataszek and Al. Jellin, arr. by J. Wesby. c. Dec. 5, 1934.

77. NIECH NIKT O TEM NIE WIE
(piesn) by St. Gorska and E. Schlechter. c. May 22, 1935.

78. NIESAMOWITE OCZY
(orch.) by B. Hopfer and J. Oraczewskiej, arr. by A. Rapacki. c. Dec. 28, 1933.

79. NIESAMOWITE OCZY
(piesn) by B. Hopfer and J. Oraczewskiej. c. Dec. 28, 1933.

80. NOC CYGANSKA
(vocal & pf.) by G. Kac and E. Jara. c. Feb. 21, 1936.

81. OD MILOSCI NIKT SIE NIE WYKRECI (and) DLACZEGO WLASNIE DZIS
(orch.) 1. by Fred Scher and St. Szebego. 2. by Wl. Eiger and K. Tom. c. Nov. 25, 1935.

82. OD MILOSCI NIKT SIE NIE WYKRECI
(vocal & pf.) by Fred Scher and St. Szebego and K. Tom. c. Nov. 25, 1935.

83. ODESZLAS JAK SEN
(vocal & pf.) by M. Ferszko and Olga Org. c. May 22, 1935.

84. ODESZLAS JAK SEN (and) W MAJOW NOC
(orch.) 1. by M. Ferszko and Olga Org. 2. by J. Oracsewska and W. Krupinski, arr. by J. Wesby. c. May 22, 1935.

85. ODROBINE SZCZESCIA W MILOSCI
(tango) by E. Schlechter and J. Petersburski. c. Dec. 5, 1934.

86. OJ POWOLI
(tango) by Hatel and K. Wiehler. c. Dec. 28, 1933.

87. OSTATNIA MOJA MILOSC (and) SLOWA BEZ TRESCI
(orch.) 1. by A. Wlasta and Z. Bialostockiego, arr. by J. Wesby 2. by Al. Jellina and L. Stolda, arr. by Wl. Eiger. c. Dec. 5, 1934.

88. OSTATNIA NOC
(orch.) by F. Gorden and L. Szmaragd. c. Dec. 28, 1933.

89. OSTATNIA NOC
(tango) by F. Gorden and L. Szmaragd. c. Dec. 28, 1933.

90. PANNA ZUZANNA GRA NA FORTE PIANIE
by Fenyes Szabolcs and Z. Friedwald. c. Nov. 17, 1936.

91. PENSJONARKA
(vocal & pf.) by W. Krupinski and J. Rosciszewski. c. June 3, 1936.

92. PIEKNE RUMUNKI
(vocal & pf.) by A. Wlast and Z. Bialostocki. c. Aug. 9, 1935.

93. PIESN O MATCE
(orch.) by Z. Bialostocki and J. Wrzos. c. Dec. 28, 1933.

94. PIESN O MATCE
(tango) by Z. Bialostocki and J. Wrzos. c. Dec. 28, 1933.

95. POWIEDZ TYLKO TAK (and) BO JESTESMY MLODZI
(orch.) 1. by Z. Friedwald and Fred Scher. 2. by A. Wlast and Fred Scher, arr. by J. Wesby. c. Dec. 13, 1935.

96. POWIEDZ TYLKO TAK
(vocal & pf.) by Z. Friedwald and Fred Scher. c. Nov. 12, 1935.

97. POWIEDZ TYLKO TAK (and) BO JESTESMY MLODZI
(salon orch.) 1. by Z. Friedwald and Fred Scher. 2. by A. Wlast and Fred Scher, arr. by J. Wesby. c. Dec. 30, 1935.

98. PRZEPRASZAM
(tango) by Jerry and Z. Karasinski. c. May 22, 1935.

99. PRZYJDZIE TAKI DZIEN
(piesn) by Z. Friedwald and Artur Gold. c. Dec. 30, 1935.

100. PRZYJDZIE TAKI DZIEN (and) JA KOCHAM CALY SWIAT
(salon orch.) 1 and 2 by Z. Friedwald and Artur Gold, arr. by J. Wesby. c. Feb. 21, 1936.

101. PRZYTUL, USCISNIJ, POCALUJ (and) DAJ MI TYLKO JEDNA NOC
(salon orch.) 1. by A. Wlast and W. Krupinski. 2. by Al. Jellin and S. Kataszek, arr. by J. Wesby. c. July 24, 1935.

102. PRZYTUL, USCISNIJ, POCALUJ
(tango) by A. Wlast and W. Krupinski. c. Dec. 24, 1934.

103. SIUP MARYSUI
(vocal & pf.) by W. Krupinski and M. Wereszczynska. c. Dec. 28, 1933.

104. SKONFISKOWANE TANGO
(vocal & pf.) by Fred Scher, J. Lipski and W. Szlengel. c. Nov. 25, 1936.

105. SKONFISKOWANE TANGO (and) NIE CHCE WIEDZIEC
(orch.) 1. by Fred Scher, J. Lipski and W. Szlengel. 2. by Fred Scher, and Z. Friedwald. c. Nov. 25, 1936.

106. SPIJ MALENSTWO
by W. Musnicki and Kaz Wiehler. c. Nov. 17, 1936.

107. STORY WALC
(piesn) by A. Lewandowski and L. Szmaragd. c. Dec. 28, 1933.

108. STO LAT
(vocal & pf.) by W. Krupinski and K. Chrzanowski. c. Dec. 28, 1933.

109. STO LAT (and) SIUP MARYSIU
(orch.) 1. by W. Krupinski and K. Chrzanowski. 2. by W. Krupinski and M. Wereszczynska. c. Dec. 28, 1933.

110. STRZEZ SIE MOJEJ MILOSCI
(piesn) by L. Stold and L. Starski. c. Dec. 28, 1933.

111. SWIEZE MAM BAJGIELKI
by J. Markus and B. Rald. c. Dec. 28, 1933.

112. SWIEZE MAM BAJGIELKI
(orch.) by J. Markus and B. Rald. c. Dec. 28, 1933.

113. SYBIRACY
(piesn) by W. Musnicki and J. St. Bartlewicz. c. May 22, 1935.

114. SYBIRACY
(band) by W. Musnicki. c. Dec. 30, 1935.

115. SZKODA ZYC, GDY NIEMA DLA KOGO (and) KODZIEN MI JESTES BARDZIEJ BLISKA
(orch.) 1. by E. Schlechter and W. Dan, arr. by J. Wesby. 2. by E. Schlechter and J. Petersburski, arr. by Wl. Eiger. c. Aug. 2, 1935.

116. SZKODA ZYC, GDY NIEMA DLA KOGO
(vocal & pf.) by E. Schlechter and W. Dan. c. Aug. 2, 1935.

117. TA JEDNO NOC
(tango) by J. Petersburski and Olga Org. c. Dec. 30, 1935.

118. TAK SMUTNO MI BEZ CIEBIE
(tango) by Fred Scher and Al. Jellin. c. July 29, 1935.

119. TAK W ZYCIU BYWA (and) TAK SMUTNO MI BEZ CIEBIE
(orch.) 1. by M. Wroblewski and A. Wlast. 2. by Fred Scher and Al. Jellin, arr. by by J. Wesby. c. July 29, 1935.

120. TAK W ZYCIU BYWA
(tango) by M. Wroblewski and A. Wlast. c. July 29, 1935.

121. TAK W ZYCIU BYWA (and) NIECH NIKT O TEM NIE WIE
(salon orch.) 1. by M. Wroblewski and A. Wlast. 2. by St. Gorska and E. Schlechter. c. Dec. 30, 1935.

122. TO NIC NIE SZKODZI (and) GRAJ SKRZYPKU
(orch.) 1. by P. Karpf and Jerry, arr. by Wl. Eiger. 2. by Wl. Lidauer and St. Zdrojewski, arr. by J. Wesby. c. Dec. 13, 1935.

123. TO NIC NIE SZKODZI
(vocal & pf.) by P. Karpf and Jerry. c. Dec. 13, 1935.

124. TO OSTATNIA NIEDZIELA
(orch.) by J. Petersburski and Z. Friedwald, arr. by J. Wesby. c. Dec. 17, 1935.

125. TO OSTATNIA NIEDZIELA
(vocal & pf.) by J. Petersburski and Z. Friedwald. c. Dec. 17, 1935.

126. TULIPANI
(vocal & pf.) by Artur Gold and Igo Kranowski. c. Nov. 25, 1936.

127. TWE OCZY MOWIA KOCHAM
(tango) by W. Krupinski and Z. Friedwald. c. Feb. 21, 1936.

128. TWOJE KWIATY (and) NOC CYGANSKA
(salon orch.) 1. by W. Krupinski and Kora Jaroszowa. 2. by G. Kac and E. Jara, arr. by J. Wesby. c. Feb. 21, 1936.

129. TWAJE KWIATY
(vocal & pf.) by W. Krupinski and K. Jaroszowa. c. Feb. 21, 1936.

130. TYJESZCZE WROCISZ DO MNIE (and) MERCI MADAME
(orch.) 1. by J. Front, St. Ferszko, Al. Jellin and A. Polonski. 2. by Z. Bialostocki and W. Krystjan. c. July 18, 1935.

131. TYJESZCZE WROCISZ DO MNIE
(vocal & pf.) by J. Front, St. Ferszko, Al. Jellin and A. Polonski. c. July 18, 1935.

132. TYLE MILOSCI (and) ZLOCISTE WLOSKI
(orch.) 1 and 2 by H. Wars and K. Tom. c. Dec. 28, 1933.

133. TYLE MILOSCI
(song) by H. Wars and K. Tom. c. Dec. 28, 1933.

134. TYLKO Z TOBA I DLA CIEBIE
(orch.) by H. Wars, J. Nel and L. Starski. c. March 6, 1934.

135. TYLKO Z TOBA I DLA CIEBIE
(vocal & pf.) by H. Wars, J. Nel and L. Starski. c. March 6, 1934.

136. W MAJOWA NOC
(vocal & pf.) by W. Krupinski and J. Oraczewska. c. May 22, 1935.

137. WALC TYROLSKI
(piesn) by M. Wroblewski, W. Tychowski and Al. Jellin. c. May 22, 1935.

138. WALC ZLCZYL NAS (and) STORY WALC
(orch.) 1. by J. Wrzos and F. Melodyst'y 2. by L. Szmaragd and A. Lewandowski. c. Dec. 28, 1933.

139. WANKA (and) JOLA
(orch.) 1. by J. Petersburski and E. Schlechter. 2. by Z. Bialostock and Al. Jellin, arr. by J. Wesby. c. July 24, 1934.

140. WANKA
(piesn) by J. Petersburski and E. Schlechter. c. July 24, 1934.

141. WIEM ZE NIE BYLAM DLA CIEBIE
(orch.) by W. L. Eiger and Z. Friedwald. c. Nov. 25, 1936.

142. WIEM ZE NIE BYLAM DLA CIEBIE
(vocal and pf.) by Wl. Eiger and Z. Friedwald. c. Nov. 25, 1936.

143. WIEM ZE ODEJDZIESZ (and) TULIPANY
(orch.) 1. by M. Wroblewski and A. Wlast. 2. by Artur Gold and Igo Kranowsky, arr. by J. Wesby. c. Nov. 25, 1936.

144. WIEM ZE ODEJDZIESZ
(vocal and pf.) by M. Wroblewski and A. Wlast. c. Nov. 25, 1936.

145. WSPOMNIENIA
(tango) by T. Wisniewski and Al. Jellin, Arr. by Wl. Eiger. c. Mar. 6, 1934.

146. WSZYSTKO JUZ WIEM (and) DOWIDZENIA
(orch.) 1. by Z. Wiehlera. 2. by Z. Friedwald, S. Landau, and Z. Karasinski, arr. by J. Wesby. c. Aug. 20, 1935.

147. WSZYSTKO JUZ WIEM
(vocal and pf.) by Z. Wiehlera c. Aug. 20, 1935.

148. WSZYSTKO MI JEDNO
(tango) by Z. Bialostocki and L. Szmaragd. c. Dec. 28, 1933.

149. ZA JEDNO SLOWO (and) CZY PAMIETASZ MALENKA KAWIARENKE
(salon orch.) 1. by S. Kataszek and Al. Jellin, arr. by Wl. Eiger. 2. by W. Krupinski and T. Ortym, arr. by J. Wesby. c. Dec. 30, 1935.

150. ZA JEDNO SLOWO
(vocal & pf.) by S. Kataszek and Al. Jellin. c. Dec. 30, 1935.

151. ZANADTO DOBRZE CIE ZNAM (and) MARIE
(orch.) 1. by Marjan Hemara and M. Hohermana. 2. by Al. Jellina and M. Ferszko, arr. by J. Wesby. c. Dec. 28, 1933.

152. ZANADTO DOBRZE CIE ZNAM
(vocal & pf.) by M. Hohermana and Marjan Hemara. c. Dec. 28, 1933.

153. ZEBYS TY MNIE ZROZUMIAL
(orch.) by J. Nel, M. Wroblewskiego, arr. by Wl. Eiger. c. Mar. 6, 1934.

154. ZEBYS TY MNIE ZROZUMIAL
(vocal & pf.) by M. Wroblewski and J. Nel. c. Mar. 6, 1934.

155. ZEBYS TY WIEDZIALA (and) CALUJE RACZKI
(orch.) 1. by Fr. Melodysty and Harrymana. 2. by W. Krupinskiego and L. Starskiego, arr. by J. Wesby. c. Dec. 28, 1933.

156. ZEBYS TY WIEDZIALA
(piesn) by Fr. Melodysty and Harryman. c. Dec. 28, 1933.

157. ZLOCISTE WLOSKI
(song) by H. Warsa and K. Toma. c. Dec. 28, 1933.

158. ZOSTALA NAM PIOSENKA
(piesn) by T. Gorzynski and Z. Friedwald. c. Feb. 21, 1936.

159. ZOSTALA NAM PIOSENKA
(salon orch.) by T. Gorzynski and Z. Friedwald, arr. by J. Wesby. c. Feb. 21, 1936.

160. ZROB TO TAK
(orch.) by H. Wars, J. Nel, and L. Starski. c. Mar. 6, 1934.

161. ZROB TO TAK
(vocal & pf.) by H. Wars, J. Nel, and L. Starski. c. Mar. 6, 1934.

162. ZYCIE JEST JAK BLEKIT NEIBA
(piesn) by W. Krupinski and T. Konczyc. c. May 22, 1935.

163. ZYCIE JEST JAK BLEKIT NIEBA (and) PRSEPRASZAM
(orch.) 1. by W. Krupinski and T. Konczyc, 2. by Jerry and Z. Karasinski. c. Dec. 30, 1935.

An examination of the assignment records of the United States Library of Congress disclosed certain assignments which were made by NOWA SCENA to the SESAC. Copies of these assignments, marked Exhibits 94 to 102 inclusive, are attached to and made a part of this report.

The lyrics of the vocal selections contained in this catalogue are in the Polish language, and these compositions probably have a certain performance value to those radio broadcasters who cannot operate in the public interest, convenience and necessity without using this type of Polish music.

"PWP"

Przedstawicielstwo Wydawnictw Polskich

(Society of Polish Publishers)

Warsaw, Poland

An examination of the musical copyright entries in the United States Library of Congress as of April 1, 1937, failed to disclose any entries under the name of "PWP" PRZEDSTAWICIELSTWO WYDAWNICTW POLSKICH (SOCIETY OF POLISH PUBLISHERS), listed in the SESAC brochure dated January 1, 1937 as a publisher or organization included under its license.

The catalogue furnished by the SESAC indicates the publisher members of P. W. P. are as follows:

J. Altschuler
M. Arct
K. T. Barwicki
Do-Re-Mi-Fa
Gebethner & Wolff
F. Grabczewski
M. Idzikowski
Polskie Towarzystwo Muzyki Wspolczesnej
Pro Arte
Jastrzebiec Rudnicki
Rzepecki
G. Seyfarth

With the exception of DO-RE-MI-FA, under which name no musical copyright entries were found as of April 1, 1937, the list is composed of firms listed in the SESAC brochure as individual publishers and in each instance they are dealt with separately in our report.

O. Pagani & Brothers

New York, N. Y.

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of O. PAGANI & BROTHERS, New York, listed in the SESAC brochure dated June 1, 1936, as a publisher or organization included under its license.

Period 1870–1910

No copyright entries found.

Period 1911–1927

The following list:

("E2" indicates unpublished copyright entries.)

1. A FRANGESA (pf. accordion) by Mario Costa, arr. by Pietro Deiro and Mario Perry. c. Dec. 7, 1925.
2. A MIA MADRE (B flat clarinet) by Giuseppe Tarantola. c. July 4, 1920.
3. A MIA SORELLA (B flat clarinet) by Giuseppe Tarantola. c. July 4, 1920.
4. A MIO PADRE (clarinetto in si bemolle) by Giuseppe Tarantola. c. Apr. 23, 1921.
5. AI CADUTI PER LA PATRIA (band) by Felice De Matteo. c. Dec. 6, 1917.
6. AIDA (pf. accordion) by Giuseppe Verdi, arr. by Pietro Deiro and Mario Perry. c. Dec. 30, 1924.
7. AIDA (pf. accordion) by Giuseppe Verdi, arr. by Pietro Deiro. c. July 1, 1920.
8. AIDA (2 mandolins and guitar) by Giuseppe Verdi, arr. by Flaminio Pignoloni. c. Nov. 19, 1916.
9. AL CAMPIDOGLIO (clarinetto in si bemolle) by Ruggiero Palumbo. c. Aug. 11, 1924.
10. AL CHIARO DI LUNA (clarinet, cornet and trombone) by G. Silvestri, arr. by Felice De Matteo. c. Oct. 5, 1911.
11. ALBA DI PACE (band) by Felice De Matteo. c. July 4, 1920.
12. ALLEGRI BALLIAMO (clarinetto in si bemolle) by Berardo Sbraccia. c. Mar. 16, 1914.
13. ALLORI (GLI) (band) by Berardo Sbraccia. c. Sept. 15, 1915.
14. ALPINI ITALIANI (pf. accordion) by Galimberti, arr. by Pietro Deiro and Mario Perry. c. Dec. 7, 1925.
15. AMO L'ALLEGRIA (clarinetto in si bemolle) by Ruggiero Palumbo. c. Aug. 11, 1924.
16. AMORE E DOLORE (E2) by Santi Tafarella. c. Feb. 17, 1926.
17. AMORE E DOLORE (clarinet) by Santi Tafarella. c. Mar. 15, 1926.
18. AMORE IN MEZZO AL MARE (2 mandolins and guitar) by Santi Tafarella, arr. by A. Ziri. c. Nov. 7, 1925.
19. AMORE IN MEZZO AL MARE (E2) by Santi Tafarella. c. July 1, 1925.
20. AMERICANA (band) by Felice De Matteo. c. Dec. 13, 1917.
21. AMOROSA (2 mandolins and guitar) by Santi Tafarella. c. Nov. 7, 1925.
22. AMPLESSI E BACI (clarinetto in si bemolle) by Giovanni Del Colle. c. Aug. 11, 1924.
23. ARDITI ITALIANI (band) by Roberto Orlando. c. Nov. 10, 1922.
24. ATTRAVERSO IL CONTINENTE (band) by Antonio Parisi. c. Nov. 13, 1916.
25. BACI DI FUOCO (clarinet) by Santi Tafarella. c. June 1, 1926.
26. BACIAMI ANCORA (clarinetto in si bemolle) by G. Tarantola. c. Apr. 23, 1921.
27. BALLO (IL) DEGLI AMORINI (2 mandolins and guitar) by G. Silvestri, arr. by Flaminio Pignoloni. c. Nov. 19, 1916.
28. BALLO EXCELSIOR (pf. accordion) by R. Marenco, arr. by Pietro Deiro. c. July 1, 1920.
29. BALLO (UN) MASCHERATO (terzo album di 12 ballabili per clarinetto) arr. by Berardo Sbraccia. c. Oct. 5, 1915.
30. BANDA (LA) NASCENTE (band) by Berardo Sbraccia. c. Sept. 15, 1915.
31. BEAUTIFUL DAYS—(GIORNI BELLI) (pf.) by Pietro Deiro. c. Nov. 13, 1916.
32. BELLA (LA) BRUNA (pf.) accordion) by A. Ghilardenghi, arr. by Pietro Deiro. c. Dec. 29, 1919.
33. BELLA (LA) ITALIA (clarinetto in si bemolle) by G. Tarantola. c. Sept. 15, 1919.
34. BELLA (LA) PARTENOPE (2 mandolins and guitar) by G. Silvestri, arr. by Flaminio Pignoloni. c. Nov. 19, 1916.
35. BELLA SICILIANA (E2) by Santi Tafarella. c. Aug. 20, 1926.
36. BELLA SPAGNOLA (2 mandolins and guitar) by G. Silvestri, arr. by Flaminio Pignoloni. c. Nov. 19, 1916.
37. BENEDETTA (LA) (clarinetto in si bemolle) by G. Tarantola. c. Apr. 23, 1921.
38. BLANCHE (pf.) by Pietro Deiro. c. Dec. 15, 1918.
39. BOHEMIAN GIRL (pf. accordion) by Pietro Deiro. c. Nov. 15, 1922.
40. BREZZA MATTUTINA (E2) (B flat clarinet) by G. Del Colle. c. Sept. 30, 1919.
41. BUON TEMPO (B flat clarinet) by Giuseppe Tarantola. c. Sept. 15, 1919.
42. CADERNA (band) by Angelo D'Arcangelo, arr. by Felice De Matteo. c. May 20, 1921.
43. CALUNNIA (E2) (pf.) by Mentrasti Perry. c. Dec. 24, 1919.
44. CAMPOREALE (clarinetto in si bemolle) by G. Tarantola. c. Dec. 20, 1919.
45. CAMPOREALE BELLO (B flat clarinet) by Giuseppe Tarantola. c. July 4, 1920.
46. CAPELLI DORATI (2 mandolins and guitar) by Santi Tafarella. c. Nov. 7, 1925.
47. CAPRICCIOSA (LA) (2 mandolins and guitar) by F. De Bueris, arr. by Flaminio Pignoloni. c. Nov. 13, 1916.
48. CARMELINA (clarinet) by Santi Tafarella. c. June 1, 1926.

49. CARMEN
    (pf. accordion) by Georges Bizet, arr. by Pietro Deiro. c. Nov. 15, 1922.
50. CARNEVALE DI VENEZIA
    (2 mandolins and guitar) by N. Paganini, arr. by Berardo Sbraccia. c. Aug. 15, 1915.
51. CARNEVALE DI VENEZIA
    (2 mandolins and guitar) by N. Paganini, arr. by Berardo Sbraccia. c. Apr. 1, 1915.
52. CARNIVAL OF VENICE
    (pf. accordion) by N. Paganini, arr. by Pietro Deiro and B. Sbraccia. c. Nov. 15, 1922.
53. CATENA DI ROSE
    (clarinetto in si bemolle) by Berardo Sbraccia. c. Mar. 16, 1914.
54. CAVALCANDO
    (pf.) by Santi Tafarella. c. Dec. 28, 1924.
55. CAVALLERIA RUSTICANA
    (pf. accordion) by P. Mascagni, arr. by Pietro Deiro. c. Dec. 29, 1919.
56. CAVALLERIA RUSTICANA SELECTION
    (pf. accordion) by P. Mascagni, arr. by Pietro Deiro. c. Dec. 7, 1925.
57. CAVALLERIZZI
    (2 mandolins and guitar) by A. Diversi, arr. by Flaminio Pignoloni. c. Aug. 15, 1915.
58. CAVALLERIZZI
    (2 mandolins and guitar) by A. Diversi, arr. by Flaminio Pignoloni. c. Apr. 1, 1915.
59. CELEBRE TOREADOR
    (band) by G. Metallo, arr. by B. Sbraccia. c. Oct. 5, 1915.
60. CHARMING
    (pf. accordion) by E. Waldteufel, arr. by Pietro Deiro. c. Dec. 5, 1920.
61. CHE BEL NASONE
    (clarino in si bemolle) by G. Del Colle. c. Apr. 23, 1921.
62. CHIACCHIERINA
    (clarinetto in si bemolle) by B. Sbraccia. c. Mar. 16, 1914.
63. CICCUIZZA MIA
    (2 mandolins and guitar) by Santi Tafarella. c. Nov. 7, 1925.
64. CICCIUZZA MIA (E2)
    by Santi Tafarella. c. July 1, 1925.
65. CICLAMINO
    (pf. accordion) by E. Becucci, arr. by Pietro Deiro. c. Dec. 30, 1924.
66. CIELI AZZURRI
    (band) by Roberto Orlando. c. Nov. 10, 1922.
67. CIELO AZZURRO
    (clarinet) by Santi Tafarella. c. Mar. 15, 1926.
68. CIELO AZZURRO (E2)
    by Santi Tafarella. c. Feb. 17, 1926.
69. CIGARETTE
    (pf. accordion) by F. De Bueris, arr. by Pietro Deiro. c. Dec. 30, 1924.
70. CIRCO EQUESTRE
    (2 mandolins and guitar) by G. Lucchesi. c. Oct. 15, 1915.
71. CIRIBIRIBIN
    (clarinet, cornet and trombone) by A. Pestalozza, arr. by Felice De Matteo. c. Oct. 5, 1911.
72. CIRIBIRIBIN
    (pf. accordion) by A. Pestalozza, arr. by Pietro Deiro. c. July 1, 1920.
73. CITTA (LA) DEI FIORI
    (2 mandolins and guitar) by G. Silvestri, arr. by F. Pignoloni. c. Nov. 19, 1916.
74. CONTRADANZA
    (B flat clarinet) part 1, by G. Tarantola. c. Sept. 15, 1919.
75. CONTRADANZA
    (clarinetto in si bemolle) part 2, by G. Tarantola. c. Dec. 20, 1919.
76. CORO DI VILLANELLE
    (band) by Roberto Constantini. c. Sept. 15, 1925.
77. CZARINA
    (pf. accordion) by L. Ganne, arr. by Pietro Deiro and Mario Perry. c. Dec. 30, 1924.
78. DANUBE WAVES
    (pf. accordion) by I. Ivanovici, arr. by Pietro Deiro. c. Dec. 29, 1919.
79. DANZANO LE DONNE
    (clarino in si bemolle) by Santi Tafarella. c. June 1, 1926.
80. DANZANO LE DONNE (E2)
    by Santi Tafarella. c. Apr. 26, 1926.
81. DANZIAMO
    (clarinet) by Santi Tafarella. c. June 1, 1926.
82. DIAZ
    (B flat clarinet) by Giuseppe Tarantola. c. Sept. 15, 1919.
83. DOLORES
    (pf. accordion) by E. Waldteufel, arr. by Pietro Deiro. c. July 1, 1920.
84. DONNA CURIOSA (E2)
    by Santi Tafarella. c. Apr. 26, 1926.
85. DONNA CURIOSA
    (clarino in si bemolle) by Santi Tafarella. c. June 1, 1926.
86. DOVE NASCE L'AMORE? (E2)
    by Santi Tafarella. c. Nov. 15, 1926.
87. ECHI DEL CUORE
    (pf.) by Pietro Deiro. c. Dec. 15, 1918.
88. ELSIE
    (band) by Felice De Matteo. c. Sept. 15, 1925.
89. ELVIRA-POLKA
    (clarinet, cornet and trombone) by G. Silvestri, arr. by F. De Matteo. c. Oct. 15, 1911.
90. ERMINIA
    (band) by Louis Petisi. c. May 9, 1919.
91. EROICA SICILIA
    (clarinetto in si bemolle) by Rosario Catalano. c. Aug. 11, 1924.
92. ESTUDIANTINA
    (pf. accordion) by E. Waldteufel, arr. by Pietro Deiro. c. Nov. 15, 1922.
93. ETRURIA
    (band) by Felice De Matteo. c. Sept. 15, 1925.
94. FALLING STARS
    (pf. accordion) by E. Becucci, arr. by Pietro Deiro. c. July 1, 1920.
95. FANCIULLA MIA (E2)
    by Santi Tafarella. c. Oct. 4, 1926.
96. FARFALLE E FIORI
    (2 mandolins and guitar) by G. Silvestri, arr. by Flaminio Pignoloni. c. Nov. 19, 1916.
97. FAUST
    (2 mandolins and guitar) by C. Gounod, arr. by Flaminio Pignoloni. c. Sept. 15, 1915.
98. FAUST
    (pf. accordion) by C. Gounod, arr. by Pietro Deiro. c. July 1, 1920.
99. FAUST
    (2 mandolins and guitar) by C. Gounod, arr. by Flaminio Pignoloni. c. Apr. 1, 1915.
100. FIOR D'ARANCIO (E2)
    (B flat clarinet) by G. Del Colle. c. Sept. 30, 1919.
101. FIOR DI MAGGIO
    (band) by F. De Bueris, arr. by B. Sbraccia. c. May 15, 1916.
102. FIORE DI MAGGIO (E2)
    by Santi Tafarella. c. Aug. 20, 1926.
103. FIORELLINO D'AMORE (E2)
    by Santi Tafarella. c. Apr. 26, 1926.
104. FIORELLINO D'AMORE
    (clarino in si bemolle) by Santi Tafarella. c. June 1, 1926.
105. FIORI PROFUMATI (E2)
    (B flat clarinet) by G. Del Colle. c. Sept. 30, 1919.
106. FORSE
    by Santi Tafarella and Riccardo Cordiferro. c. June 1, 1926.
107. FORSE (E2)
    by Santi Tafarella. c. July 1, 1925.
108. FORSE
    (2 mandolins and guitar) by Santi Tafarella, arr. by A. Ziri. c. Nov. 7, 1925.
109. FORWARD U. S. A.
    (2 mandolins and guitar) by F. Pignoloni. c. Nov. 19, 1916.
110. FRANCESCINA
    (band) by Roberto Orlando. c. Nov. 10, 1922.

111. FRENESIA
(pf.) by Santi Tafarella. c. Dec. 28, 1924.

112. FUNICULI' FUNICULA'
(pf. accordion) by L. Denza, arr. by Pietro Deiro. c. July 1, 1920.

113. FURIOSA
(pf.) by Santi Tafarella. c. Dec. 28, 1924.

114. GARIBALDI A MARSALA
(B flat clarinet) by G. Tarantola. c. Sept. 15, 1919.

115. GARIBALDI HYMN
(pf. accordion) by A. Olivieri, arr. by Pietro Deiro. c. July 1, 1920.

116. GENIALE (E2)
by Santi Tafarella. c. Aug. 20, 1926.

117. GINETTA (E2)
by Santi Tafarella. c. Feb. 17, 1926.

118. GINETTA
(clarinet) by Santi Tafarella. c. Mar. 15, 1926.

119. GIOCONDA (LA)
(2 mandolins and guitar) by A. Ponchielli, arr. by F. Pignoloni. c. Nov. 19, 1916.

120. GITA AL BELVEDERE
(B flat clarinet) by G. Tarantola. c. July 4, 1920.

121. GITA IN AUTOMOBILE
(clarinetto in si bemolle)by R. Palumbo. c. Aug. 11, 1924.

122. GIUSEPPINA AL MARE
(clarinetto in si bemolle) by G. Tarantola. c. Dec. 20, 1919.

123. GIUSEPPINA AL MARE
(pf. accordion) by G. Tarantola, arr. by Pietro Deiro. c. Dec. 30, 1924.

124. GIUSEPPE GAGLIARDI
(B flat clarinet) by G. Tarantola. c. Sept. 15, 1919.

125. GLORIA D'ITALIA
(band) by Roberto Orlando. c. July 4, 1920.

126. GOLFO (IL) INCANTATO
(clarinet, cornet and trombone) by Fiorillo, arr. by Felice De Matteo. c. Oct. 5, 1911.

127. GONDOLA
(pf.) by Santi Tafarella. c. Dec. 28, 1924.

128. GRAN VIA
(pf. accordion) by Cueca and Valverde, arr. by Pietro Deiro. c. Nov. 15, 1922.

129. GRAN VIA
(pf. accordion) by Cueca and Valverde, arr. by Pietro Deiro. c. Nov. 15, 1922.

130. GRANATIERI DI SARDEGNA
(pf.) by Giuseppe Manente. c. Dec. 4, 1918.

131. GRANATIERI (I)
(2 mandolins and guitar) by V. Valente, arr. by Flaminio Pignoloni. c. Oct. 1, 1915.

132. GRAZIELLA
(clarinetto in si bemolle) by G. Tarantola. c. Dec. 20, 1919.

133. GRIDO DI GIOIA
(pf. accordion) by E. Becucci, arr. by Pietro Deiro and Mario Perry. c. Dec. 7, 1925.

134. HONEYMOON
(pf. accordion) by F. De Bueris, arr. by Pietro Deiro. c. Dec. 30, 1924.

135. IDEANDO
(clarinet) by Santi Tafarella. c. June 1, 1926.

136. IDOLO D'INCANTO
(pf.) by Santi Tafarella. c. Dec. 28, 1924.

137. IN ALLEGRIA
(clarinetto in si bemolle) by Mario Piazza. c. Aug. 11, 1924.

138. IN FONDO AL MARE
(clarino in si bemolle) by Santi Tafarella. c. June 2, 1926.

139. IN FONDO AL MARE
by Santi Tafarella. c. June 5, 1926.

140. IN GONDOLA
(pf.) by Nathaniel Ippolito. c. Dec. 28, 1924.

141. INFANTA
(pf.) by Santi Tafarella. c. Dec. 24, 1924.

142. INNAMORATI
(band) by Felice De Matteo. c. July 4, 1920.

143. INNO DEI LAVORATORI
(pf. accordion) by Amintore Galli, arr. by Pietro Deiro. c. Dec. 15, 1920.

144. INNO DI MAMELI
(pf. accordion) by Navarro, arr. by Pietro Deiro. c. Dec. 30, 1924.

145. INVITO ALLA DANZA
(secondo album di 12 ballabili per clarinetto in si bemolle) arr. by Berardo Sbraccia. c. Oct. 5, 1915.

146. IPNOTISMO
(2 mandolins and guitar) by G. Silvestri, arr. by F. Pignolini. c. Nov. 19, 1916.

147. ITALIA BELLA
(band) by F. De Bueris, arr. by Flaminio Pignoloni. c. Nov. 13, 1916.

148. ITALIA REDENTA
(band) by Felice De Matteo. c. Dec. 15, 1920.

149. ITALIA VITTORIOSA
(clarinetto in si bemolle) by Rosario Catalano. c. Aug. 11, 1924.

150. ITALIAN ROYAL MARCH
(pf. accordion) by G. Gabetti, arr. by Pietro Deiro. c. July 1, 1920.

151. LEONE
(clarino in si bemolle) by G. Tarantola. c. Apr. 23, 1921.

152. LIBERTA
(2 mandolins and guitar) by Salvatore Impollomeni, arr. by Flaminio Pignoloni. c. July 4, 1920.

153. LINA
(B flat clarinet) by G. Tarantola. c. Sept. 15, 1919.

154. LITTLE ACCORDIONIST
(collection of 12 easy compositions for the piano accordion) arr. by Pietro Deiro. c. Aug. 1, 1926.

155. LOMBARDI (I)
(pf. accordion) by G. Verdi, arr. by Pietro Deiro and Mario Perry. c. Dec. 7, 1925.

156. LONTANO
(pf.) by Santi Tafarella. c. Dec. 28, 1924.

157. LOTTA D'AMORE
(2 mandolins and guitar) by F. della Rosa, arr. by F. Pignoloni. c. Sept. 10, 1915.

158. LOTTA D'AMORE
(pf. accordion) by F. della Rosa, arr. by Pietro Deiro. c. Nov. 15, 1922.

159. LOTTA D'AMORE
(2 mandolins and guitar) by F. della Rosa, arr. by F. Pignoloni. c. Apr. 1, 1915.

160. LUCIA DI LAMMERMOOR
Sextet from the opera (pf. accordion) by G. Donizetti, arr. by Pietro Deiro. c. July 1, 1920.

161. LUCIA, SEXETTE
(band) by G. Donizetti, arr. by B. Sbraccia. c. Nov. 19, 1916.

162. LUISA
(2 mandolins and guitar) by F. della Rosa, arr. by F. Pignoloni. c. Apr. 1, 1915.

163. LUISA
(2 mandolins and guitar) by F. della Rosa, arr. by F. Pignoloni. c. Oct. 1, 1915.

164. LUNA DI MIELE
(2 mandolins and guitar) by F. De Bueris, arr. by F. Pignoloni. c. Nov. 13, 1916.

165. LUNA INCANTEVOLE
(clarinetto in si bemolle) by R. Palumbo. c. Aug. 11, 1924.

166. MARCIA ORIENTALE
(band) by R. Orlando, arr. by B. Sbraccia. c. Nov. 14, 1916.

167. MARCIA RUSSA
(band) by Roberto Orlando. c. Nov. 10, 1922.

168. MARGHERITA (E2)
by Francesco Zeppetelli. c. May 28, 1919.

169. MARIA ABRIANI
(pf.) by Frank Romano. c. Nov. 13, 1916.

170. MARIA, MARI'
(pf. accordion) by E. De Capua, arr. by Pietro Deiro. c. July 1, 1920.

171. MARSALA BELLA
(b flat clarinet) by Giuseppe Tarantola. c. Sept. 15, 1919.

172. MARSIGLIESE
(pf. accordion) by R. De L' Isle, arr. by Pietro Deiro. c. Nov. 15, 1922.

173. MARTA
(pf. accordion) by F. Von Flotow, arr. by Pietro Deiro. c. July 1, 1920.

174. METODO GRADUATO E PROGRESSIVO
(clarinet in B flat) by G. Bimboni, arr. by B. Sbraccia. c. Nov. 19, 1916.

175. METODO TEORICO—PRACTICO—PROGRESSIVO
(mandolin) by G. Silvestri, arr. by F. Pignoloni. c. Nov. 19, 1916.

176. MI PIACE TANTO
(2 mandolins and guitar) by Santi Tafarella, arr. by A. Ziri. c. Nov. 7, 1925.

177. MIGLIAVACCA
(pf. accordion) by Pietro Deiro. c. Nov. 15, 1922.

178. MILLIONS D'ARLEQUIN
(pf. accordion) by R. Drigo, arr. by Pietro Deiro and Mario Perry. c. Dec. 7, 1925.

179. MIRA, O NORMA
(pf. accordion) by V. Bellini, arr. by Pietro Deiro. c. Nov. 15, 1922.

180. MONTEROSANO
(pf. accordion) by Di Martino, arr. by Pietro Deiro. c. Dec. 29, 1919.

181. NABUCCO
(pf. accordion) by G. Verdi, arr. by Pietro Deiro and Mario Perry. c. Dec. 7, 1925.

182. NEL GIARDINO (E2)
(B flat clarinet) by G. Del Colle. c. Sept. 30, 1919.

183. NORMA, SELECTION
(pf. accordion) by V. Bellini, arr. by Pietro Deiro. c. Nov. 15, 1922.

184. NOTTE D'ESTATE
(B flat clarinet) by G. Tarantola. c. Sept. 15, 1919.

185. NOTTURNO D'AMORE
(song) by Saverio Focacci. c. July 10, 1922.

186. ONORE ALL'ARTE
(band) by Berardo Sbraccia. c. May 14, 1914.

187. O SOLE MIO
(pf. accordion) by E. De Capua, arr. by Pietro Deiro. c. July 1, 1920.

188. OLGA
(clarino in si bemolle) by Santi Tafarella. c. June 2, 1926.

189. OLGA
by Santi Tafarella. c. June 5, 1926.

190. OVER THE WAVES
(pf. accordion) by J. Rosas, arr. by Pietro Deiro. c. Dec. 29, 1919.

191. PACE VITTORIOSA
(band) by Roberto Orlando. c. July 4, 1920.

192. PALOMA (LA)
(pf. accordion) by S. De Yradier, arr. by Pietro Deiro. c. July 1, 1920.

193. PAZZARELLA
(clarinet) by Santi Tafarella. c. March 15, 1926.

194. PAZZARELLA (E2)
by Santi Tafarella. c. Feb. 17, 1926.

195. PATRIA MIA
(2 mandolins and guitar) by G. Silvestri, arr. by F. Pignoloni. c. Nov. 19, 1916.

196. PENSIERO-NOTTURNO
(pf. accordion) by S. Persico, arr. by Pietro Deiro. c. Dec. 30, 1924.

197. PERCHE SORRIDI (E2)
by Santi Tafarella. c. Aug. 20, 1926.

198. PERSEVERANCE
(band) by F. De Bueris, arr. by B. Sbraccia. c. Nov. 13, 1916.

199. PICCOLO SCHERZO
(clarino) by G. Tarantola. c. April 23, 1921.

200. PIEDIGROTTA
(pf. accordion) by L. Criscuolo, arr. by Pietro Deiro. c. Nov. 15, 1922.

201. PIQUE DAME
(pf. accordion) by F. Von Suppe, arr. by Pietro Deiro. c. July 1, 1920.

202. PIU BELLA
(B flat clarinet) by G. Tarantola. c. Sept. 15, 1919.

203. POETA E CONTADINA (POET AND PEASANT)
(2 mandolins and guitar) by F. Von Suppe, arr. by B. Sbraccia. c. April 1, 1915.

204. POETA E CONTADINA (POET AND PEASANT)
(2 mandolins and guitar) by F. Von Suppe, arr. by B. Sbraccia. c. Aug. 15, 1915.

205. PRIMI PASSI (I)
(band) by B. Sbraccia. c. Sept. 15, 1915.

206. PRIMO (IL) BACIO
(clarinet and cornet) by G. Silvestri, arr. by F. De Matteo. c. Oct. 5, 1911.

207. PRINCIPE DI PIEMONTE
(band) by Domenico Guarino. c. June 25, 1914.

208. PRINCIPE DI PIEMONTE
(pf. accordion) by Domenico Guarino, arr. by Pietro Deiro. c. Dec. 15, 1920.

209. PROFUMO D'AMORE
(2 mandolins and guitar) by Santi Tafarella, arr. by A. Ziri. c. Nov. 7, 1925.

210. RAGGIO DI SOLE
(2 mandolins and guitar) by Santi Tafarella, arr. by A. Ziri. c. Nov. 7, 1925.

211. REGINA (LA) DEI FIORI
(clarinet, cornet and trombone) by F. della Rosa, arr. by F. De Matteo. c. Oct. 5, 1911.

212. RE D'ITALIA
(B flat clarinet) by G. Tarantola. c. Sept. 15, 1919.

213. REGINA MARGHERITA
(B flat clarinet) by G. Tarantola. c. July 4, 1920.

214. RICORDI DEL PIAVE (E2)
(B flat clarinet) by G. Del Colle. c. Sept. 30, 1919.

215. RICORDI DEL PIAVE
(clarino in si bemolle) by G. Del Colle. c. Apr. 23, 1921.

216. RICORDI DI BAGHERIA
(band) by Joseph Gigante. c. July 6, 1926.

217. RIGOLETTO QUARTET
(pf. accordion) by G. Verdi, arr. by Pietro Deiro. c. Dec. 29, 1920.

218. RIGOLETTO SELECTION
(pf. accordion) by G. Verdi, arr. by Pietro Deiro. c. July 1, 1920.

219. RISO
(B flat clarinet) by G. Tarantola. c. Sept. 15, 1919.

220. RISVEGLIO PATRIOTTICO
(band) by F. Pignoloni. c. Oct. 15, 1915.

221. RISVEGLIO PATRIOTTICO
(2 mandolins and guitar) by F. Pignoloni. c. Oct. 1, 1915.

222. RITORNO
(band) by Pietro Deiro. c. Sept. 15, 1925.

223. RITORNO DEI SOLDATI
(clarino in si bemolle) by G. Tarantola. c. Apr. 23, 1921.

224. ROMA
(pf. accordion) by E. Becucci, arr. by Pietro Deiro. c. July 1, 1920.

225. ROMEO AND JULIET
(pf. accordion) by C. Gounod, arr. by Pietro Deiro. c. Dec. 15, 1920.

226. ROSALIA
(clarino in si bemolle) by G. Tarantola. c. April 23, 1921.

227. ROSE ODOROSE (E2)
by Santi Tafarella. c. April 26, 1926.

228. ROSE ODOROSE
(clarino in si bemolle) by Santi Tafarella. c. June 1, 1926.

229. ROSINA
(B flat clarinet) by G. Tarantola. c. Sept. 15, 1919.

230. SAINT CECILE
(pf. accordion) by L. Radaeli, arr. by Pietro Deiro. c. Dec. 15, 1920.

231. SAN FRANCISCO SOUVENIR MARCH
(pf.) by Pietro Deiro. c. Nov. 13, 1916.

232. SANTA LUCIA
(pf. accordion) arr. by Pietro Deiro. c. Dec. 15, 1920.

233. SCHERZOSA
(clarinetto in si bemolle) by G. Tarantola. c. Dec. 20, 1919.

234. SEI BEATO
(clarinetto in si bemolle) by G. Tarantola. c. Dec. 20, 1919.

235. SEI IL SECONDO
(B flat clarinet) by G. Tarantola. c. Sept. 15, 1919.

236. SEMPRE MIA
(clarinetto in si bemolle) by R. Palumbo. c. Aug. 11, 1924.

237. SENTIMENTALE (LA)
(clarinet, cornet and trombone) by G. Silvestri, arr. by Felice De Matteo. c. Oct. 5, 1911.

238. SERATA ALLEGRA
(album for clarinet) by B. Sbraccia. c. Sept. 15, 1915.

239. SERATA ALLEGRA
(cornetta in si flat) by B. Sbraccia. c. Sept. 10, 1915.

240. SERATA ALLEGRA
(trombone in si flat) by B. Sbraccia. c. Sept. 10, 1915.

241. SERATA ALLEGRA
(primo album di 12 ballabili—clarinet) by B. Sbraccia. c. May 20, 1914.

242. SERATA FELICE (E2)
(B flat clarinet) by G. Del Colle. c. Sept. 30, 1919.

243. SERENADE OF OLDEN TIMES
(pf. accordion) by G. Silvestri, arr. by Pietro Deiro. c. July 1, 1920.

244. SERENATA IN VILLAGIO
(band) by Felice De Matteo. c. Nov. 13, 1916.

245. SERENATA MEDIOEVALE
(clarinet, cornet and trombone) by G. Silvestri, arr. by Felice De Matteo. c. Oct. 5, 1911.

246. SERENATA POETICA
(2 mandolins and guitar) by Luigi Tutela. c. Nov. 13, 1916.

247. SICILIA BELLA
(B flat clarinet) by G. Tarantola. c. Sept. 15, 1919.

248. SICILIAN VESPERS
(pf. accordion) by G. Verdi, arr. by Pietro Deiro. c. Nov. 15, 1922.

249. SICILIANA
(B flat clarinet solo) by G. Tarantola. c. July 4, 1920.

250. SIRENE (E2)
by Santi Tafarella. c. July 1, 1925.

251. SIRENE
(2 mandolins and guitar) by Santi Tafarella, arr. by A. Ziri. c. Nov. 7, 1925.

252. SIRENS
(pf. accordion) by E. Waldteufel, arr. by Pietro Deiro. c. July 1, 1920.

253. SKATERS WALTZ
(pf. accordion) by E. Waldteufel, arr. by Pietro Deiro. c. July 1, 1920.

254. SOGNO AMOROSO
(2 mandolins and guitar) by G. Silvestri, arr. by Flaminio Pignoloni. c. Nov. 19, 1916.

255. SOGNO D'AMORE
(B flat clarinet) by G. Tarantola. c. Sept. 15, 1919.

256. SOGNO D'UNA FATA (E2)
by Santi Tafarella. c. June 5, 1920.

257. SOGNO D'UNA FATA
(clarino in si bemolle) by Santi Tafarella. c. June 2, 1926.

258. SOLO SGUARDO (E2)
by Santi Tafarella. c. Oct. 4, 1926.

259. SON GELOSA
(pf. accordion) by R. Cuconato, arr. by Pietro Deiro and Mario Perry. c. Dec. 7, 1925.

260. SOPRA LE ONDE
(clarinet, cornet and trombone) by J. Rosas, arr. by F. De Matteo. c. Oct. 5, 1911.

261. SOSPIRI E BACI
(2 mandolins and guitar) by F. Della Rosa, arr. by F. Pignoloni. c. April 1, 1915.

262. SOSPIRI E BACI
(2 mandolins and guitar) by F. Della Rosa, arr. by F. Pignoloni. c. Sept. 15, 1915.

263. SPAGNOLA (LA)
(pf. accordion) by V. Di Chiara, arr. by Pietro Deiro. c. July 1, 1920.

264. SPAGNOLA (LA)
(clarinet, cornet and trombone) by V. Di Chiara, arr. by F. De Matteo. c. Oct. 5, 1911.

265. SPAGNOLETTA (LA)
(2 mandolins and guitar) arr. by F. Pignoloni. c. Nov. 13, 1916.

266. SPERANZE PERDUTE
(pf. accordion) arr. by Pietro Deiro. c. Nov. 15, 1922.

267. SPIRITO
(pf.) by Santi Tafarella. c. Dec. 28, 1924.

268. SPORTIVA
(2 mandolins and guitar) by V. De Crescenzo. c. July 4, 1920.

269. SPORTIVA (E2)
by V. De Crescenzo. c. May 28, 1919.

270. STELLE ALPINE
(2 mandolins and guitar) by G. Silvestri, arr. by F. Pignoloni. c. Nov. 14, 1916.

271. STRADELLA
(pf. accordion) by F. Von Flotow, arr. by Pietro Deiro. c. Dec. 15, 1920.

272. SULLA TOMBA DEI NOSTRI EROI
(band) by Roberto Orlando. c. July 4, 1920.

273. SULLE ONDE DEL DANUBIO
(clarinet, cornet and trombone) by I. Ivanovici, arr. by F. De Matteo. c. Oct. 5, 1911.

274. TARANTELLA BRIOSA
(clarinetto in si bemolle) by B. Sbraccia. c. Mar. 16, 1914.

275. TARANTELLA SICILIANA
(B flat clarinet) by G. Tarantola. c. July 4, 1920.

276. TESORO MIO
(pf. accordion) by Pietro Deiro. c. Dec. 29, 1919.

277. TORNA A SURRIENTO
(pf. accordion) by E. De Curtis, arr. by Pietro Deiro and Mario Perry. c. Dec. 7, 1925.

278. TRAMONTO D'ORO (E 2)
(B flat clarinet) by G. Del Colle. c. Sept. 30, 1919.

279. TRASPORTI TRIONFALI
(pf.) by G. Manente. c. Dec. 4, 1918.

280. TRAVIATA
Prelude to Act 1 (pf. accordion) by G. Verdi, arr. by Pietro Deiro. c. July 1, 1920.

281. TRAVIATA WALTZ
(pf. accordion) by G. Verdi, arr. by Peitro Deiro. c. Dec. 15, 1920.

282. TRENTO E TRIESTE
(band) by Felice De Matteo. c. Apr. 1, 1915.

283. TRIESTE OVERTURE
(pf.) by Pietro Deiro. c. Nov. 13, 1916.

284. TRIPOLI
(band) by Gerardo Iaselli. c. July 6, 1926.

285. TROVATORE (IL)
(pf. accordion) by G. Verdi, arr. by Pietro Deiro and Mario Perry. c. Dec. 30, 1924.

286. TUTTO TACE (E2)
by Santi Tafaralla. c. Nov. 15, 1926.

287. UNDER THE DOUBLE EAGLE
(pf. accordion) by J. F. Wagner, arr. by Pietro Deiro. c. Nov. 15, 1922.

288. UOCCHIE CELESTE
(song) by Vincenzo De Crescenzo and Armando Gill. c. Feb. 10, 1915.

289. USIGNUOLO (L') E VINI SUL MAR
(clarinet, cornet and trombone) by C. Zeller, arr. by Felice De Matteo. c. Oct. 5, 1911.

290. VALSE BLEUE
(pf. accordion) by A. Margis, arr. by Pietro Deiro. c. Nov. 15, 1922.

291. VALSE FANTASTICO
(pf. accordion) by Menfi, arr. by Pietro Deiro. c. Dec. 29, 1919.

292. VEDOVA ALLEGRA (MERRY WIDOW)
(pf. accordion) by F. Lehar, arr. by Pietro Deiro. c. Dec. 29, 1919.

293. VENEZIA BELLA
(pf.) by Pietro Deiro. c. Dec. 15, 1918.

294. VERGINELLA
(clarino in si bemolle) by Santi Tafarella. c. June 2, 1926.

295. VERGINELLA
by Santi Tafarella. c. June 5, 1926.

296. VERI AMICI
(clarinetto in si bemolle) by R. Palumbo. c. Aug. 11, 1924.

297. VERONA
(pf.) by Pietro Deiro. c. Dec. 15, 1918.

298. VEZZOSA
(clarinet) by Santi Tafarella. c. June 1, 1926.

299. VILLEGGIATURA A CAPRERA
(clarino in si bemolle) by G. Tarantola. c. April 23, 1921.

300. VIOLETTA
(band) by B. Di Girolamo. c. May 20, 1921.

301. VIOLETTE (LE)
(2 mandolins and guitar) by G. Silvestri, arr. by F. Pignoloni. c. Nov. 19, 1916.

302. VITA ALLEGRA
(clarino in si bemolle) by G. Del Colle. c. April 23, 1921.

303. VITA ALLEGRA (E2)
(B flat clarinet) by G. Del Colle. c. Sept. 30, 1919.

304. VITTORIA ITALIANA
(band) by Roberto Orlando. c. July 4, 1920.

305. VIVA LA GIOVENTU
first album (trombone in si. flat) by B. Sbraccia. c. Sept. 10, 1915.

306. VIVA LA GIOVENTU
second album (cornette) by B. Sbraccia. c. Oct. 5, 1915.

307. VIVA L'ITALIA
(B flat clarinet) by G. Tarantola. c. July 4, 1920.

308. VIVA ORLANDO
(clarino in si bemolle) by G. Tarantola. c. April 23, 1921.

309. VIVACITA
(pf. accordion) by Pietro Deiro. c. Dec. 29, 1919.

310. VOLUTTA SEGRETE
(band) by Felice De Matteo. c. Nov. 13, 1916.

311. VORREI
(2 mandolins and guitar) by Santi Tafarella, arr. by A. Ziri. c. Nov. 7, 1925.

312. VORREI (E2)
by Santi Tafarella. c. July 1, 1925.

313. WEDDING OF THE WINDS
(pf. accordion) by John T. Hall, arr. by Pietro Deiro and Mario Perry. c. Dec. 7, 1925.

314. WHAT A FICKLE
(pf. accordion) by F. De Beuris, arr. by Pietro Deiro. c. Dec. 7, 1924.

Period 1927–April 1, 1937

((E2) indicates unpublished copyright entries.)

1. A LA CHOPIN
(pf. accordion) by Albert Rizzi. c. June 18, 1936.

2. ACCORDION BLUE JAZZ BREAKS
(pf. accordion) by Pietro Deiro. c. Mar. 10, 1929.

3. ACCORDION DUET ALBUM
(pf. accordion) by Pietro Deiro. c. Nov. 10, 1932.

4. ACCORDION HARMONY
(pf. accordion) by Pietro Deiro. c. Apr. 15, 1936.

5. ACCORDIONIST
(pf. accordion) by Pietro Deiro. c. Dec. 30, 1926.

6. ADDIO A NAPOLI
(pf. accordion) by F. Cottran, arr. by Pietro Deiro and Mario Perry. c. Dec. 30, 1926.

7. ALBUM OF 12 SWEDISH DANCES
(pf. accordion) by D. Hellstrom and Eric Olzen. c. Nov. 20, 1933.

8. ALBUM OF 14 POLISH DANCES
(pf. accordion) arr. by Pietro Deiro. c. Nov. 15, 1932.

9. ALL PARIS
(pf. accordion) arr. by Pietro Deiro and Mario Perry. c. Mar. 5, 1931.

10. AMMORE PERDUTO
(song) by S. Fucito and R. Cordiffero. c. Apr. 1, 1930.

11. AMOR NON V'E (E2)
(song) by Santi Tafarella. c. June 23, 1927.

12. AMOR NON V'E
(solo clarinet in B Flat) by S. Tafarella. c. Sept. 1, 1927.

13. ANDANTINO
(pf. accordion) by E. H. Lemare, arr. by Pietro Deiro. c. Dec. 10, 1934.

14. ARAGONAISE
from the ballet "El Cid" (pf. accordion) by Jules Massenet, arr. by Frank Gaviani. c. Dec. 9, 1935.

15. ARPEGGIOS AND ADVANCED VELOCITY
(pf. accordion) by Frank Gaviani. c. May 5, 1935.

16. ART OF MUSCULAR AND FINGER CONTROL FOR THE PIANO ACCORDION
by Frank Gaviani. c. Apr. 15, 1936.

17. AY AY AY
(pf. accordion) arr. by Galla Rini. c. Dec. 28, 1931.

18. AY AY AY
(two mandolins, guitar and banjo) arr. by Don Flamingo. c. Dec. 20, 1934.

19. BACIAMI BACIAMI ANCORA (E2)
(song) by S. Tafarella. c. Apr. 14, 1927.

20. BACIAMI BACIAMI ANCORA
(solo clarinet in B flat) by S. Tafarella. c. Apr. 15, 1927.

21. BACIO (IL)
(pf. accordion) by Luigi Arditi, arr. by Pietro Deiro. c. Aug. 1, 1927.

22. BAMBINELLA
(pf. accordion) by G. Krier, arr. by Pietro Deiro. c. Aug. 1, 1927.

23. BASS SOLO
(pf. accordion) by Pietro Deiro. c. May 20, 1935.

24. BEAUTIFUL GALATHEA
(pf. accordion) by F. Von Suppe, arr. by Pietro Deiro. c. Aug. 1, 1927.

25. BEE HIVE
(pf. accordion) by H. Schneider, arr. by F. Gaviani. c. Dec. 9, 1935.

26. BELLA SICILIANA
(two mandolins and guitar) by S. Tafarella. c. Apr. 1, 1927.

27. BELLOWS SHAKE FOR THE PIANO ACCORDION
by Pietro Deiro. c. Dec. 9, 1935.

28. BLANQUITA
(vocal and pf.) by Vincenzo De Crescenzo and Luigi Sica. c. Jan. 11, 1930.

29. BOCCACCIO WALTZ
(pf. accordion) by F. Von Suppe, arr. by Pietro Deiro. c. Jan. 30, 1926.

30. BOLERO IN C MAJOR
(pf. accordion) by Joe Biviano. c. Mar. 17, 1937.

31. CAMINITO
(pf. accordion) by F. D. Filiberto, arr. by Pietro Deiro. c. Dec. 10, 1934.

32. CAMPANE DI CORNEVILLE
(pf. accordion) arr. by Pietro Deiro. c. Dec. 30, 1926.

33. CAPRICCIOSA
(pf. accordion) by Branzoli, arr. by Pietro Deiro. c. June 25, 1935.

34. CARME
(pf. accordion) by A. De Cristofero, arr. by Pietro Deiro. c. May 1, 1928.

35. CESARINA
(pf. accordion) by Cesar Pezzolo. c. May 1, 1928.

36. COLUMBIA, THE GEM OF THE OCEAN
(pf. accordion) by D. T. Shaw, arr. by Pietro Deiro and Mario Perry. c. Dec. 30, 1926.

37. COMPLIMENTI (E 2)
(song) by S. Tafarella. c. June 23, 1927.

38. COMPLIMENTI
(solo clarinet in B flat) by S. Tafarella. c. Sept. 1, 1927.

39. CRISANTEMO
(pf. accordion) by G. Sartori, arr. by Pietro Deiro and Mario Perry. c. Dec. 30, 1926.

40. CUCARACHA
(pf. accordion) arr. by Pietro Deiro and Mario Perry. c. Dec. 20, 1934

41. CUCKOO WALTZ
(pf. accordion) by G. Sonasson, arr. by Galla Rini. c. Dec. 28, 1931.

42. CUMPARSITA
(pf. accordion) by G. H. Matos-Rodriguez, arr. by Pietro Deiro. c. Mar. 24, 1933.

43. CUMPARSITA
(2 mandolins, guitar and banjo) by G. H. Matos-Rodriguez, arr. by D. Flamingo. c. Dec. 20, 1934.

44. CZARDAS
(pf. accordion) by V. Monti, arr. by Pietro Deiro. c. June 25, 1935

45. DAMMI IL TUO CUORE (E 2)
(song) by S. Tafarella. c. Jan. 11, 1927.

46. DAMMI IL TUO CUORE
(2 mandolins and guitar) by S. Tafarella, arr. by A. Ziri. c. Apr. 1, 1927.

47. DANCE OF THE HOURS
from "La Gioconda" (pf. accordion) by A. Ponchielli, arr. by Galla Rini. c. Dec. 20, 1934.

48. DANCING BUTTERFLY
(pf. accordion) by A. Rizzi. c. June 18, 1936.

49. DARK EYES
(pf. accordion) by A Salami, arr. by Galla Rini. c. Dec. 28, 1931.

50. DARK EYES
(2 mandolins, guitar and banjo) arr. by D. Flamingo. Dec. 20, 1934.

51. DOLCE MIO COR (E 2)
(song) by S. Tafarella. c. June 23, 1927.

52. DOLCE MIO COR
(solo clarinet in B flat) by S. Tafarella. c. Sept. 1, 1927.

53. DORA
(pf. accordion) by Pietro Deiro. c. Aug. 1, 1927.

54. DORA (E 2)
(pf. accordion) by Pietro Deiro. c. Apr. 18, 1927.

55. DOVE NASCE L'AMORE
(clarinet in B flat) by S. Tafarella. c. Dec. 29, 1926.

56. ELEGIE
(pf. accordion) by J. Massenet, arr. by Pietro Diero. c. Dec. 10, 1934.

57. ELVIRA
(pf. accordion) by Pietro Deiro. c. Apr. 24, 1930.

58. ESPANA
(pf. accordion) by E. Waldteufel, arr. by Pietro Deiro and Mario Perry. c. Dec. 20, 1926.

59. ESPRIT FRANCAIS
(pf. accordion) by E. Waldteufel, arr. by Pietro Deiro and Mario Perry. c. Jan. 11, 1930.

60. EVER OR NEVER
(pf. accordion) by E. Waldteufel, arr. by Pietro Deiro. c. Jan. 11, 1930.

61. FAMOSA
(2 mandolins and guitar) by S. Tafarella. c. Mar. 6, 1929.

62. FAMOUS ARGENTINE TANGOS
(pf. accordion) arr. by Pietro Deiro. c. Dec. 10, 1934.

63. FANCIULLA MIA
(2 mandolins and guitar) by S. Tafarella, arr. by A. Ziri. c. Apr. 1, 1927.

64. FAR AWAY
(pf. accordion) arr. by Pietro Deiro and Mario Perry. c. Apr. 24, 1930.

65. FAUST BALLET
Dance No. 4 (pf. accordion) by C. Gounod, arr. by Pietro Deiro. c. May 1, 1928.

66. FAUST BALLET
Dance No. 1 (pf. accordion) by C. Gounod, arr. by Pietro Deiro. c. June 2, 1927.

67. FAVORITE OLD TIME SONGS
(pf. accordion) arr. by El Vera Collins and F. Gaviani. c. Nov. 20, 1933.

68. FEDELTA
(2 mandolins and guitar) by S. Tafarella. c. March 6, 1929.

69. FIFTH NOCTURNE
(pf. accordion) by J. Leybach, arr. by Pietro Deiro. c. Dec. 9, 1935.

70. FIORE DI MAGGIO
(2 mandolins and guitar) by S. Tafarella, arr. by A. Ziri. c. April 1, 1927.

71. FISH SCALES
(pf. accordion) by D. Frosini. c. June 18, 1936.

72. FLATTERER
(pf. accordion) by C. Chaminade, arr. by F. Gaviani. c. Dec. 9, 1935.

73. FOXY RHYTHM
(pf. accordion) by Galla Rini. c. Dec. 1, 1931.

74. FUMANDO ESPERO
(pf. accordion) by Veladamoto, arr. by Galla Rini. c. Dec. 28, 1931.

75. FUMANDO ESPERO
(2 mandolins, guitar and banjo) by Veladamoto, arr. by D. Flamingo. c. Dec. 20, 1934.

76. GELOSA (E 2)
(song) by S. Tafarella. c. June 23, 1927.

77. GELOSA
(solo clarinet in B flat) by S. Tafarella. c. Sept. 1, 1927.

78. GENERAL BOULANGER'S MARCH
(pf. accordion) arr. by Pietro Deiro. c. Mar. 5, 1931.

79. GENERALE UMBERTO NOBILE
(band) by Gerardo Iaselli. c. Jan. 24, 1927.

80. GENIALE
(2 mandolins and guitar) by S. Tafarella, arr. by A. Ziri. c. Apr. 1, 1927.

81. GERMAN FOLK SONGS
(pf. accordion) arr. by Pietro Deiro and El Vera Collins. c. Dec. 20, 1934.

82. GUARANY
(pf. accordion) by A. Carlos Gomez, arr. by Pietro Deiro. c. May 1, 1928.

83. HERE, THERE AND EVERYWHERE
(pf. accordion) by A. Bosc, arr. by Pietro Deiro. c. Jan. 11, 1930.

84. HILL BILLY, COWBOY AND STANDARD SONGS
(pf. accordion) arr. by Frank Gaviani. c. June 25, 1935.

85. HOME ON THE RANGE
(pf. accordion) arr. by Pietro Deiro. c. Dec. 10, 1934.

86. HUNGARIAN DANCE NO. 5
(pf. accordion) by Johannes Brahms, arr. by Pietro Deiro. c. Jan. 11, 1930.

87. HUNGARIAN RHAPSODY NO. 2
(pf. accordion) by Franz Liszt, arr. by Galla Rini. c. Dec. 26, 1934.

88. HYMN TO THE SUN
from "Le Coq D'Or" (pf. accordion) by Rimsky-Korsakov, arr. by Galla Rini. c. Dec. 20, 1934.

89. IRISH REELS .
(pf. accordion) arr. by Pietro Deiro and Mario Perry. c. Apr. 24, 1930.

90. IRRESISTIBLE
(2 mandolins, guitar and banjo) by Logatti, arr. by D. Flamingo. c. Dec. 20, 1934.

91. ITALIAN FOLK LORE
(pf. accordion) by F. Pignoloni, arr. by Pietro Deiro. c. Dec. 20, 1934.

92. ITALIAN FOLK LORE
(vocal score, mandolin and guitar acc.) by F. Pignoloni. c. Dec. 20, 1934.

93. ITALIAN SOUVENIRS
    (pf. accordion) arr. by Pietro Deiro. c. Mar. 5, 1931.
94. JAPAN-OLA
    (pf. accordion) arr. by Galla Rini. c. Dec. 1, 1931.
95. JAZZ ACCORDIONIST
    (pf. accordion) by Pietro Deiro. c. Sept. 23, 1931.
96. JOLLY COPPERSMITH
    (pf. accordion) by C. Peter, arr. by Frank Gaviani. c. Dec. 9, 1935.
97. JOLLY LUMBER JACKS
    (pf. accordion) by J. F. Wagner, arr. by Frank Gaviani. c. Dec. 9, 1935.
98. JUNIOR ACCORDIONIST SERIES FOR 12-24-48 BASS PIANO ACCORDION
    volume 1, by Frank Gaviani. c. June 25, 1935.
99. KEY TO ACCORDION HARMONY
    by Pietro Deiro. c. Apr. 15, 1936.
100. LAGRIMA ED UN FIORE
    (band) by G. Massa. c. Aug. 1, 1937.
101. LARGO
    from the New World Symphony. (pf. accordian) by Antonin Dvorak, arr. by Pietro Deiro. c. Dec. 9, 1935.
102. LIDO
    (pf. accordion) by Guido Deiro, arr. by Pietro Deiro. c. June 24, 1930.
103. LIEBESTRAUME
    (pf. accordion) by Franz Liszt, arr. by Pietro Deiro. c. Dec. 10, 1934.
104. LIEDO PASSATO (E 2)
    (song by S. Tafarella. c. Apr. 18, 1927.
105. LIEDO PASSATO
    (clarinet in B flat) by S. Tafarella. c. Apr. 15, 1927.
106. LITTLE ACCORDIONIST
    (pf. accordion) by Pietro Deiro. c. Dec. 20, 1926.
107. LITTLE DOLL
    (pf. accordion) by P. Frosini. c. June 18, 1936.
108. LOHENGRIN BRIDAL CHORUS
    (pf. accordion) by Richard Wagner, arr. by Pietro Deiro. c. Apr. 24, 1930.
109. LORENA
    (pf. accordion) by Joe Mosti. c. Mar. 24, 1933.
110. LUCIA DI LAMMERMOOR
    (pf. accordion) by G. Donizetti, arr. by Pietro Deiro. c. Dec. 30, 1926.
111. MAN ON THE FLYING TRAPEZE (THE)
    (pf. accordion) arr. by Pietro Deiro. c. Dec. 26, 1934.
112. MARCHE MILITAIRE
    (pf. accordion) by Franz Schubert, arr. by Pietro Deiro. c. Dec. 10, 1934.
113. MARIONCELLA (E 2)
    (polka) by S. Tafarella. c. Apr. 14, 1927.
114. MARIONCELLA
    (solo clarinet in B flat) by S. Tafarella. c. Apr. 15, 1927.
115. MARIONETTE
    (pf. accordion) by A. Perry. Mar. 24, 1933.
116. MELODY IN F
    (pf. accordion) by A. Rubinstein, arr. by Pietro Deiro. c. Dec. 28, 1931.
117. MENUET
    (pf. accordion) by I. Paderewski, arr. by Pietro Deiro. c. March 5, 1931.
118. MERIDIONALE E SETTENTRIONALE
    (pf. accordion) arr. by Pietro Deiro. c. May 1, 1928.
119. MIGNON
    entr'act gavotte (pf. accordion) by A. Thomas, arr. by Pietro Deiro. c. Aug. 9, 1927.
120. MINUTE WALTZ
    (pf. accordion) by F. Chopin, arr. by Pietro Deiro. c. Dec. 10, 1934.
121. MODERN TECHNIQUE
    (pf. accordion) by Frank Gaviani. c. May 5, 1935.
122. MONTAGNA D'AMORE
    (2 mandolins and guitar) by S. Tafarella. c. March 6, 1929.
123. MORTE DI CASERIO
    (pf. accd.) arr. by Pietro Deiro c. Aug. 1, 1927.
124. MUSKETEERS
    (pf. accordion) by Guido Deiro. c. Apr. 24, 1930.
125. NAPOLI E NEW YORK
    (clarinet in B flat) by S. Tafarella. c. Dec. 29, 1926.
126. NOCTURNE
    (pf. accordion) by F. Chopin, arr. by Pietro Deiro. c. Dec. 10, 1936.
127. NON TANTO FACILE
    (2 mandolins and guitar) by S. Tafarella. c. Mar. 6, 1929.
128. NOVELLA AURORA
    (clarinet in B flat) by S. Tafarella. c. June 15, 1927.
129. NOVELLA AURORA (E 2)
    (polka) by S. Tafarella. c. Apr. 18, 1927.
130. O BIONDA CHIOMA
    (clarinet in B flat) by S. Tafarella. c. June 15, 1927.
131. O BIONDA CHIOMA (E 2)
    (mazurka) by S. Tafarella. c. Apr. 18, 1927.
132. O TU CHE SORRIDE (E 2)
    (mazurka) by S. Tafarella. c. Apr. 14, 1927.
133. O TU CHE SORRIDE
    (solo clarinet in B flat) by S. Tafarella. c. Apr. 15, 1927.
134. OLD COMRADES MARCH
    (pf. accordion) by C. Teike, arr. by Frank Gaviani. c. Dec. 9, 1935.
135. OLSEN-SERENADE
    (pf. accordion) by Ole Olsen, arr. by Pietro Deiro. c. Jan. 11, 1930.
136. ON HORSEBACK
    (pf. accordion) arr. by Pietro Deiro and Mario Perry. c. Apr. 24, 1930.
137. PAGANI'S METHOD FOR 12-24-48 BASS PIANO ACCORDION
    by Octave Pagani. c. June 25, 1935.
138. PAS DES FLEURES
    from the Ballet "Naila" (pf. accordion) by L. Delibes, arr. by Pietro Deiro. c. Dec. 9, 1935.
139. PERCHE SORRIDI
    (2 mandolins and guitar) by S. Tafarella, arr. by A. Ziri. c. April 1, 1927.
140. PERE DE LA VICTOIRE
    (pf. accordion) by L. Ganve, arr. by Pietro Deiro. c. June 2, 1927.
141. PERENNE RIMORSO
    (2 mandolins and guitar) by S. Tafarella, arr. by A. Ziri. c. Mar. 6, 1929.
142. POLISH DANCE
    (pf. accordion) by X. Scharwenka, arr. by Pietro Deiro. c. June 25, 1935.
143. POLKA INDIANA
    (pf. accordion) by John Pezzolo. c. June 2, 1927.
144. PREFERITA
    (2 mandolins and guitar) by S. Tafarella. c. March 6, 1929.
145. PRELUDE
    (pf. accordion) by S. Rachmaninoff, arr. by Pietro Deiro. c. June 2, 1927.
146. PROSPERO
    (pf. accordion) by Pasquale Taraffo, arr. by Pietro Deiro. c. Jan. 11, 1929.
147. PUPPETS
    (pf. accordion) by Frank Gaviani. c. May 5, 1935.
148. RANCHEROS
    (pf. accd.) by P. Frosini. c. June 18, 1936.
149. REGINA DELLE ROSE (E 2)
    (polka) by S. Tafarella. c. Apr. 14, 1927.
150. REGINA DELLE ROSE
    (solo clarinet in B flat) by S. Tafarella. c. April 15, 1927.
151. RELICARIO
    (pf. accordion) by Jose Pedilla, arr. by Galla Rini. c. Dec. 20, 1934.
152. RITORNO A FIRENZE
    (band) by L. Marchetti, arr. by S. Braccia. c. Aug. 1, 1927.
153. RUSTLE OF SPRING
    (pf. accordion) by C. Sinding, arr. by Pietro Deiro. c. Dec. 9, 1935.

154. SACRED SONGS AND CHRISTMAS CAROLS
(pf. accordion) arr. by Eric Olzen. c. Dec. 20, 1934.

155. SALUT A PESTH
(pf. accordion) by H. Kowalski, arr. by Pietro Deiro. c. Dec. 9, 1935.

156. SANTIAGO
(pf. accordion) by A. Corbin, arr. by Pietro Deiro. c. Aug. 1, 1927.

157. SCARF DANCE
(pf. accordion) by C. Chaminade, arr. by Pietro Deiro. c. June 25, 1935.

158. SCHOOL OF VELOCITY
(pf. accordion) by Pietro Deiro. c. Apr. 24, 1930.

159. SCHUBERT'S SERENADE
(pf. accordion) by Franz Schubert, arr. by Pietro Deiro and Mario Perry. c. Dec. 30, 1927.

160. SCORDEME
(song) by S. Fucito and V. Manente. c. April 1, 1930.

161. SECRET
(pf. accordion) by L. Gautier, arr. by Frank Gaviani. c. Dec. 9, 1935.

162. SERENADE
(pf. accordion) by M. Moszkowski, arr. by Frank Gaviani. c. Dec. 9, 1935.

163. SILVER NYMPH
(pf. accordion) by C. Heins, arr. by Pietro Deiro. c. Dec. 9, 1935.

164. SIMPLE CONFESSION
(pf. accordion) by C. Thome, arr. by Frank Gaviani. c. Dec. 9, 1935.

165. SERIO
(pf. accordion) arr. by Pietro Deiro. c. Aug. 1, 1927.

166. SOLO SGUARDO
(2 mandolins and guitar) by S. Tafarella. c. Apr. 1, 1927.

167. SONG OF INDIA
(pf. accordion) by N. Rimsky-Korsakov, arr. by Galla Rini. c. Dec. 28, 1931.

168. SONG OF INDIA
(2 mandolins, guitar and banjo) by N. Rimsky-Korsakov, arr. by D. Flamingo. c. Dec. 20, 1934.

169. SONG OF THE VOLGA BOATMEN
(2 mandolins, guitar and banjo) arr. by D. Flamingo. c. Dec. 20, 1934.

170. SPRITE
(pf. accordion) arr. by Pietro Deiro and Mario Perry. c. Apr. 24, 1930.

171. SULTANTO A TTE
(song) by S. Fucito and R. Cordiferro. c. April 1, 1930.

172. SUMMER SKIES
(pf. accordion) arr. by Galla Rini. c. Dec. 1, 1931.

173. SWALLOW (THE)—(LA GOLONDRINA)
(pf. accordion) by N. Serradel, arr. by Pietro Deiro. c. May 1, 1928.

174. SWAN (THE)
(pf. accordion) by C. Saint-Saëns, arr. by Frank Gaviani. c. Dec. 9, 1935.

175. SWEET STUFF
(pf. accordion) by Joe Biviano. c. Mar. 17, 1937.

176. TANGO DU REVE
(mandolins, guitar and banjo) by E. V. Malderen, arr. by D. Flamingo. c. Dec. 20, 1934.

177. TANGO IN D
(2 mandolins, guitar and banjo) by L. Albeniz, arr. by D. Flamingo. c. Dec. 20, 1934.

178. TI RAMMENTAI
(pf. accordion) by P. Rodei (Pietro Deiro) arr. by Pietro Deiro and John Pezzolo. c. May 1, 1928.

179. TO SPRING
(pf. accordion) by Edvard Grieg, arr. by Pietro Deiro. c. Dec. 9, 1935.

180. TORNA A ME
(2 mandolins and guitar) by S. Tafarella, arr. by A. Ziri. c. April 1, 1927.

181. TRADIMENTO
(2 mandolins and guitar) by S. Tafarella. c. Mar. 6, 1929.

182. TRAUMEREI
(pf. accordion) by R. Schumann, arr. by Pietro Deiro. c. Aug. 1, 1927.

183. TRAVIATA (LA)
(pf. accordion) by G. Verdi, arr. by Pietro Deiro. c. Jan. 11, 1930.

184. TRAVIATA (LA)
prelude to Act 3 (pf. accordion) by G. Verdi, arr. by Pietro Deiro. c. June 2, 1927.

185. TREPIDO VOLO (E 2)
(polka) by S. Tafarella. c. Jan. 11, 1927.

186. TREPIDO VOLO
(2 mandolins and guitar) by S. Tafarella, arr. by A. Ziri. c. Apr. 1, 1927.

187. TRIESTE SOUVENIR
(pf. accordion) by P. Frosini. c. June 18, 1936.

188. TUBEROSE
(2 mandolins and guitar) by S. Tafarella. c. Mar. 6, 1929.

189. TURKEY IN THE STRAW
(pf. accordion) by O. Bonnell, arr. by Pietro Deiro. c. Aug. 1, 1927.

190. TURKISH MARCH
(pf. accordion) by W. A. Mozart, arr. by Pietro Deiro. c. June 2, 1927.

191. TUTTO TACE
(2 mandolins and guitar) by S. Tafarella, arr. by A. Ziri. c. Apr. 1, 1927.

192. VALSE BLUETTE
(pf. accordion) by R. Drigo, arr. by Pietro Deiro. c. June 2, 1927.

193. VALSE FROM COPPELIA
(pf. accordion) by Delibes, arr. by Frank Gaviani. c. May 5, 1935.

194. VALSETTE
(pf. accordion) by Attilio Perry. c. Mar. 24, 1933.

195. VIENNA FOREVER
(pf. accordion) by J. Schrammel, arr. by Frank Gaviani. c. Dec. 9, 1935.

196. VILIA
from "The Merry Widow" (pf. accordion) by Frank Lehar, arr. by Frank Gaviani. c. June 25, 1935.

197. VIOLETERA (LA)
(pf. accordion) by Jose Padilla, arr. by Pietro Deiro. c. Dec. 10, 1934.

198. VIRTUOSO ACCORDIONIST
(pf. accordion) by L. C. Hanan, arr. by Pietro Deiro. c. Dec. 2, 1932.

199. VOICES OF SPRING
(pf. accordion) by Johann Strauss, arr. by Pietro Deiro. c. Dec. 20, 1934.

200. VOLO DEGLI ANGELI
(pf. accordion) arr. by Pietro Deiro. c. June 2, 1927.

201. WILLIAM TELL OVERTURE
(pf. accordion) by G. A. Rossini, arr. by Pietro Deiro and Mario Perry. c. Dec. 30, 1926.

202. ZALLAH
(pf. accordion) by W. Loraine, arr. by Pietro Deiro. c. Jan. 11, 1930.

203. ZINGANA
(pf. accordion) by C. Bohm, arr. by Pietro Deiro and Frank Gaviani. c. Mar. 5, 1931.

In our discussion here, we shall disregard the *catalogue* of O. PAGANI & BROTHERS submitted to us by the SESAC for the reason that a great many of the selections contained therein were not found in the musical copyright entries of the United States Library of Congress as having been copyrighted by O. PAGANI & BROTHERS. It should be sufficient, therefore, to point out the necessity of examining with great care whether the music published by O. PAGANI & BROTHERS is also copyrighted by them.

It will be observed that much of the music copyrighted by O. PAGANI & BROTHERS has been arranged for (a) accordion, (b) two mandolins and guitar, (c) guitar solos, (d) Italian band music, and (e) piano and vocal parts of Italian music. These selections probably have a certain performance value to those radio broadcasters who cannot operate in the public interest, convenience and necessity without using this type of Italian music.

It also will be observed that a great number of the above arrangements were made by Pietro Deiro who several years ago performed for phonograph recording companies.

NAB LIBRARY

Polskie Towarzystwo Muzyki Wspolczesnej

Warsaw, Poland

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, failed to disclose any copyright entries under the name of POLSKIE TOWARZYSTWO MUZYKI WSPOLCZESNEJ, Warsaw, Poland, listed in the SESAC brochure dated January 1, 1937, as a publisher or organization included under its license.

An examination of the records of assignment in the Library of Congress failed to disclose any assignment by POLSKIE TOWARZYSTWO MUZYKI WSPOLCZESNEJ, Warsaw, Poland to the SESAC.

Pro Arte

Lwow, Poland

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of PRO ARTE, Lwow, Poland, listed in the SESAC brochure dated January 1, 1937 as a publisher or organization included under its license.

Period 1870–1935

No copyright entries found.

Period 1936–April 1, 1937

The following list:

1. CZY TO JEST MILOSC (ork. strony) by Wilner, Szlengel and Jerry, arr. by J. Gert. c. Sept. 23, 1936.
2. FIOLKI (tango canzonetta) by S. Cresta, and Izabella. c. Oct. 13, 1936.
3. JOZEFINA by W. Marel and S. Kweller. c. Oct. 13, 1936.
4. JOZEFINA (ork. strony) by W. Marel and S. Kweller, arr. by J. Gert. c. Oct. 26, 1936.
5. NA KAZDYM KROKU JEST DZIEWCZYNA z "Powojowka Hotelu Europa," (ork. strony) by Alfred Schutz. c. Sept. 11, 1936.

An examination of the records of assignment in the United States Library of Congress failed to disclose any assignment by PRO ARTE, Lwow, Poland, to the SESAC.

The five compositions contained in this catalogue probably have a certain performance value to those broadcasters who cannot operate in the public interest, convenience and necessity without using this type of Polish music.

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Radio City Guitar Studio

New York, N. Y.

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of RADIO CITY GUITAR STUDIO, New York City, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1897–1935

No copyright entries found.

Period 1936–April 1, 1937

The following list:

1. A MEDIA LUZ (plectrum guitar) by Frank Victor. c. Jan. 17, 1936.
2. ADELITA (plectrum guitar) by Frank Victor. c. Jan. 17, 1936.
3. COURANTE (plectrum guitar) by Harry Volpe. c. Jan. 17, 1936.
4. FUGA (plectrum guitar) by Harry Volpe. c. Jan. 17, 1936.
5. NOCTURNE (plectrum guitar) by Harry Volpe. c. Jan. 15, 1936.
6. O'MARINARIELLO (plectrum guitar) by Frank Victor. c. Jan. 17, 1936.
7. PICK IT AND PLAY IT (plectrum guitar) by Frank Victor. c. Jan. 15, 1937.
8. PRELUDE (plectrum guitar) by Harry Volpe. c. Jan. 17, 1936.

It will be observed that the eight copyrighted musical selections contained in this catalog are all especially arranged for plectrum guitar.

Rialto Music Publishing Company

New York, N. Y.

An examination of the musical copyright entries of the United States Library of Congress, as of April 1, 1937, disclosed the following entries in the name of RIALTO MUSIC PUBLISHING COMPANY, New York, N. Y., listed in the SESAC brochure dated June 1, 1937 as a publisher or organization included under its license.

Period 1870–1930

No copyright entries found.

Period 1931–April 1, 1937

The following list:

((E2) indicates unpublished copyright entries.)

1. ARMFUL OF CHARMFUL YOU
   (orch.) by Clarke Van Ness, C. Fulcher and Henry F. Bach. c. April 23, 1931.
2. BY AN OLD INDIAN TRAIL
   song (pf. with ukulele arr.) by Ernie Burnett and Clarke Van Ness. c. March 5, 1934.
3. CLARKE'S COMPLETE MINSTREL SHOW (E2)
   (pf. with words) by Allan Taub, Lou Herscher, Ben Gordon and Clarke Van Ness. c. Dec. 1, 1932.
4. DRAGON EYES
   song (pf. with ukulele arr.) by Ernie Burnett and Clarke Van Ness. c. March 5, 1934.
5. HORSIE KEEP YOUR TAIL UP, KEEP THE SUN OUT OF MY EYES (E2)
   (pf. with words) by Arthur Daly and Clarke Van Ness. c. Oct. 17, 1934.
6. I'M AFRAID OF BEES
   song (pf. with guitar arr.) by Nat Simon, James Cavanaugh and Dick Sanford. c. July 23, 1936.
7. I'M GONNA FIX YOUR WAGON (E2)
   (song) by C. "Mack" Arthur. c. March 6, 1937.
8. JUST A WASTE OF TEARS (E2)
   (song) by Lou Herscher, Frank Capano and Clarke Van Ness. c. Nov. 22, 1934.
9. JUST A WASTE OF TEARS
   song (pf. with ukulele arr.) by Lou Herscher, Frank Capano and Clarke Van Ness; uke arr. by Lulu Quinn Weyant. c. Sept. 10, 1935.
10. KNOCKIN' ON WOOD
    song (pf. with ukulele arr.) by Charles O'Flynn, John Redmond and Lee David. c. Feb. 15, 1935.
11. LONE RANGER
    song (pf. with ukulele arr.) by Billy Baskette and Clarke Van Ness. c. Sept. 10, 1934.
12. MAYBE
    song (pf. with guitar arr.) by Allan Flynn and Frank Madden. c. Sept. 10, 1935.
13. OCEAN OF LOVE WITH A KISS ON EACH WAVE
    song (pf. with ukulele arr.) by Ernie Burnett, Irene Williams and Clarke Van Ness. c. March 5, 1934.
14. OH HOW THAT CAVE MAN COULD LOVE
    song (pf. with ukulele arr.) by Len Dugan and Clarke Van Ness. c. Dec. 22, 1931.
15. RIDING THE KILOCYCLES
    (pf.) by Bob Emmerich. c. Aug. 5, 1936.
16. SINCE YUSSELL LEARNED TO YODEL HE'S A YIDDISHE MOUNTAINEER
    song (pf. with guitar arr.) by Dick Sanford, James Cavanaugh and Sammy Mysels. c. Sept. 10, 1935.
17. SOMETHING OLD—SOMETHING NEW—SOMETHING GOLD—SOMETHING BLUE
    song (pf. with guitar arr.) by Charles Seitter, Billy James and Lou Herscher. c. Sept. 10, 1935.
18. STUFF IS HERE (E2)
    (song) by Dick Porter and Sammy Mysels. c. Dec. 29, 1934.
19. SWING, BOY, SWING (E2)
    (pf.) by Dick Porter and Sammy Mysels. c. March 5, 1937.
20. THEY WALTZED HIM AROUND AND AROUND (E2)
    (pf. with words) by Charlie McCarthy, Dick Sanford and Jack Palmer. c. Feb. 11, 1937.
21. YES MAN CAN'T SAY NO
    song (pf. with ukulele arr.) by Dick Sanford, James Cavanaugh and Sammy Mysels. c. Feb. 15, 1935.
22. YOU'RE ANOTHER STEP TOWARD HEAVEN IN THE CHURCH ACROSS THE WAY (E2)
    song (pf. with guitar arr.) by Dick Sanford and N. Osborne. c. May 21, 1936.
23. YOU'RE ANOTHER STEP TOWARD HEAVEN IN THE CHURCH ACROSS THE WAY
    song (pf. with guitar arr.) by Dick Sanford and N. Osborne. c. Sept. 30, 1936.
24. YOU'RE THE ANSWER TO MY PRAYER
    song (pf. with guitar arr.) by Charles Seitter, Lulu Quinn Weyant and Billy James. c. Dec. 2, 1935

We call attention to the fact that except in the case of 5 selections, namely, "I'm Gonna Fix Your Wagon" by C. "Mack" Arthur, "Riding The Kilocycles" by Bob Emmerich, "Armful of Charmful You" by Clarke Van Ness, C. Fulcher and Henry F. Bach, "Horsie Keep Your Tail Up, Keep The Sun Out of My Eyes" by Arthur Daly and Clarke Van Ness, and "Oh How That Cave Man Could Love" by Len Dugan and Clarke Van Ness, all other musical entries copyrighted by RIALTO MUSIC PUBLISHING COMPANY show that one or more of the composers or authors of the compositions are listed in the ASCAP directories (1931 or 1936 editions) as members of the ASCAP as indicated below:

The following composer or author is listed as a member of the ASCAP in the 1931 ASCAP directory:

Ben Gordon

The following composers or authors are listed as members of the ASCAP in the 1931 and 1936 ASCAP directories:

Billy Baskette
James Cavanaugh
Lee David
Louis Herscher
Billy James
Charles O'Flynn
Nat Osborne
Jack Palmer

The following composers or authors are listed as members of the ASCAP in the 1936 ASCAP directory:

Ernie Burnett
Allan Flynn
Sammy Mysels
Dick Sanford
Nat Simon

The complications arising out of the fact that several of the authors and composers of selections in this catalogue are members of the ASCAP are discussed in the foreword of this report.

Rondo Verlag

Berlin, Germany

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of RONDO VERLAG, Berlin, Germany, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1870–1921

No copyright entries found.

Period 1922–1925

The following list:

1. ACH-PUPPE
   (lied) by Victor Hollaender and F. Witte. c. Dec. 30, 1922.
2. ANNABELLE
   (lied) by Ray Henderson and R. Gilbert (Harry Roberts), arr. by Otto Lindemann. c. Feb. 5, 1925.
3. ANNEMARIE
   op. in 3 akten (kl. mit text) by Jean Gilbert, Robt. Gilbert, and G. Okonkowski. c. June 30, 1925.
4. BABETTE, BABETTE, WENN ICH DEIN HERZCHEN HATTE
   (ges. and klav.) by Artur Rebner, arr. by Otto Lindemann. c. Dec. 16, 1922.
5. BEI MIR ABER NICHT
   (ges. and klav.) by Egan Neuman and Kurt Schwabach. c. Nov. 1, 1922.
6. BLONDE (DER) TRAUM
   Op. in 3 akten (klav. mit singstimmen partitur) by Hugo Hirsch, A. Rebner and R. Kessler, arr. by Willy Geisler. c. Mar. 31, 1925.
7. CARNEVAL DER LIEBE
   Op. in 3 akten (klavieren auszug mit singstimmen) by Walter Bromme, Frederich Stein and Will Steinberg. c. Nov. 30, 1924.
8. DAS IST DAS ALTE LIED VON JUNGEN LEUTEN DASS EIN MALHEUR GASCHIECHT IN FRUHLINGSZEITEN
   (klav.) by Jean Gilbert, F. Grunbaum and W. Sterk, arr. by Willy Geisler. c. Oct. 22, 1922.
9. DAS SIND DIE NUTTEN VON GROSS-BERLIN
   (ges. and klav.) by Seigwart Ehrlich and Senta Loveland. c. Dec. 23, 1922.
10. DES KONIGS NACHBARIN
    singspiel in drei akten (klavierauszug mit text) by L. Jessel, Fritz Grunbaum and W. Sterk. c. June 30, 1923.
11. DOLLY, DU SPRICHST IN SCHLAFE VON MIR
    (shimmy lied) by V. Hollaender, arr. by Otto Lindemann. c. June 28, 1923.
12. DORINE
    (klav. mit text) by J. Gilbert, F. Grunbaum and W. Sterk, arr. by O. Lindemann. c. Oct. 18, 1922.
13. DORINE DU HAST WAS IM ANGE
    (ges. and klav.) by J. Gilbert, F. Grunbaum and W. Sterk, arr. by Otto Lindemann. c. Sept. 16, 1922.
14. DORINE UND DER ZUFALL
    lustspiel in drei akten (vollstandiger klavierauszug mit text) by J. Gilbert, F. Grunbaum and W. Sterk, arr. by H. J. Veith. c. Mar. 13, 1923.
15. DORINE UND DER ZUFALL
    lustspiel mit musik in drei akten (klavierauszug mit text) by Fritz Grunbaum, Wilhelm Sterk and Jean Gilbert, arr. by Hans Joseph Veith. c. Mar. 15, 1923.
16. ERSTE (DIE) NACHT
    (klav. mit text) by H. Hirsch, E. Urban and H. Zerlett, arr. by Paul Huhn. c. June 1, 1922.
17. ERSTE (DIE) NACHT
    potpourri (klav. mit text) by Erich Urban, Hans H. Zerlett and Hugo Hirsch, arr. by Paul Huhn. c. Sept. 29, 1923.
18. FASCHINGSKAVALIER
    op. in 3 akten (klav. mit text) by Paul Stumpf, George Tour-Albrecht and Otto Wehner. c. Oct. 16, 1922.
19. FRAU (DIE) OHNE KUSS
    lustpiel in 3 akten (klav. mit singstimmen partitur) by Walter Kollo, R. Kessler and Willie Kollo, arr. by Otto Lindemann. c. Sept. 20, 1924.
20. FURST (DER) VON PAPPENHEIM
    op. in 3 akten (klav. mit text) by Hugo Hirsch, F. Arnold and E. Bach, arr. by Hans Veith. c. June 30. 1923.
21. GLUCKSTROMPETER (DER)
    op. in 3 akten (klav. mit singstimmen) by Heinrich Reinhardt, G. Beer and A. Friedmann. c. Dec. 31, 1922.
22. I WANT TO BE HAPPY
    (lied) aus "No, No, Nanette" by Vincent Youmans, H. Zerlett and A. Rebner, arr. by O. Lindemann. c. Feb. 5, 1925.
23. ICH BRING' DICH UM DIE ECKE
    (ges. and klav.)aus "Ein Scharfes Ding" by Egon Neumann, R. Schwabach and F. Witte. c. Dec. 28, 1922.
24. ICH HAB' SO ANGST VOR DEN FRAUEN
    (ges. and klav.) by J. Gilbert, F. Grunbaum and W. Sterk, arr. by Otto Lindemann. c. Nov. 14, 1922.
25. IN KLEINEN DIELEN
    (shimmy lied) by J. Gilbert, F. Grunbaum and W. Sterk, arr. by Otto Lindemann. c. Oct. 3, 1922.
26. INDIAN LOVE CALL
    (lied) aus "Rose-Marie" by Rudolph Friml and Artur Rebner, arr. by O. Lindemann. c. Feb. 5, 1925.
27. JA. DIE LIEBE HAT ZWEI TRABANTEN
    (ges. and klav.) by J. Gilbert, L. Jacobson and R. Oesterreicher, arr. by Otto Lindemann. c. Dec. 29, 1922.
28. KATJA
    aus "Katja die tanzerin" (klav. mit worte) by J. Gilbert, L. Jacobson and R. Oesterreicher, arr. by Willy Geisler. c. Jan. 26, 1923.
29. KATJA DIE TANZERIN
    grosses potpourri (klav. mit text) by J. Gilbert, L. Jacobson and R. Oesterreicher, arr. by Willy Geisler. c. Feb. 26, 1923.
30. KATJA DIE TANZERIN
    op. in 3 akten (klav. mit singstimmen) by J. Gilbert, R. Oesterreicher and L. Jacobson, arr. by Willy Geisler. c. Nov. 15. 1922.

31. KIND DREH'DICH UM, DENN ICH MOCHTE DICH MAL VON HINTEN (VORNE) SEHM
    (shimmy lied) by H. Hirsch, C. K. Roellinghoff, arr. by Otto Lindemann. c. Oct. 26, 1923.

32. KLEINE SUNDERIN
    op. in 3 akten (klav. mit text) by J. Gilbert and W. Prager, arr. by Fritz Prager. c. June 4, 1922.

33. KLEINE SUNDERIN
    (klav. mit text) by J. Gilbert, Willy Prager and H. Zerlett, arr. by Willy Geisler. c. Nov. 11, 1922.

34. KOMM' HERAB, AUS DER ZWEITEN ETAGE
    (ges. and klav.) by F. Grunbaum and W. Sterk, arr. by Otto Lindemann. c. Nov. 20, 1922.

35. KOMM, LIEBCHEN. WANDER-MIT DEINEM LEANDER
    duet (ges. and klav.) by J. Gilbert, L. Jacobson, R. Oesterreicher, arr. by O. Lindemann. c. Nov. 15, 1922.

36. KOMM MORGEN ZU MIR IN MEIN KLEINES QUARTIER
    (lied) aus "Katja die Tanzerin" by J. Gilbert, L. Jacobson and R. Oesterreicher, arr. by O. Lindemann. c. Dec. 29, 1922.

37. KONIGEN (DIE) VOM MONTMARTE
    op. in 3 acts (klav. mit text) by Vada Ennem and D. Spranklin, arr. by Otto Petersen. c. June 8, 1922.

38. MEMORY LANE
    (walzerlied) by Larry Spier, Con Conrad and A. Rebner, arr. by O. Lindemann. c. Feb. 5, 1925.

39. MISTER GLOBETROTTER
    op. in 3 akten (klav. mit text) by Otto Urack and Gunther Bibo. c. Dec. 31, 1924.

40. NIMM BLOSS DIE HAND DA WEG
    (ges. and klav.) by Egon Neumann and Kurt Schwabach. c. Dec. 28, 1922.

41. NO NO NANETTE
    aus "No, No, Nanette" (ges.) by Vincent Youmans, A. Rebner and H. Zerlett. c. Feb. 5, 1925.

42. O ROSEMARIE ICH LIEBE DICH
    aus "Rose-marie" (lied) by Rudolph Friml and Fritz Rotter, arr. by O. Lindemann. c. Feb. 5, 1925.

43. ORIGINAL (DER) CHARLESTON
    aus "Running Wild" by Cecil Mack, J. Johnson and A. Rebner, arr. by O. Lindemann. c. Feb. 5, 1925.

44. SCHAFF DIR DOCH 'NEN REICHEN FREUND AN
    (ges. and klav.) by J. Gilbert, F. Grunbaum and W. Sterk. c. Oct. 20, 1922.

45. SOMEBODY LOVES ME
    (lied) by George Gershwin, A. Rebner, arr. by O. Lindemann. c. Feb. 5, 1925.

46. TAKE A LITTLE ONE STEP
    (lied) aus "No, No, Nanette" by Vincent Youmans, H. Zerlett and A. Rebner, arr. by O. Lindemann. c. Feb. 5, 1925.

47. TEA FOR TWO
    (lied) aus "No, No, Nanette" by Vincent Youmans and A. Rebner, arr. by O. Lindemann. c. Feb. 5, 1925.

48. TORICHTE (DIE) JUNGFRAU
    op. in 3 akten (klav. mit text) by Oscar Strauss, arr. by O. Lindemann. c. Jan. 12, 1923.

49. TORICHTE (DIE) JUNGFRAU
    potpourri, aus der operette "Florido" (klav. mit worte) by Oscar Strauss, arr. by O. Lindemann. c. Apr. 7, 1923.

50. USCHI
    grosses potpourri (klav. mit text) by J. Gilbert, L. Kastner and A. Moller, arr. by Otto Lindemann. c. Feb. 28, 1925.

51. USCHI
    (klavierauszug mit text) by J. Gilbert, L. Kastner and A. Moller, arr. by Willy Geisler. Feb. 28, 1925.

52. VITTORINA
    (klav.) by Oscar Strauss, arr. by Otto Lindemann. c. Mar. 18, 1923.

53. WAR ICH FRIE
    aus "Katja die Tanzerin" (ges. and klav.) by J. Gilbert, L. Jacobson and R. Oesterreicher, arr. by Otto Lindemann. c. Nov. 15, 1922.

54. WAS KANN DAS FUR EIN MANN SEIN, DER HINTER DEM FRAULEIN GEHT?
    (ges. and klav.) aus "Dorine und der zufall" by J. Gilbert, F. Grunbaum and W. Sterk, arr. by Willy Geisler. c. Oct. 14, 1922.

55. WELT (DIE) WIRD VERRUCKT
    aus "Katja die Tanzerin" (klav.) by L. Jacobson, R. Oesterreicher and Jean Gilbert, arr. by Otto Lindemann. c. Dec. 5, 1922.

56. WENN DIE ROSEN BLUHN
    (lied) by Victor Hollaender. c. Dec. 12, 1922.

57. WHISKY UND BRANDY
    aus "Dorine und der zufall" (ges. and klav.) by J. Gilbert, F. Grunbaum and W. Sterk, arr. by Otto Lindemann. c. Nov. 14, 1922.

Period of 1926–1932

The following list:

1. ACH MUTTEN VOR DEM SCHLAFENGEHN
    (lied) by Will Rollins and Fritz Rotter. c. May 17, 1927.

2. ACH WOR DOCH HAROLD LLOYD MEIN BRAUT MEIN BRAUTIGAM
    (lied) by Hans May, Fritz Rotter and Hans Lefebre. c. Dec. 19, 1928.

3. ADALBERT, WOS HAST DU IN DER TUTE
    (lied) by Rudolph Nelson, Rudolph Schanzer and Ernst Welisch. c. Sept. 11, 1926.

4. ADE-ADE-ADELE, KOMM WIR FOHREN AN DIESEE
    (lied) by Elka Krauss. c. May 15, 1931.

5. ALLES FUR EUCH
    (marchlied) by Erich Ziegler. c. July 6, 1928.

6. ALTE VATER RHEIN
    (lied) by Franz Doelle and Carl Bretschneider. c. Apr. 15, 1926.

7. AM ABEND, AM ABEND
    (lied) by Fred Raymond, Otto Stransky and Fritz Rotter. c. Feb. 10, 1926.

8. AM MONTAG KUSSE ICH DIE BLONDE ERIKA
    (orch.) by R. Marbot and Gunther Bibo, arr. by Hartwig von Platen. c. Jan 1, 1929.

9. AM MONTAG KUSSE ICH DIE BLONDE ERIKA
    (kl.) by R. Marbot and Gunther Bibo, arr. by O. Lindemann. c. Dec. 5, 1928.

10. AM RUDESHEIMER SCHLOSS STEHT EINE LINDE
    (lied) by Erich Ziegler and Ernst Neubach. c. Apr. 27, 1926.

11. AMALIEGEHT MIT'M GUMMIKAVALIER
    (lied) by Siegwart Ehrlich. c. Apr. 23, 1927.

12. AN DER WATERKANT STEHT EIN FISCHERHAUS
    (orch.) by Harry Hauptmann and Fritz Ginzel, arr. by Fred Ralph (Herman Krome). c. Feb. 15, 1929.

13. AN DER WATERKANT STEHT EIN FISCHERHAUS (song) by Harry Hauptmann and Fritz Ginzel. c. Nov. 15, 1928.

14. AN DER WESER, AN DER MOSEL UND AM RHEIN (lied) by Ralph Erwin and Ernst Neubach. c. May 23, 1928.

15. ARME RITTER (schlager) aus "Arme Ritter" by Walter Kollo, Kurt Schwabach and Gunther Bibo. c. Aug. 31, 1928.

16. AUCH DIE KINDER HABEN SORGEN (song) by Theo. Mackeben and Gunther Bibo. c. Dec. 10, 1927.

17. AUF DER RUDELSBURG (lied) by Max Vogel and H. Gaudy. c. Aug. 8, 1929.

18. BANJO, BANJO SING DEIN LIED (lied) by Walter Kollo, Hermann Haller, Willie Wolff and Rideamus. c. Aug. 31, 1927.

19. BEI UNS IM HINTERHAUS (song) by Nico Dostal and Charlie Amburg. c. Oct. 5, 1928.

20. BEI UNS IST IMMER SONNENSCHEING (and) STADT DER LIEBE (lied) by Leo Leon. c. Jan. 20, 1931.

21. BEI UNS UM DIE GEDACHTNISKIRCHE RUM (song) by Friedrich Hollaender. c. Dec. 24, 1927.

22. BEIM KLEINEN AMANULLA (song) by Siegwart Ehrlich and Alfred Berg. c. June 27, 1928.

23. BEIM ROLAMDSECK AM GRUNEN RHEIN (lied) by Siegwart Ehrlich and Lissy Rossbach. c. July 2, 1928.

24. BELLAROSA (lied) by Otto Stransky and Fritz Rotter. c. Oct. 5, 1926.

25. BENATZKY (RALPH) SCHLAGER (song) by Ralph Benatzky and Erich Weinert. c. Feb. 10, 1928.

26. BERLIN, BERLIN, WIE BIST DU SCHON GERORDEN (lied) by Frederich Hollaender. c. July 17, 1926.

27. BERLINER SEIN GENUGT (lied) by Hans May and Hans Brennert. c. Oct. 2, 1926.

28. BISSCHEN SCHMIEREN (duett) aus "Vendetta" by Vada Ennem, and Max Steiner-Kaiser. c. May 5, 1923.

29. BITTE, SAG' NICHT KNIF ZU MIR (song) by Paul Strasser and Marcellus Schiffer. c. Oct. 23, 1928.

30. BLAUE NACHT (lied) by Will Rollins and Fritz Rotter. c. Dec. 15, 1926.

31. COLETTE UND DER MOND (lied) by Walter Bransen. c. Nov. 11, 1926.

32. DAS BIST DU (song) by Friedrich Hollaender. c. Aug. 10, 1927.

33. DAS IST DIE REISEZEIT (marschlied) aus "Yvonne" by Hugo Hirsch, Hans H. Zerlett and Artur Rebner. c. Aug. 18, 1926.

34. DIES UND DAS (lied) by Rolf Roeder. c. Nov. 7, 1928.

35. DIES UND DAS (orch.) by Rolf Roeder, arr. by H. Pirin. c. Feb. 18, 1929.

36. DU BIST MEIN TYP (lied) by Friedrich Hollaender. c. May 13, 1926.

37. DU HAST DEN GUSTAV ANGESCHAUT (lied) by James Klein and Fritz Rotter. c. May 30, 1927.

38. DU HAST SO WAS, DU HAST SO WAS (lied) aus "Die Dame" by Harry Waldau and Richard Rillo. c. Nov. 3, 1929.

39. DU, MADCHEN MIT DER KNABENFIGUR (lied) by Rudolph Nelson and Robert Gilbert. c. Sept. 9, 1926.

40. DU UND ICH, ICH UND DU (lied) by Rudolph Nelson and Hans H. Zerlett. c. Apr. 14, 1927.

41. DU WARST GUT ZU MIR (lied) by Ralph Erwin and Ernst Neubach. c. Apr. 3, 1929.

42. DU WEISST DAS RECHTE WORT ZU FINDEN (lied) by E. Ervante, Serge Walter and Egon Shubert. c. Jan. 15, 1929.

43. EINMAL GETH JEDER AM GLUCH VORBEI (lied) aus "Yvonne" by Hugo Hirsch, August Neidhart, and Artur Rebner. c. Aug. 3, 1926.

44. EINMAL NOCH MOCHT ICH DICH KUSSEN (and) CARAMBA Aus "Der Pudel der Madame Harlekin" (orch.) by Willy Geisler and Teo. Von Donop. c. Sept. 13, 1932.

45. EINMAL NUR HAT MIR DEIN HERZ GEHERT (lied) by Jack Drooning and Franz Baumann. c. June 1, 1929.

46. ELISABETH (lied) by Walter Kollo and Willy Kollo. c. May 8, 1926.

47. ERSTEN VEILCHEN (lied) by Rolf Roeder. c. Aug. 30, 1927.

48. ES BRAUCHT JA NICHT IMMER AM RHEIN ZU SEIN (lied) by Max Vogel and R. Torley. c. Aug. 8, 1929.

49. ES FLUSTERT LEIS DER BLEUS (lied) by Friedrich Hollaender. c. July 19, 1926.

50. ES GEHT SCHON BESSER (lied) by Rudolph Nelson, Rudolph Schanzer and Ernst Welisch. c. Nov. 19, 1926.

51. ES GEHT VON MUND ZU MUND (lied) by Herman Darewski and Hans Reimann. c. Sept. 1, 1926.

52. ES GRUSST DER STEPHAN STURM DIE BEROLINA (lied) by Harry Waldau and Hans Dekner. c. Oct. 15, 1928.

53. ES IST LIN KOMISCHES DING UM DIE LIEB (lied) by Willy Prager. c. Oct. 1, 1927.

54. FORSTERCHRISTL (Schlager) by Bruno Granichstaedten. c. Jan. 25, 1931.

55. FRAULEIN PING-PONG (lied) by Willy Rosen. c. Aug. 24, 1928.

56. FRAUEN SIND SUSS WIE DIE SUNDE (lied) by Tilmar Springefeld and Richard Bars. c. May 17, 1927.

57. FREU DICH, ROSALINDE, DENN DER LENZ IST DA (lied) by Fritz Rotter, Franz Doelle and Otto Stransky. c. June 10, 1927.

58. FREUT EUCH DES LEBENS (marschlied) by Emil Palm and Walter Rene. c. Nov. 8, 1928.

59. FREUT EUCH DES LEBENS (schlager) by Emil Palm and Walter Rene. c. Feb. 7, 1928.

60. FRIEDERIKE (lied) by Rudolph Nelson. Rudolph Schanzer and Ernst Welisch. c. Sept. 11, 1926.

61. FUR JEDEN ETWAS (orch.) by Alfred Berg and Siegwart Ehrlich, arr. by Willy Geisler. c. Jan. 24, 1929.

62. GEHN SIE BODEN (lied) by Percy Mason and Charles Amberg. c. Apr. 21, 1929.

63. GEISHA, DU BIST SO WEISS WIE SCHNEE (lied) by Franz Doelle, Fritz Rotter and Otto Stransky. c. Sept. 13, 1926.

64. GELIEBTE KLEINE ELLEN, KOMM MIT MIR IN DIE WELLEN
(lied) by Rolf Marbot and Fritz German, Gunther Schwenn and Peter Schaeffers. c. Sept. 23, 1932.

65. GELIEBTE KLEINE ELLEN, KOMM MIT MIR IN DIE WELLEN
(orch.) by Rolf Marbot, Fritz German, Gunther Schwenn and Peter Schaeffers. c. Sept. 23, 1932.

66. GIBTS AUCH MAL 'NEN KRACH
(lied) aus "Vendetta" by Vada Ennem and Max Steiner-Kaiser. c. May 31, 1923, copy deposited May 29, 1930.

67. GOLDRAUSCH FOXTROT
(orch.) by Marc Roland. c. Apr. 15, 1926.

68. GOTT SEI DANK, HEUT HAB ICH BLOU GEMACHT
(lied) by Leo Leux and Richard Rillo. c. Oct. 10, 1927.

69. GROSSE KLEINIGKEITEN
(funf Schlager) aus "Rolf Roeder Revue" by Rolf Roeder and Felix Wernor. c. Jan. 5, 1927.

70. GRUSS MIR DIE STOLZEN BURGEN AM RHEIN
(lied) by Fred Raymond and Fritz Rotter. c. Apr. 16, 1926.

71. HALLOH, MEIN KLEINER FLOH
(lied) by Rudolph Nelson, Rudolph Schanzer and Ernst Welisch. c. Sept. 11, 1926.

72. HAVANNA
(lied) by Tilmar Springefeld and Omega. c. May 17, 1927.

73. HEROST AM RHEIN
(marschlied) by Heine Stromberg. c. Feb. 19, 1929.

74. HEUT SPEILT MEIN SEBASTIAN
(lied) by Charles Amberg and Hugo Wiener. c. Aug. 22, 1928.

75. HEUT SPIELT MEIN SEBASTIAN (and) SCHENCK MIR NUR EINEM TOG AUS DEINEM LEBEN
(orch.) 1. by Charles Amberg and Hugo Wiener, 2. by Trojan Wellisch and Egon Shubert. c. Aug. 1, 1929.

76. HOCH DAS BEIN
(lied) by Tilmar Springefeld and Otto Sprinzel. c. May 17, 1927.

77. HORCH-ES KLAPPERT DER STORCH
(lied) by Robby Herp, Erich Hopp, and E. S. Orsnah. c. Apr. 27, 1929.

78. ICH BIN VERLIEBT-VERLIEBT IN DICH
(lied) by Hans Arnold and Hans Viebzlak. c. Mar. 21, 1930.

79. ICH BIN VIELLEICHT VERLIEBT
(lied) aus der op. "Madonna, wo bist du" by Albrecht Haselbach, Hanns Dekner, and Max Bertuch. c. Sept. 22, 1932.

80. ICH BIN VIELLEICHT VERLIEBT
(orch.) by Albrecht Haselbach, Hanns Dekner, and Max Bertuch. c. Sept. 16, 1932.

81. ICH FAHR MIT MEINER ERIKA
(song) by Hugo Hirsch and Artur Rebner. c. Oct. 27, 1928.

82. ICH HAB AM RHEIN EIN BLONDES MADCHEN
(lied) by G. P. Erven and Lutz Rosenberg. c. Aug. 3, 1929.

83. ICH HAB DICH LIEB, DU MEIN MADEL VOM GRUNEM RHEIN
(lied) by Fritz Rotter, Franz Doelle and Otto Stransky. c. June 18, 1927.

84. ICH HAB IN PICHELSDORF NEN KLEINEN BLUMENGARTEN
(lied) by Leo Leux and Hans H. Zerlett. c. Apr. 14, 1927.

85. ICH HABE IM MAI VON DER LIEBE GETRAUMT
(Lied) by Franz Doelle and Alfred Berg. c. Sept. 13, 1926.

86. ICH KANN NICHT NEIN SAGEN
(lied) by Willy Rosen. c. Aug. 24, 1928.

87. ICH KANN NICHT NEIN SAGEN (and) VON DEM ZOO BIS ZU DEN LINDEN
(orch.) 1. by Willi Rosen, arr. by Hartwig von Platen. 2. by Erich Ziegler. c. Sept. 21, 1929.

88. ICH KENN EINEN SCHUCHTERNEN JUNGEN MANN
(lied) by Otto Stransky and Menne Freudenberg. c. June 26, 1929.

89. ICH KENNE EIN HAUSCHEN IN RUDESHEIM
(orch.) by Emil Palm and Walter Rene. c. Aug. 30, 1929.

90. ICH KONNT MICH IN DICH VERLIEBEN
(lied) by Otto Lindemann, Otto Stransky and Fritz Rotter. c. Aug. 23, 1926.

91. ICH NEHME SIE IM STURM MADAME
(lied) by Herman Erlich. c. May 18, 1929.

92. ICH SAH DIE LIESBETH IM PARADIESBETT
(song) by Will Rollins and Robert Gilbert. c. Oct. 4, 1928.

93. ICH SPIEL SO GERN MIT DER KLAVIER
(lied) by Friedrich Hollaender. c. July 17, 1926.

94. ICH TANZ CHARLESTON
(lied) by Friedrich Hollaender. c. July 17, 1926.

95. ICH TRAUME JEDE NACHT VON ELISABETH
(song) by Friedrich Hollaender. c. Sept. 2, 1927.

96. IM LENZ WENN ALLE MADELS TRAUMEN
(lied) by Dr. Richard Hirsch and George Burghardt. c. Jan. 27, 1926.

97. IN BONN AM RHEIN HAUT EIN MADEL MEIN
(song) by Willy Geisler and Teo von Donop. c. Aug. 20, 1928.

98. IN ROTHENBERG AM BLUTENSTRAND DER TAUBER
(song) by Edward Czajanek and Julius B. Heim. c. Sept. 14, 1928.

99. ISABELLE HUPPT IN DIE WELLE
(lied) by Siegwart Ehrlich. c. May 7, 1929.

100. JA DIE BERLINER MADCHEN
(salon orch.) by Willy Rosen, arr. by Harry Waldau. c. Aug. 3, 1929.

101. JOSEFINE IN DER BADEKABINE
(lied) by Frank Stafford and Charles Amberg. c. May 30, 1926.

102. JUNI, JULI AND AUGUST
(lied) by Willy Prager. c. Oct. 17, 1926.

103. KATINKA
(lied) by Rudolph Nelson and Hans H. Zerlett. c. Apr. 14, 1927.

104. KEINER WUSSTE, DASS AUGUSTE
(lied) by Max Fliess and Ernst Grund. c. Nov. 1, 1928.

105. KLEINES HAUSCHEN
(lied) by Rolf Roeder. c. Oct. 19, 1928.

106. KLEINES HAUSCHEN
(orch.) by Rolf Roeder and Karl Knauer. c. Feb. 18, 1929.

107. KOKETTE FRAUEN
(lied) Aus "Die Kokette Frau" by Hans Werner and Friedrich Schwarz. c. Aug. 23, 1929.

108. KOMM INS GRUNE, KAROLINE
(song) by Walter Kollo, Hermann Haller, Willie Wolff and Rideamus. c. Aug. 24, 1927.

109. KOMM MIT MEIN LIEB, ICH ZEIG DIR SANSSOUCCI
(marschlied) by Bernhard Nitzsche and Willy Weiss. c. Sept. 15, 1926.

110. KOMM MIT MIR KAROLINE
by Willy Prager. c. Nov. 13, 1926.

111. KOMM MIT MIR NACH VENEDIG
(lied) by Max Hansen and Willy Prager. c. Sept. 9, 1927.

112. KORSIKA
(lied) aus "Vendetta " by Vada Ennem and Max Steiner-Kaiser. c. Jan. 8, 1923.

113. KOTSCHAMBAMBA
(lied) by Hanns Arnold and Waldemar Lydor. c. Aug. 8, 1929.

114. KRAUSE MIT DEM SAXOPHON
(song) by Hermann Abendroth. c. Oct. 15, 1928.

115. LASS DEM KIND DEN LUFTBALLON
(song) by Loe Leux, Hans H. Zerlett, and Richard Rillo. c. Oct. 10, 1927.

116. LEB WOHL MEIN SCHATZ AUF WIEDERSEHN
(song) by Marc Lavary and Fritz Oesterreicher. c. Oct. 9, 1928.

117. LIEBE GEHT DURCH DIE NASE
(marschlied) aus "Yvonne" by Hugo Hirsch, August Neidhart and Artur Rebner. c. Aug. 3, 1926.

118. LIEBESGEFLUSTER
(kl. and violine) by Franz Drdla. c. Aug. 27, 1928.

119. LIED DER BREMEN
(lied) by Hugo Hirsch, E. G. Freiherrn, and C. Hunefeld. c. June 16, 1928.

120. LUFT DEI BERLIN
(lied) aus "Die Tanzenden Frauleins" by Rudolph Nelson and Robert Gilbert. c. July 31, 1926.

121. MADONNA, WO BIST DU
(lied) aus "Madonna, Wo Bist Du" by Albrecht Haselbach, Hanns Dekner and Max Bertuch. c. Sept. 22, 1932.

122. MADONNA, WO BIST DU
(schlager) aus der op. hft. 2, by Albrecht Haselbach, Max Bertuch and Hanns Dekner. c. Sept. 30, 1932.

123. MADONNA, WO BIST DU
aus "Madonna, Wo Bist Du" (orch.) by A. Haselbach, Hans Dekner and Max Bertuch. c. Sept. 22, 1932.

124. MADONNA, WO BIST DU
aus "Madonna, Wo Bist Du" (schlager) hft. 1, by A. Haselbach, Max Bertuch and Hanns Dekner. c. Sept. 30, 1932.

125. MADEL, KOMNA, WIR WILLEN WANDERN
(marschlied) by W. Ritzel and Jorg Ritzel. c. May 18, 1929.

126. MADELS, DIE MAN LIEBT
op. in drei akten (klavierauszug mit singstimmen) by Leo Jessel, Leo Kastner and Alfred Muller. c. Jan. 2, 1928.

127. MAIERMAX
(sieben schlager) aus der Schwank-operette, by Hugo Hirsch and Rudolph Bernauer. c. Dec. 9, 1926.

128. MARISKA
(lied) by Franz Lehar and Robert Bodansky. c. Jan. 28, 1927.

129. MARSCH DER DEUTSCHEN REPUBLIK
(lied) by Hugo Hirsch and Willy Kollo. c. Apr. 25, 1929.

130. MEIN GANZES HERZ GEHERT DIR, O DEUTSCHLAND
(lied) by Edward May and Hans Pflanzer. c. Jan. 6, 1929.

131. MEIN HAUSCHEN DRAUSSEN UNTER BAUMEN
(lied) by Will Rollins and Otto Sprinzel. c. Feb. 6, 1929.

132. MEIN HEIMOT AM RHEIN
(lied) by Richard Stauch, Oscar Stauch and Willy Weiss. c. Dec. 15, 1926.

133. MEIN SCHATZ IST BEI DER ARTILLERIE
(marschlied) by Rudolph Nelson and Hans H. Zerlett. c. Apr. 14, 1927.

134. MEINE SUSSE HANNELORE
(lied) by Rudolph Bernauer. c. Sept. 23, 1929.

135. MENSCH GEH STEMPELN
(marschlied) by Tilmar Springefeld. c. May 17, 1927.

136. MERK DIRS
(lied) by Willie Strehl and Victor Lyssen. c. June 11, 1929.

137. MIT EINEM KUSS BEGINNT DAS GLUCK
(lied) by Will Rollins (Walter Bransen), Gunther Schwenn and Peter Schaeffers. c. Dec. 31, 1932.

138. MIT EINEM KUSS BEGINNT DAS GLUCK
(orch.) by Will Rollins (Walter Bransen), Gunther Schwenn and Peter Schaeffers. c. Dec. 31, 1932.

139. MOBLIERTE ZIMMER
(lied) by Walter Ulfig and M. C. Kruger. c. May 8, 1929.

140. NEIN, SOWAS VON LIEBE
(song) by Werner R. Heymann, Fritz Rotter and Otto Stransky. c. May 7, 1926.

141. NEVAMADEL
(lied) by Erik Meyer-Helmund. c. Apr. 7, 1926.

142. NO GOLD, NO SILBER
(song) by Frank Stafford and Charles Amberg. c. Apr. 7, 1926.

143. NUR FUR DIE LIEB BIST DU GEBOREN
(lied) aus "Die Tanzenden Frauleins", by Rudolph Nelson and Robert Gilbert. c. July 31, 1926.

144. O DU MADONNA
(lied) by Leo Leux and Robert Gilbert. c. June 18, 1929.

145. O WUNDERREICHE NACHT
(lied) by Fr. Kark and E. Zeilbeck. c. June 13, 1921.

146. ONKEL MULLER HAT NEN TRILLER
(song) by Walter Kollo, Hermann Haller, Willi Wolff and Rideamus. c. Aug. 24, 1927.

147. PARAGUAY
(lied) by Rudolph Nelson, Rudolph Schanzer and Ernst Welisch. c. Sept. 11, 1926.

148. PERLE VOM LIDO
(lied) by Tilmar Springefeld. c. May 17, 1927.

149. PIT PIT
burleske op. in 3 akten (klavierauszug mit singstimmen) by Robert Gilbert and Hans H. Zerlett. c. May 30, 1927.

150. PUDEL
(lied) aus "Der Pudel", by Willy Geisler and Teo von Donop. c. Sept. 13, 1932.

151. RASSIG WIE DU
(salon orch.) by Walter Ulfig and Ernest Neubach. c. Feb. 14, 1929.

152. RAUS MIT DEN MANNERN
(lied) by Friedrich Hollaender. c. Sept. 1, 1926.

153. RAUSCH, GOTTLICHER RAUSCH
(lied) by Harry Waldau and Richard Rillo. c. Nov. 3, 1924.

154. SAG, WO HAST DU DIESE BEWEGUNG HER
(lied) aus "Die Tanzenden Frauleins," by Rudolph Nelson and Robert Gilbert. c. Aug. 28, 1926.

155. SCHENK MIR NUR EINEN TAG AUS DEINEM LEBEN
(lied) by Trojan Wellisch and Egon Schubert. c. Oct. 19, 1928.

156. SCHLAGER AUS DER REVUE JETZT ODER NIE
(song) by Felix Hirschberg and Harry Waldau. c. Mar. 17, 1928.

157. SCHATZ, MUSS LIEBE SCHON SEIN
aus "Arme Ritter" (salon-orch.) by Nico Dostal. c. Mar. 27, 1929.

158. SCHLAGER AUS DER REVUE OFFENTLICHKEIT AUSGESCHLOSSEN
(songs) by Siegwart Ehrlich and Alfred Berg. c. Jan. 12, 1928.

159. SCHLAGER AUS DIE REISE DURCH BERLIN IN 40 STUDEN
(songs) by Willy Rosen. c. Aug. 28, 1928.

160. SCHLAGER AUS FUR JEDEN ETWAS
(songs) by Siegwart Ehrlich and Alfred Berg. c. Nov. 5, 1928.

161. SCHLAGER AUS ZU BEFEHL, SCHONE FRAU
(ges. and klav.) by Paul Ottberg, Richard Kessler, and Franz Norden, arr. by O. Lindemann. c. Oct. 19, 1928.

162. SCHONE FRAU, KOMM ZU MIR HEUT NACHT
(song) by Walter Kollo, Herman Haller, Willi Wolff, and Rideamus. c. Aug. 24, 1927.

163. SCHONSTEN AUGEN HAT MEINE FRAU
(lied) by Ralph Erwin and Fritz Rotter. c. Oct. 10, 1927.

164. SEI DOCH KEIN FROSCH, DU KLEINE KROTE
(song) by Fred Raymond and Armin Robinson. c. Aug. 28, 1928.

165. SEI MEIN EINTANZER, HEUT NACHT
(schlager) by Siegwart Ehrlich and Arnold Lipschitz. c. Jan. 25, 1931.

166. SEIT WONN BLAST DEINE GROSSMAMA POSAUNE
(song) by Friedrich Hollaender and Marcellus Schiffer. c. Sept. 28, 1928.

167. SELLERIE, NE PORTION SELLERIE
(lied) by Fried Ander and Siegwart Ehrlich. c. Mar. 20, 1921.

168. SIEBEN SCHLAGER AUS DIE HOTELROTTE
by Walter Bromma, Gerald Jacobson, and Richard Rillo, arr. by Herbert Nosk. c. Jan. 22, 1928.

169. SIND AUCH VERBLUHT LANGST DIE LENZTEN ROSEN
(lied) by Hanns Arnold. c. Jan. 19, 1921.

170. SLEEP YOU WELL—IN DIE BETTEGESTELL
(song) by Herman Abendroth. c. Oct. 15, 1928.

171. SO WIE DU KUSST KEINE
(lied) by Bert Berg, Karl Karlbach, and Alexander Flessburg. c. Aug. 1, 1931.

172. SO'N BISSCHEN FRANZOSISCH IST GAR NICHT SO SCHWER
(song) by Walter Kollo, Herman Haller, Rideamus, and Willi Wolff. c. Aug. 31, 1927.

173. SONJA, SONJA DU MEIN GLUCK
(lied) by Richard Jager and Erich Eriksen. c. Apr. 23, 1929.

174. STRENG VERBOTEN
(marschlied) by James Klein, Fritz Rotter and Otto Stransky. c. June 11, 1927.

175. SUNDEN, DIE MAN IM RAUSCH NICHT BEDENKT
(lied) by Franz Doelle, Fritz Rotter and Otto Stransky. c. Sept. 13, 1926.

176. SUSS SINGT DIE GEIGE, GUT NACHT
(lied) by Will Rollins and Robert Gilbert. c. Oct. 4, 1928.

177. SUSI BLAST DAS SAXAPHON
(song) by Rudolf Nelson and Hanns H. Zerlett. c. Sept. 13, 1928.

178. TOUSEND UND EINE NACHT
(lied) by Erik Meyer-Helmund. c. Aug. 3, 1929.

179. THREE JAZZ INSPIRATIONS
(pf.) by Gustave P. Erven. c. June 16, 1928.

180. TRINK CHAMPAGNER UND, PFEIF AUS DIE WELT
(lied) by Ed May, and M. L. Droop. c. June 18, 1929.

181. UND SAGST DU HEUT AUCH, DASS DU MICH LIEBST
(lied) by Will Rollins (Walter Bransen). c. Dec. 31, 1932.

182. UND SAGST DU HEUTAUCH, DASS DU MICH LIEBST
(orch.) by Will Rollins (Walter Bransen). c. Dec. 31, 1932.

183. UNTER GESCHAFTSAUFSICHT
(lieder) by Sula Lewitsch and Hans Zickel. c. Apr. 25, 1929.

184. VERLORENE HEIMAT
(lied) by Tilmar Springefeld and Heide Sachs. c. May 17, 1927.

185. VON DEM ZOO BIS ZU DEN LINDEN
(marschlied) by Erich Ziegler. c. Dec. 24, 1927.

186. VON WEM HAT MEINE ADELHEID DAS KLEIN UND DIE JUWELEN
(lied) aus "Die Tanzenden Frauleins," by Rudolph Nelson and Robert Gilbert. c. Sept. 27, 1926.

187. VOR TIETZ AM ALEXANDERPLATZ
(lied) by Max Schulz-Berger and Dr. Ludwig Lehmann. c. Nov. 15, 1928.

188. VOR TIETZ AM ALEXANDERPLATZ
(orch.) by Ludwig Lehmann, Max Schulz-Berger. c. Aug. 30, 1929.

189. WALZER KLINGT
(lied) by Harry Walden. c. Jan. 24, 1929.

190. WENN EIN STERN VOM HIMMEL FALLT
(lied) aus "Rumba," by Rolf Marbot and Bert Reisfeld. c. Jan. 20, 1932.

191. WANN UND WO
(songs) unf Kollo-Schlager aus "Haller Revue 1927-28," by Walter Kollo, Herman Haller, Rideamus, and Willi Wolff. c. Jan. 13, 1928.

192. WANN UND WO
(song) by Walter Kollo, Herman Haller, Willi Wolff, and Rideamus. c. Aug. 24, 1927.

193. WENN VOR DEINEM FENSTIR DIE ALTE LINDE BLUNT
(lied) by Fritz German and Fritz Ginzel. c. Oct. 10, 1931.

194. WANN WERDEN WIR UNS WIEDERSEH'N?
(orch.) by Erich Ziegler. c. July 20, 1929.

195. WANN WERDEN WIR UNS WIEDERSEHN
(lied) by Erich Ziegler and Egon Schubert. c. Sept. 2, 1927.

196. WAS DU MIR WARST
(lied) by Willi Strehl and Viktor Lyssen. c. June 11, 1929.

197. WAS WILL DIE ROSALINDE IN BINZ UND SWINEMUNDE
(song) by Harry Waldau. c. June 7, 1928.

198. WAT BRAUCHT DER BERLINER UM GLUCKLICH ZUSEIN
(song) by Fritz Paul and Werner Hassenstein. c. Dec. 4, 1928.

199. WENN DEIN MANN DICH BETRUGT MIT NOR KLEINEN
(lied) by Robert Winterberg and Willy Prager. c. Aug. 9, 1929.

200. WENN DIR ERSTE KOMMT, BRAUCH ICH MARIE
(lied) by Fritz Rotter, Franz Doelle, and Otto Stransky. c. May 17, 1927.

201. WENN DU MICH MAGST, JA DANN SAG MIRS BEIM TANGO
by Hans H. Zerlett. c. June 11, 1928.

202. WENN DU NICHT DER ERSTE BIST
(lied) aus "Die Tanzenden Frauleins", by Rudolph Nelson and Robert Gilbert. c. July 31, 1926.

203. WENN EINE FRAU NICHT WEISS, WARUM SIE KUSSEN MUSS
(lied) aus "Yvonne" by Hugo Hirsch, August Neidhart and Artur Rebner. c. Aug. 3, 1926.

204. WENN ICH RICHARD TAUBER WAR
(lied) by Elka Krauss and Charles Amberg. c. May 16, 1929.

205. WENN SICH HANDE NAH'N IM DUNKELN
(lied) by Rudolf Bernauer. c. May 26, 1927.

206. WENN SICH MEIN MADILIEN INS BETTCHEN BEGIBT
(lied) aus "Die Tanzenden Frauleins", by Rudolf Nelson and Robert Gilbert. c. July 31, 1926.

207. WER GIBT DIE NACHSTE LAGE
(marchlied) by Hugo Frais and Charles Amberg. c. Feb. 13, 1929.

208. WER HAT DENN BLOSS DEN HERING AM SCHLIPS MIR FEST-GEMACHT
(song) by Engelb Zaschka. c. Jan. 16, 1928.

209. WER HAT DENN BLOSS DEN HERING AM SCHLIPS MIR FEST-GEMACHT
(orch.) by Engelb Zaschka, arr. by Willy Geisler. c. Sept. 28, 1929.

210. WER HAT DICH BLOSS SO AUFGEKLART, MEIN KLARCHEN
(lied) by Gerard Jacobson and Theo. Halton. c. Oct. 18, 1928.

211. WER HAT DICH BLOSS SO AUFGEKLART MEIN KLARCHEN
(salon orch.) by Gerard Jacobson and Theo. Halton, arr. by Fred Ralph (Herman Krome). c. Mar. 16, 1929.

212. WER IST DAS GROSSTE PUMPGENIE
(song) by Walter Kollo, Herman Haller, Rideamus and Willi Wolff. c. Aug. 31, 1927.

213. WER SCHENKT DENN HEUT NOCH ROSEN
(lied) aus "Yvonne", by Hugo Hirsch, August Neidhart and Artur Febner. c. Aug. 3, 1926. 1926.

214. WIE DU KUSST KEINE
(lied) by Karl Pfarschner and Fredi Kirchboff, arr. by Otto Lindemann. c. June 6, 1928.

215. WIE IST DAS KUSSEN DOCH BELIEBT
(lied) by Richard Jager and Erich Eriksen. c. Apr. 15, 1929.

216. WIE KOMMT DIE MATSCH'GE BIRNE AUF DEN MIST
(song) by Max Gonda and C. Herman Eckler. c. Feb. 13, 1928.

217. WILLST DU EIN DEUTSCHER SEIN
(song) by Dr. Karl Knauer and Pflanzer-Poor. c. July 3, 1927.

218. WILLST DU MAL-NEN WUNDERSCHONEN TONFILM SEH'N
(lied) by Heinz Himmel, Karl Karlbach and Alexander Flessburg. c. Apr. 25, 1931.

219. WIR HABEN UNS NICHTS MEHR ZU SAGEN
(lied) by Bert Reisfeld and Rolf Marbot. c. Sept. 24, 1932.

220. WIR HABEN UNS NICHTS MER ZU SAGEN
(orch.) by Bert Reisfeld and Rolf Marbot. c. Sept. 24, 1932.

221. WIR SIND SCHWESTERN
(song) by Leo Leux, Richard Rillo and Hans H. Zerlett. c. Oct. 10, 1927.

222. WO DIE BALALEIKA KLINGT
(lied) by Otto Sprinzel and Tilmar Springefeld. c. May 17, 1927.

223. WO HAST DU MEIN SCHATZCHEN DAS KUSSEN STUDIERT
(lied) by Franz Doelle, Fritz Rotter and Otto Stransky. c. Sept. 13, 1926.

224. WO IST DIE ANANAS
(lied) by Rolf Roeder. c. Oct. 19, 1928.

225. WO IST DIE ANANAS
(salon orch.) by Rolf Roeder, arr. by Dr. Karl Knauer. c. Mar. 2, 1929.

226. WOLLT IHR, DASS EWIG DIE SONNE EUCH SCHEINE
(marchlied) by Rudolf Nelson and Felix Josky. c. Dec. 11, 1926.

227. WORT VON DIR UND ICH BIN DEIN
(lied) by Ed Mayand and Ernst Neubach. c. May 3, 1929.

228. YVONNE, SUSSE KLEINE YVONNE
(lied) aus "Yvonne" by Hugo Hirsch, August Neidhart and Artur Rebner. c. Aug. 18, 1926.

229. ZWEI DUNKLE AUGEN
(lied) by Friedrich Hollaender. c. Jan. 30, 1928.

230. 5 REVUE SCHLAGER AUS ES KOMMT JEDER DRAN
(songs) by Friedrich Hollaender. c. July 11, 1928.

231. LEO LEUX-SCHLAGER
(songs) by Leo Leux, Robert Gilbert and Hans H. Zerlett. c. Apr. 5, 1928.

232. 1000 JAHRE VOLLER LIEBE MOCHT ICH LEBEN MIT DER URSULA
(song) by G. P. Erven and Robert Gilbert. c. Oct. 9, 1928.

233. 1000 WORTE LIEBE
(lied) by Margulies-Holms and Gerd Karlick. c. Oct. 25, 1932.

234. 1000 WORTE LIEBE
(orch.) by Margulies-Holms and Gerd Karlick. c. Oct. 25, 1932.

Period 1933–April 1, 1937

No copyright entries found.

We call attention to the fact that in the list of entries recorded in the period from 1922 to 1926, are included such numbers as "Tea For Two", "Take A Little One-Step", "No, No Nanette", and "I Want To Be Happy", all by Vincent Youmans; "Rose-Marie", and "Indian Love Call" by Rudolph Friml; "Somebody Loves Me" by George Gershwin; "Memory Lane" by Larry Spier, and "Annabelle" by Ray Henderson. *None of these are found either in the assignment by RONDO VERLAG to Kurt Alexander Jadassohn or the assignment by Mr. Jadassohn to the SESAC. Moreover, the authors of these particular selections, according to the ASCAP directory, are members of the ASCAP.* Here again it should be noted that the SESAC in its letter of November 19, 1936 (Item 14 of Exhibit 4) represents that "we control the complete body of radio performing rights."

An examination of the assignment records in the Library of Congress was made, and it was found that on the 18th of March, 1931, certain copyrights were assigned by RONDO VERLAG to Kurt Alexander Jadassohn, as evidenced by Exhibit No. 103 attached to and made a part of this report. Also, this examination disclosed that under date of January 10, 1933, Kurt Alexander Jadassohn transferred and assigned the identical copyrights to the SESAC, as evidenced by Exhibit No. 104 attached to and made a part of this report. Kurt Alexander Jadassohn is an officer of the SESAC.

According to information received from a reliable source "This firm does not exist any longer."

RONDO VERLAG was a "popular music" publishing house in Germany. The lyrics of the music contained in RONDO VERLAG are in the German language, and, therefore, probably have some value to those stations that cannot operate in the public interest, convenience and necessity without using this type of German "popular songs" copyrighted prior to 1932.

Robert Ruehle

Berlin, Germany

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of ROBERT RUEHLE, Berlin, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1870–1909

No copyright entries found.

Period 1909–1927

The following list:

1. BEI EINEM GLASERL WEIN (gesang u. kl.) by Erich Ziegler and Hans Pflanzer. c. Nov. 27, 1922.
2. DREH'DICH NICHT UM (lied) aus "Der Susse Kavalier" by Rudolph Schanzer, Leo Fall and Ernst Welisch. c. April 16, 1924.
3. DREH'DICH NICHT UM (salon orch.) aus "Der Susse Kavalier" by Rudolph Schanzer, Leo Fall and Ernst Welisch, arr. by Fr. Kopriva. c. Mar. 6, 1924.
4. DU (gesang u. kl.) by Willy Buchbinder and Benno Vigny. c. Nov. 27, 1922.
5. FERN DORT AN DUSTERN NIL (gesang) aus "Die Blonde Ratte" by Anton Profes, Pordes-Milo and Fritz Redl. c. Nov. 27, 1922.
6. GRUSS MIR MEIN WIEN (gesang) by Robt. Stolz and Kurt Robitscheck. c. June 1, 1922.
7. HEUTE NACHT MEIN KIND, HEUTE WIRST DU MICH KUSSEN (salon orch.) aus "Der Susse Kavalier" by Rudolph Schanzer, Leo Fall and Ernst Welisch, arr. by Fr. Kopriva. c. Apr. 16, 1924.
8. HEUTE NACHT MEIN KIND, HEUTE WIRST DU MICH KUSSEN (klavier) aus "Der Susse Kavalier" by Rudolph Schanzer, Leo Fall and Ernst Welisch. c. Sept. 11, 1924.
9. IM FRUHLING WIRD HOCH ZEIT GEMACHT (gesang u. kl.) aus "Die Fruhlingsfee" by Victor Corzelius and Hans Pflanzer. c. May 31, 1923.
10. JA IN HAWAI (gesang u. kl.) aus "Das Lila Separee" by Anton Profes, Pordes-Milo and Fritz Redl. c. Apr. 7, 1923.
11. JAVA (pf.) aus "Der Susse Kavalier" by Leo Fall, R. Schanzer and E. Welisch. c. Apr. 16, 1924.
12. JAVA (salon orch.) aus "Der Susse Kavalier" by Leo Fall, R. Schanzer and E. Welisch, arr. by Fr. Kopriva. c. May 2, 1924.
13. KLEINES PUPPCHEN, LASS UND SCHLAFEN GEH'N (tanzlied) aus "Die Fruhlingsfee" by Victor Corzelius and Hans Pflanzer. c. Apr. 7, 1923.
14. LORELEY MEIN MAGDELIEN (gesang u. kl.) aus "Die Fruhlingsfee" by Victor Corzelius and Hans Pflanzer. c. May 31, 1923.
15. MEIN KINDCHEN HEUT'BIN GUT ICH BEI FINANZEN (lied) aus "Der Susse Kavalier" by Leo Fall, R. Schanzer and Ernst Welisch. c. May 2, 1924.
16. MEIN KINDCHEN HEUT'BIN GUT ICH BEI FINANZEN (salon orch.) aus "Der Susse Kavalier" by Leo Fall, R. Schanzer and Ernst Welisch, arr. by Fr. Kopriva. c. Mar. 6, 1924.
17. MUSS MANN DENN GLEICH AUF'S STANDESAMT GEH'N (gesang u. kl.) aus "Das Lila Separee" by Anton Profes, Pordes-Milo and Fritz Redl. c. Apr. 7, 1923.
18. NIM DIR EINE DIE JEDER KUSSEN DARF (gesang u. kl.) aus "Die Blonde Ratte" by Anton Profes, Pordes-Milo and Fritz Redl. c. Nov. 27, 1922.
19. RAUF DIR NICHT DIE HAARA (gesang u. kl.) aus "Der Susse Kavalier" by Leo Fall, Rudolph Schanzer and Ernst Welisch. c. Sept. 11, 1924.
20. SAG, WILLST DUE MEIN VERHALTNIS SEIN (gesang u. kl.) by Erich Zeigler and Hans Pflanzer. c. Apr. 14, 1922.
21. SCHWARZER BIMBO (negerlied) by Robt. Stolz and Kurt Robitscheck. c. June 1, 1922.
22. SUCHST DIE EINEM FREUND (salon orch.) aus "Der Susse Kavalier" by Leo Fall, R. Schanzer and Ernst Welisch, arr. by Fr. Kopriva. c. Mar. 6, 1924.
23. SUCHST DIE EINEM FREUND (walzerlied) aus "Der Susse Kavalier" by Leo Fall, R. Schanzer and Ernst Welisch. c. Apr. 16, 1924.
24. SUSSE KAVALIER (DER) Operette in 3 akten, (klavierauszug mit text) by Leo Fall, Rudolph Schanzer and Ernst Welisch. c. Mar. 6, 1924.
25. WELLST DU NICHT MEINE FREUNDEN SEIN (gesang u. kl.) aus "Das Lila Separee" by Anton Profes, Pordes-Milo and Fritz Redl. c. Apr. 7, 1923.
26. WIRBAU'N UNSEIN HAUSCHEN (gesang u. kl.) aus "Die Fruhlingsfee" by Victor Corzelius and Hans Pflanzer. c. Apr. 7, 1923.

Period 1927–1929

1. ANDANTE AMOROSO (salon orch.) Filmharmonie No. 14, "Love Scene," by Gottfried Huppertz. c. July 18, 1927.
2. APPASSIONATO DRAMATICO (salon orch.) Filmharmonie No. 11, "Longing," by Werner R. Heymann. c. July 18, 1927.
3. CAPRICCIO (salon orch.) Filmharmonie No. 13, by Hans May. c. July 18, 1927.
4. CORTEGE EXOTIQUE (grosses orch.) Filmharmonie No. 21, by Werner R. Heymann, arr. by Julien Porret. c. Sept. 19, 1927.
5. DREAMS OF BLOSSOM (grosses orch.) Filmharmonie No. 20, by E. Kunnecke. c. Nov. 14, 1927.
6. ELEGIE (grosses orch.) Filmharmonie No. 26, by Gottfried Huppertz. c. Sept. 19, 1927.

7. EROTICON
   (salon orch.) Filmharmonie No. 7, by K. L. Mikulicz, arr. by J. Porret. c. July 18, 1927.
8. FEST DER FREUDE
   (salon orch.) Filmharmonie No. 15, "Smiles," by G. Huppertz. c. July 18, 1927.
9. FESTLICHES GETUMMEL
   (grosses orch.) Filmharmonie No. 6, by W. R. Heymann, arr. by J. Porret. c. Sept. 19, 1927.
10. FINALE POMPOSO
   (salon orch.) Filmharmonie No. 16, by G. Becce. c. Dec. 12, 1927.
11. GROSSE DRAMATISCHE SZENE
   (grosses orch.) Filmharmonie No. 29, by Hans May. c. Sept. 19, 1927.
12. GROTESQUE ORIENTALE
   (salon orch.) Filmharmonie No. 9, by F. W. Rust, arr. by J. Porret. c. July 18, 1927.
13. HEIDESTURM UND GEWITTER
   (grosses orch.) Filmharmonie No. 22, by G. Huppertz. c. Sept. 19, 1927.
14. HUMORESQUE
   (salon orch.) Filmharmonie No. 12, by K. L. Mikulicz, arr. by J. Porret. c. July 18, 1927.
15. HUNNENRITH
   (salon orch.) Filmharmonie No. 8, by G. Huppertz. c. July 18, 1927.
16. IM GARTEN EDEN
   (grosses orch.) by G. Huppertz, Op. 33. c. June 20, 1929.
17. KASPERLE
   (grosses orch.) by Hans May. c. May 28, 1929.
18. LUSTIGES GESCHICHTSCHEN
   (grosses orch.) Filmharmonie No. 27, by Hans May. c. Sept. 19, 1927.
19. MARCIA TRAGICA
   (grosses orch.) Filmharmonie No. 30, by K. L. Mikulicz, arr. by J. Porret. c. Sept. 19, 1927.
20. MELANCHOLY
   (grosses orch.) Filmharmonie No. 23, by Hans May. c. Sept. 19, 1927.
21. MISTERIOSO EROTICO
   (salon orch.) Filmharmonie No. 19, by W. R. Heymann, arr. by J. Porret. c. Dec. 12, 1927.
22. MISTERIOSO FANTASTICO
   (salon orch.) Filmharmonie No. 2, by G. Becce. c. July 18, 1927.
23. NOTTURNO
   (grosses orch.) Filmharmonie No. 17, by Hans May. c. Sept. 19, 1927.
24. NOTTURNO FANTASTICO
   (grosses orch.) Filmharmonie No. 18, by G. Huppertz. c. Sept. 19, 1927.
25. PETITE GROTESQUE
   (grosses orch.) Filmharmonie No. 28, by Werner R. Heymann, arr. by J. Porret. c. June 21, 1929.
26. PRELUDE DRAMATIQUE
   (salon orch.) Filmharmonie No. 10, by Julien Porret. c. July 18, 1927.
27. RACHE-PATHETIQUE
   (grosses orch.) Filmharmonie No. 24, "Vengeance," by Julien Porret. c. Sept. 19, 1927.
28. ROMANTISCHES INTERMEZZO
   (grosses orch.) Filmharmonie No. 25, by G. Huppertz. c. Sept. 19, 1927.
29. SCENE LYRIQUE
   (salon orch.) Filmharmonie No. 3, "Love Scene," by G. Huppertz. c. July 18, 1927.
30. SERENADE PASSIONNEE
   (salon orch.) Filmharmonie No. 1, by W. R. Heymann, arr. by P. Schmidt. c. July 18, 1927.
31. TRISTESSE PATHETIQUE
   (salon orch.) Filmharmonie No. 4, by Julien Porret. c. July 18, 1927.
32. VICTORIA REGIA
   (salon orch.) Filmharmonie No. 5, by E. Kunnecke. c. July 18, 1927.

Period 1930–April 1, 1937

No copyright entries found.

An examination of the assignment records of the Library of Congress, as of April 1, 1937, failed to disclose any assignments having been made by ROBERT RUEHLE to the SESAC.

As a further point of interest, the brochure dated January 1, 1937 published by the SESAC since our investigation was begun, omits the name of ROBERT RUEHLE.

ROBERT RUEHLE is included in the January 1, 1936 edition of the ASCAP directory as a member of STAGMA, the German affiliate of the ASCAP.

Broadcasters will recall that we made inquiry concerning ROBERT RUEHLE in our letter to the SESAC dated October 14, 1936 (Exhibit No. 3); and that the SESAC in their reply dated November 19, 1936 (received by us on December 11, 1936) states, in Item 10 a: "We have the same body of rights in the catalog of Robert Ruehle, Berlin as we presently have in the catalog of Gebrueder Reinecke. Were any changes to occur with regard to the status of any compositions published or to be published by any of the aforesaid, affecting the industry in respect of our licensed subject matter, due notification of same would be made." A clear and unequivocal answer would have indicated that the only rights which SESAC has in GEBRUEDER REINECKE are "Grand Rights", and as has been pointed out elsewhere in this report, the license agreement between the SESAC and broadcasters does not cover "Grand Rights".

NAB LIBRARY

Walery Rudnicki

Warsaw, Poland

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, failed to disclose any musical copyright entries in the name of WALERY RUDNICKI, listed in the SESAC brochure dated June 1, 1936, as a publisher or organization included under its license.

An examination also was made of the assignment records in the Library of Congress and we failed to find any record of assignments by this firm to the SESAC.

See also "Jastrzab" and "W. J. R." in this report.

Edward Schuberth & Company, Inc.

New York, N. Y.

We have examined the musical copyright entries in the United States Library of Congress to determine what entries have been recorded in the name of EDWARD SCHUBERTH & COMPANY, INC., New York City, which is listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license. This examination disclosed more than 800 entries recorded in the period from 1897 to 1909; 354 entries recorded in the period from 1909 to 1927; and 184 entries recorded in the period from 1927 to April 1, 1937.

An examination of the assignment records in the United States Library of Congress disclosed that under date of July 13, 1933, EDWARD SCHUBERTH & COMPANY, INC., "granted, sold, assigned, and transferred" to the SESAC *twelve* certain musical compositions, the titles of which are described in Exhibit 105 which is attached hereto and made a part of this report.

We do not list herein all of the musical compositions copyrighted by EDWARD SCHUBERTH & COMPANY, INC., in the period from 1897 to 1909 for the reason that the original copyright period of 28 years has expired. However, we made an examination of the musical copyright renewal entries of the Library of Congress to determine whether the copyrights in these compositions had been renewed, and in Schedule A, below, we set forth in detail the 802 musical compositions in which we found the copyrights had been extended in the name of the composer by EDWARD SCHUBERTH AND COMPANY for an additional period of 28 years. Attention is invited particularly to the names of the organizations which acted as agent for the composer in effecting renewals of certain compositions which were originally copyrighted by EDWARD SCHUBERTH AND COMPANY.

In Schedule B below, we list the 354 musical compositions which we found were copyrighted in the period from 1909 to 1927, and in Schedule C we list 184 musical compositions which we found were copyrighted in the period from 1927 to April 1, 1937.

The SESAC in its letter dated November 19, 1936 (Exhibit 4) states that it has supplied the NAB with catalogues of all the publishers and organizations included in its brochure. The catalogues supplied by it from EDWARD SCHUBERTH & CO., INC., may be described as follows:

1. "Graded Thematics of Attractive Piano Music" (this music is evidently for students of piano)
2. "Piano Albums and Collections" published and imported by Edward Schuberth & Co., Inc. (contains a note under it "when ordering mention from Schuberth's catalogue")
3. "Compositions For Violin and Piano"
4. "Vocal-Albums, Song Cycles" (children's songs, duets, studies, operas-cantatas, Masses, etc.). (Note below it says "when ordering mention from Schuberth's catalogue")
5. "Choruses for Mixed Voices"—(headed "Sacred")
6. "New and Select Musical Publications No. 55" (contains a note, "when ordering from this bulletin mention from Schuberth's catalogue")
7. "Second Grade Piano Pieces"
8. "Second and Third Grade Pieces"
9. "Easy Characteristic Pieces"
10. "First and Second Grade Pieces"
11. "Four Easy Piano Pieces"
12. "For Study and Recreation"
13. "Hellard & Wardell Melodious Pieces, Grade 3"
14. "Characteristic Piano Compositions"
15. "Attractive Recital Pieces"
16. "Medium Grade Piano Pieces"
17. "Recital Compositions"
18. "School Songs" (unison, two part, three part)
19. "Organ Music" (pipe organ and reed organ)
20. "Choruses for Male and Female Voices" (secular and sacred)
21. "Selected Songs and Ballads" (The most recent copyright date of the music samples printed in this catalogue is 1925. It is also stated that there are orchestrations available on 17 of the 58 compositions contained.)
22. "Selected Compositions" (this includes certain music of Victor Herbert and Charles Wakefield Cadman)
23. "Orchestra and Band Music" (this includes headings such as "Intermezzo, Air Ballet, etc.," "Operatic Selections," "Marches," "Two Steps," "Lancers," "Fox Trots," "Waltzes," "Polkas," "Miscellaneous Dances," "String Music," "String Quintette Accompaniment," "String Orchestra," "String Quartet," "The Cinema Music Journal," "Piano and Orchestra," "Violin With Orchestra," "Cello and Orchestra," "Symphonic Orchestra," "Sacred Oratorios With Orchestra," "Carol Service in Two Parts For Solo Voices, Chorus and Orchestra," "Cantatas For Mixed Voices, Chorus With Orchestra," "Mixed Chorus With Orchestra," "The Salon Orchestras of Famous Ballads," "Songs for Concert or Accompaniment," "Popular Songs, Small Orchestra," and "Patriotic")
24. "Choruses For Mixed Voices" (secular)
25. "Attractive Songs" (the latest copyright date included in the samples in this catalogue is 1900)
26. An untitled catalogue of graded piano music

SCHEDULE A

(Containing a list of 747 musical compositions, arranged by author or composer, which according to our findings were originally copyrighted by EDWARD SCHUBERTH AND COMPANY, in the period from 1897 to 1909, and in which the copyrights have been renewed for an additional period of 28 years. There are also listed 55 entries which were originally copyrighted by EDWARD SCHUBERTH AND

COMPANY but which have been renewed in the name of the author or composer by publishers affiliated with the ASCAP.
See discussion appearing on page 2 of this report.)

"c" indicates date of original copyright.
"r" indicates date of renewal.

Renewals by Edward Schuberth and Company

In the Name of

ADELHEID M. ARENS

1. DREAM LAND (mixed voices) by Adelheid M. Arens. c. May 28, 1906. r. May 24, 1934.
2. O SWAY AND SWING (mixed voices) by Adelheid M. Arens. c. May 28, 1906. r. May 24, 1934.

Renewals by Edward Schuberth and Company

In the Name of

A. L. BARNES (Deceased)

1. AS IT BEGAN TO DAWN (ten. solo and quartet) by A. L. Barnes. c. Dec. 22, 1897. r. June 8, 1925.
2. DAISY'S SECRET (song) by A. L. Barnes. c. Dec. 22, 1897. r. June 8, 1925
3. DAISY'S SECRET (song) by A. L. Barnes. c. Jan. 25, 1898. r. Dec. 17, 1925.
4. DAY IS GENTLY SINKING TO A CLOSE (soli and quartet or chorus) by A. L. Barnes. c. May 12, 1906. r. June 8, 1934.
5. IT CAME UPON THE MIDNIGHT CLEAR (duet for sop. and alto) by A. L. Barnes. c. Mar. 20, 1897. r. June 8, 1925.
6. MAGNIFICAT AND NUNC DIMITTUS IN G (quartet) by A. L. Barnes. c. Nov. 20, 1897. r. June 8, 1925.
7. THE SON OF GOD GOES FORTH TO WAR (quartet and soli) by A. L. Barnes. c. Jan. 25, 1898. r. Dec. 17, 1825.
8. VENITE EXULTEMUS DOMINO by A. L. Barnes. c. Feb. 12, 1889. r. Dec. 2, 1916.

Renewal by Edward Schuberth and Company

In the Name of

GUSTAVE L. BECKNER

1. VALSE MIGNONNE (pf.) by Gustave L. Beckner. c. Oct. 5, 1906. r. Oct. 4, 1934.

Renewals by Edward Schuberth and Company

In the Name of

A. JULIUS BIEDERMANN (deceased) and EDWARD J. BIEDERMANN (deceased)

1. A LA CHASSE morceau caracteristique (piano) by A. Julius Biedermann. c. June 9, 1891. r. Dec. 2, 1918.
2. ABIDE WITH ME (alto solo & quartet) by Edward J. Biedermann. c. Dec. 18, 1888. r. Oct. 21, 1916.
3. ALLEGRETTO by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.
4. ANDANTINO by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.
5. ANGELS, ROLL THE ROCK AWAY (tenor solo & chorus or quartet) by Edward J. Biedermann. c. Feb. 23, 1891. r. Sept. 7, 1918.
6. AT HOME by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.
7. AT THE CRADLE by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.
8. AVE VERUM (solo and chorus for female voices) by Edward J. Biedermann. c. Feb. 16, 1884. r. Feb. 5, 1912.
9. BLUETTE by A. J. Biedermann. c. Dec. 30, 1887. r. Dec. 6, 1915.
10. COLUMBUS MARSCH (pf.) by A. J. Biedermann. c. June 9, 1891. r. Dec. 2, 1918.
11. COME LET US ALL REJOICE (mezzo sop. or bass in B flat) by Edw. J. Biedermann. C. Mar. 18, 1893. r. Mar. 8, 1921.

12. DANSE (LA) DES SOUTERELLES
(piano) by A. J. Biedermann. c. May 9, 1884. r. Apr. 4, 1912.

13. DEUS MISEREATUR
(chorus) by Edw. J. Biedermann. c. Dec. 18, 1888. r. Oct. 21, 1916.

14. EVENING REST
by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.

15. EVENING SONG
by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.

16. FADING, STILL FADING
(quartet) by E. J. Biedermann. c. Aug. 9, 1907. r. Aug. 17, 1935.

17. FAIREST LORD JESUS
(tenor solo & quartet) by Edw. J. Biedermann. c. June 7, 1888. r. May 17, 1916.

18. FIRST WALTZ
by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.

19. GAVOTTE
by A. J. Biedermann. c. Dec. 16, 1886. r. Nov. 12, 1914.

20. GENTLY LORD, OH GENTLY LEAD US
(tenor solo & quartet) by Edw. J. Biedermann. c. Nov. 23, 1888. r. Sept. 28, 1916.

21. GERMAN POPULAR SONG
by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.

22. GOOD ENOUGH
by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.

23. GUIDE ME O THOU GREAT JEHOVAH
(solo & chorus) by Edw. J. Biedermann. c. Aug. 28, 1888. r. Aug. 12, 1916.

24. HE IS BLESSED
(organ) by Edw. J. Biedermann. c. Aug. 28, 1888. r. Aug. 12, 1916.

25. HE THAT SOWETH LITTLE
(soprano with organ acc.) by Edw. J. Biedermann. c. Mar. 29, 1888. r. Jan. 13, 1916.

26. I LAY MY SINS ON JESUS
by Edw. J. Biedermann. c. Aug. 20, 1891. r. Aug. 12, 1919.

27. IDYLLE
by A. J. Biedermann. c. Dec. 30, 1887. r. Dec. 6, 1915.

28. IF YOU HAD PASSED
(song) Walter Robarts, by E. J. Biedermann. c. May 24, 1907. r. May 23, 1935.

29. IMPROMPTU
by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.

30. IN THE BOAT
by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.

31. JOYFUL LIFE
by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.

32. LAY NOT UP FOR YOURSELVES
(contralto with organ acc.) by Edw. J. Biedermann. c. Mar. 29, 1888. r. Jan. 13, 1916.

33. LEAD KINDLY LIGHT
(soprano and alto) by Edw. J. Biedermann. c. Sept. 24, 1889. r. Apr. 10, 1917.

34. LIGHTNING TRAIN
(study) by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.

35. LOVE LETTER
by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.

36. MAMANGOLA
by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.

37. MARCH
by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.

38. MARSCH NO. 2
by A. J. Biedermann. c. Dec. 16, 1886. r. Nov. 12, 1914.

39. MAZURKA
by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.

40. MAZURKA
by A. J. Biedermann. c. Dec. 22, 1887. r. Dec. 6, 1915.

41. MELODIE
(piano) by A. J. Biedermann. c. June 9, 1891. r. Dec. 2, 1918.

42. MELODY
by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.

43. MENUET NO. 10
by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.

44. MENUET NO. 4
by A. J. Biedermann. c. Dec. 16, 1886. r. Nov. 12, 1914.

45. MOUNTAIN AIR
by A. J. Biedermann. c. Dec. 30, 1887. r. Dec. 6, 1915.

46. MY GOD IS THY TABLE SPREAD
(solo and quartet) by Edw. J. Biedermann. c. June 7, 1888. r. May 17, 1916.

47. NOCTURNE
(piano) by A. J. Biedermann. c. Dec. 26, 1883. r. Oct. 21, 1911.

48. NOTTURINO
by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.

49. O MY SOUL WHAT MEANS THIS SADNESS
(sop. solo and quartet) by Edw. J. Biedermann. c. Aug. 28, 1888. r. Aug. 12, 1916.

50. O, REST IN THE LORD
(quartet) by Edw. J. Biedermann. c. Feb. 12, 1889. r. Dec. 8, 1916.

51. ON THE LAKE
by A. J. Biedermann. c. Dec. 22, 1887. r. Dec. 6, 1915.

52. ON THE MEADOW
by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.

53. ONE SWEETLY SOLEMN THOUGHT
(song) by Edward J. Biedermann. c. Dec. 8, 1906. r. Dec. 7, 1934.

54. REGINA COELI LOETARE
by Edw. J. Biedermann. c. Mar. 18, 1893. r. Mar. 8, 1921.

55. RACES
by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.

56. SEE, THE WORLD AWAKES TODAY
(song) by E. J. Biedermann and Walter Robarts. c. May 31, 1907. r. May 31, 1935.

57. SERENADE
by A. J. Biedermann. c. Dec. 30, 1887. r. Dec. 6, 1915.

58. SLEEP, SLEEP WELL
by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.

59. SLEEPY SUE
(song) by Edw. J. Biedermann. c. June 21, 1889. r. Feb. 24, 1917.

60. SLUMBER SONG
by A. J. Biedermann. c. Dec. 16, 1886. r. Nov. 12, 1914.

61. SLUMBER SONG
(song) by Edw. J. Biedermann. c. Jan. 23, 1904. r. Jan. 22, 1932.

62. SONATINA
by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.

63. SPIRITS OF THE BELLS
(song) by Edw. J. Biedermann. c. June 21, 1889. r. Feb. 24, 1917.

64. SUNFLOWER
by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.

65. TARANTELLA NO. 3
by A. J. Biedermann. c. Dec. 16, 1886. r. Nov. 12, 1914.

66. TWILIGHT DREAMS
(song) by Edw. J. Biedermann. c. Jan. 23, 1904. r. Jan. 22, 1932.

67. WALTZ
by A. J. Biedermann. c. Dec. 16, 1886. r. Nov. 12, 1914.

68. WAS THERE ANY KINDER SHEPHERD
(chorus and bar. solo) by Edw. J. Biedermann. c. Mar. 20, 1895. r. Mar. 9, 1923.

69. YE MAID DISCREET
(song) by E. J. Biedermann. c. May 10, 1907. r. Apr. 13, 1935.

70. WELCOME
by A. J. Biedermann. c. June 9, 1891. r. Nov. 25, 1918.

71. 2^{e} VALSE
by Edw. J. Biedermann, arr. by A. J. Biedermann. c. June 14, 1888. r. May 17, 1916.

72. 2^{me} MAZURKA
by Benj. Godard, arr. by A. J. Biedermann. c. June 14, 1888. r. May 17, 1916.

Renewal by Edward Schuberth and Company

In the Name of

CARRIE JACOBS BOND

1. REVERIE
   (pf.) by Carrie Jacobs Bond. c. Oct. 4, 1902. r. Aug. 11, 1930.

Renewals by Edward Schuberth and Company

In the Name of

CHARLES WAKEFIELD CADMAN

1. FOR YOU
   (song) by Charles W. Cadman. c. Mar. 14, 1907. r. Mar. 8, 1935.
2. GOODBYE MY BABY
   (song) by Charles W. Cadman. c. Jan. 10, 1905. r. Jan. 7, 1933.
3. IF WINGS HAD I
   (song) by Charles W. Cadman. c. June 22, 1906. r. June 16, 1934.
4. LOVE IS A SILVER BOAT
   (song) by Charles W. Cadman. c. Dec. 27, 1904. r. 22, 1932.
5. MY LADY NIGHT
   (song) by Nelle R. Eberhart and Charles W. Cadman. c. Sept. 21, 1905. r. Sept. 20, 1933.
6. SONG OF SUPPLICATION
   (song) by Nelle R. Eberhart and Charles W. Cadman. c. Oct. 26, 1905. r. Oct. 26, 1933.
7. SUNBEAM AND THE ROSE
   by Blanche K. Knowlton and Charles W. Cadman. c. July 25, 1905. r. July 13, 1933.
8. TRYST
   (song) by Charles W. Cadman. July 2, 1904. r. July 1, 1932.
9. TWILIGHT SONG
   (song) by Charles W. Cadman. c. May 24, 1904. r. May 23, 1932.
10. WHITE ROSE FROM HER HAIR
    (song) by Nelle R. Eberhart and Charles W. Cadman. c. May 31, 1907. r. May 31, 1935.
11. WINTER SONG (A)
    (song) by Charles W. Cadman. c. Feb. 2, 1905. r. Jan. 30, 1933.

Renewals by Edward Schuberth and Company or by M. Witmark and Sons, (as specified)

In the Name of

REGINALD DE KOVEN (Deceased)

It will be observed that only one of these renewals (No. 7) was made by EDWARD SCHUBERTH AND COMPANY.

1. CAN I FORGET
   (song) by Helen Hay and Reginald De Koven. c. Dec. 7, 1900, by Schuberth. r. June 25, 1928, by Witmark & Sons.
2. FOXY QUILLER
   (vocal gems for piano) by Harry B. Smith and Reginald De Koven. c. Nov. 19, 1900, by Schuberth. r. Dec. 1, 1927, by Witmark & Sons.
3. FOXY QUILLER
   (vocal score) by Harry B. Smith and Reginald De Koven. c. Oct. 25, 1900, by Schuberth. r. Oct. 29, 1927, by Witmark & Sons.
4. MAID MARIAN
   comic opera in 3 acts (vocal score) by H. B. Smith and Reginald De Koven. c. Dec. 13, 1901, by Schuberth. r. Dec. 18, 1928, by Witmark & Sons.
5. MANDOLIN SERENADE
   from "Foxy Quiller" (song) by H. B. Smith and Reginald De Koven. c. Nov. 19, 1900, by Schuberth. r. Dec. 1, 1927, by Witmark & Sons.
6. MENAGERIE SONG
   from "Little Duchess" (song) by H. B. Smith and Reginald De Koven. c. Sept. 30, 1901, by Schuberth. r. Nov. 28, 1928, by Witmark & Sons.
7. POLLY WANT A CRACKER
   from "Foxy Quiller" (song) by H. B. Smith and Reginald De Koven. c. Nov. 23, 1900, by Schuberth. r. Dec. 1, 1927.
8. QUILLER HAS THE BRAIN
   from "Foxy Quiller" by Harry B. Smith and Reginald De Koven. c. Nov. 19, 1900, by Schuberth. r. Dec. 1, 1928, by Witmark & Sons.
9. SARACEN PATROL
   from "Maid Marian" (pf.) by Harry B. Smith and Reginald De Koven. c. Nov. 29, 1901, by Schuberth. r. June 4, 1929, by Witmark & Sons.
10. SHIPBUILDERS SONG
    from "Foxy Quiller" (song) by Harry B. Smith and Reginald De Koven. c. Nov. 3, 1900, by Schuberth. r. Dec. 1, 1927, by Witmark & Sons.
11. SONG OF THE CHEATING PEDLAR
    from "Foxy Quiller" (song) by Harry B. Smith and Reginald De Koven. c. Nov. 19, 1900, by Schuberth. r. Dec. 1, 1927, by Witmark & Sons.
12. SONG OF THE SWORD
    from "Foxy Quiller" (song) by H. B. Smith and R. De Koven. c. Nov. 19, 1900, by Schuberth. r. Dec. 1, 1927, by Witmark & Sons.
13. SWEARING SKIPPER
    from "Foxy Quiller" (pf. and vocal) by H. B. Smith and R. De Koven. c. Nov. 19, 1900, by Schuberth. r. Dec. 1, 1927, by Witmark & Sons.
14. TELL ME AGAIN SWEETHEART
    from "Maid Marian" (song) by H. B. Smith and Reginald De Koven. c. Nov. 14, 1901, by Schuberth. r. March 20, 1929, by Witmark & Sons.

15. TODAY
from "Foxy Quiller" (song) by H. B. Smith and R. De Koven. c. Dec. 31, 1901, by Schuberth. r. Jan. 22, 1929, by Witmark & Sons.

16. WINDING WINDING
from "Foxy Quiller" (duet) by by H. B. Smith and Reginald De Koven. c. Feb. 12, 1901, by Schuberth. r. May 12, 1928, by Witmark & Sons.

17. YOUTH IS THE GOLDEN AGE
from "Foxy Quiller" (duet) by H. B. Smith and Reginald De Koven. c. Feb. 12, 1901, by Schuberth. r. May 12, 1928, by Witmark & Sons.

Renewals by M. Witmark and Sons
In the Name of
LUDWIG ENGLANDER (Deceased)

In each of the following the "original claimant" was E. Schuberth and the renewal in every case was made in the name of the author by M. Witmark and Sons.

1. BE CLEVER
(song) by Harry B. Smith and Ludwig Englander. c. Sept. 10, 1900. r. Oct. 14, 1927.
2. BEER, BEAUTIFUL BEER
(song) by Harry B. Smith and Ludwig Englander. c. Sept. 10, 1900. r. Oct. 14, 1927.
3. BOLD HUSSARS
(song) by Harry B. Smith and Ludwig Englander. c. June 28, 1901. r. Mar. 20, 1929.
4. DE STORIES UNCLE REMUS TELLS
(song) by Ludwig Englander. c. Aug. 1, 1899. r. July 27, 1927.
5. DEAR LITTLE FRENCH GRISETTE
(song) by J. Cheever Goodwin and Ludwig Englander. c. Sept. 19, 1900. r. Oct. 14, 1927.
6. EBB & FLOW
(song) by C. Goodwin and Ludwig Englander. c. Sept. 19, 1900. r. Oct. 14, 1927.
7. ENGLISH COON SONG
(song) by Harry B. Smith and Ludwig Englander. c. Aug. 5, 1901. r. Mar. 20, 1929.
8. FAIRY LULLABY
(song) by Harry B. Smith and Ludwig Englander. c. Sept. 10, 1900. r. Oct. 14, 1927.
9. GIRL WHO IS UP TO DATE
(song) by Harry B. Smith and Ludwig Englander. c. Sept. 10, 1900. r. Oct. 14, 1927.
10. HE WAS A MARRIED MAN
(song) by Harry B. Smith and Ludwig Englander. c. Sept. 19, 1900. r. Oct. 14, 1927.
11. I LOVE MY LOVE
(song) by J. Cheever Goodwin and Ludwig Englander. c. Sept. 10, 1900. r. Oct. 14, 1927.
12. IN GAY PAREE
(song) by J. C. Goodwin and Ludwig Englander. c. Sept. 19, 1900. r. Oct. 14, 1927.
13. IN PHILADELPHIA
(song) by Ludwig Englander. c. Aug. 1, 1899. r. July 27, 1927.
14. JOSEPH, JAMES AND JOHN
(song) by J. C. Goodwin and Ludwig Englander. c. Sept. 19, 1900. r. Oct. 14, 1927.
15. LESSON IN FLIRTATION
(song) by Harry B. Smith and Ludwig Englander. c. July 31, 1901. r. Mar. 20, 1929.
16. LIFE IS A TOY SHOP
(song) by Ludwig Englander. c. Aug. 1, 1899. r. July 27, 1927.
17. LISETTE
(song) by J. C. Goodwin and Ludwig Englander. c. Sept. 19, 1900. r. Oct. 14, 1927.
18. LORETTA
(song) by Harry B. Smith and Ludwig Englander. c. June 28, 1901. r. Mar. 20, 1929.
19. MATINEE GIRL
(song) by Harry B. Smith and Ludwig Englander. c. Sept. 10, 1900. r. Oct. 14, 1927.
20. MONKS OF MALABAR
(comic opera in 3 acts) by Ludwig Englander. c. Oct. 8, 1900. r. Feb. 1, 1928.
21. MONKS OF MALABAR
(song) by J. C. Goodwin and Ludwig Englander. c. Sept. 19, 1900. r. Oct. 14, 1927.
22. MONKS OF MALABAR
(vocal scene) by J. C. Goodwin and Ludwig Englander. c. Oct. 2, 1900. r. Oct. 29, 1927.
23. MY LADY IN THE MOON
(song) by Harry B. Smith and Ludwig Englander. c. Sept. 26, 1900. r. Oct. 14, 1927.
24. NEVER AGAIN
(song) by Harry B. Smith and Ludwig Englander. c. Sept. 10, 1900. r. Oct. 14, 1927.
25. OBJECT MATRIMONY
(song) by Ludwig Englander. c. Aug. 1, 1899. r. July 27, 1927.
26. ONLY A HUNDRED GIRLS
(song) by Ludwig Englander. c. July 29, 1899. r. July 27, 1927.
27. ONLY IN DREAMS
(song) by Harry B. Smith and Ludwig Englander. c. Sept. 21, 1900. r. Oct. 14, 1927.
28. ROUNDERS
(vocal score) by Ludwig Englander. c. Dec. 7, 1899. r. July 27, 1927.
29. ROUNDERS' SONG
(song) by Ludwig Englander. c. Aug. 1, 1899. r. July 27, 1927.
30. SAME OLD STORY, NOTHING NEW
(song) by Ludwig Englander. c. Aug. 1, 1899. r. July 27, 1927.
31. SHE DIDN'T UNDERSTAND
(song) by Ludwig Englander. c. Aug. 1, 1899. r. July 27, 1927.
32. SONG OF THE STROLLERS
(song) by Harry B. Smith and Ludwig Englander. c. June 28, 1901. r. Mar. 20, 1929.
33. STROLLERS
(musical comedy, vocal score) by Ludwig Englander and Harry B. Smith. c. Aug. 28, 1901. r. Sept. 26, 1928.
34. THERE'S WHERE I MADE A MISTAKE
(song) by J. C. Goodwin and Ludwig Englander. c. Oct. 25, 1900. r. Oct. 29, 1927.
35. WHAT EVE SAID TO ADAM
(song) by Harry B. Smith and Ludwig Englander. c. Sept. 10, 1900. r. Oct. 14, 1927.
36. WHERE HE GOES, WE GO TOO
(song) by J. C. Goodwin and Ludwig Englander. c. Sept. 10, 1900. r. Oct. 14, 1927.
37. YOU KNOW THAT I ADORE YOU
(song) by J. C. Goodwin and Ludwig Englander. c. Sept. 19, 1900. r. Oct. 24, 1927.

Renewals by Edward Schuberth and Company

In the Name of

HARVEY B. GAUL

1. BLESSED ARE THEY (sop. solo and quartette) by Harvey Gaul. c. June 18, 1907. r. June 13, 1935.
2. FAIR DAFFODILS (mixed voices) by Robert Herricle and Harvey Gaul. c. Dec. 21, 1906. r. Dec. 14, 1934.
3. FIVE LITTLE WHITE HEADS (song) by Walter Learned and Harvey Gaul. c. Nov. 2, 1906. r. Oct. 29, 1934.
4. KING OF LOVE MY SHEPERD IS (sop. solo and chorus) by Harvey B. Gaul. c. Jan. 25, 1906. r. Jan. 20, 1934.
5. LOVE IS A SICKNESS (high voice) by Samuel Daniel and Harvey B. Gaul. c. Jan. 27, 1906. r. Jan. 20, 1934.
6. ROCK-A-BY LULL-A-BY (high voice) by J. G. Holland and Harvey B. Gaul. c. Nov. 16, 1905. r. Nov. 14, 1933.

Renewals by Edward Schuberth and Company

In the Name of

HEINRICH GERMER (deceased)

1. ADIEU (pf.) by F. Schubert, arr. by Heinrich Germer. c. Mar. 13, 1901. r. June 28, 1928.
2. CAPRICIETTI (pf.) by Ph. Scharwenka, arr. by Heinrich Germer. c. Mar. 21, 1901. r. June 28, 1928.
3. FRUHLINGSRAUSCHEN (pf.) by C. Sinding, arr. by Heinrich Germer. c. Nov. 14, 1906. r. Nov. 12, 1934.
4. GIPSY RONDO (pf.) by J. Haydn, arr. by Heinrich Germer. c. Apr. 21, 1904. r. Apr. 16, 1932.
5. HUNGARIAN DANCE NO. 6 (pf.) by J. Brahms, arr. by Heinrich Germer. c. July 10, 1900. r. June 28, 1928.
6. IDYL (pf.) by C. B. Lysberg, arr. by Heinrich Germer. c. Mar. 6, 1901. r. June 28, 1928.
7. IMPROMPTU IN A FLAT MAJOR by H. Reinhold, arr. by H. Germer. c. Mar. 1, 1899. r. Feb. 25, 1927.
8. IN THE BALL ROOM by Gustav Lange, arr. by H. Germer. c. Feb. 16, 1899. r. Feb. 16, 1927.
9. IN THE GYPSY CAMP by Behr, arr. by H. Germer. c. Mar. 1, 1899. r. Feb. 25, 1927.
10. IN THE WOODS (pf.) by N. W. Gade arr. by Heinrich Germer. c. July 11, 1900. r. June 28, 1928.
11. LITTLE ENSIGN (pf.) by F. Bendel, arr. by H. Germer. c. Jan. 20, 1900. r. Jan. 12, 1928.
12. MAYBELLS (pf.) by C. Bohn, arr. by H. Germer. c. July 10, 1900. r. June 28, 1928.
13. NEW ACADEMIC EDITION OF SELECTED PIANOFORTE WORKS vol. 1 (pf.) of W. A. Mozart, arr. by H. Germer. c. Oct. 17, 1892. r. Oct. 15, 1920.
14. NEW ACADEMIC EDITION OF SELECTED PIANOFORTE WORKS vol. 2 (pf.) of W. A. Mozart, arr. by H. Germer. c. Oct. 17, 1892. r. Oct. 15, 1920.
15. NEW ACADEMIC EDITION OF SELECTED PIANOFORTE WORKS vol. 3 (pf.) of W. A. Mozart, arr. by H. Germer. c. Oct. 17, 1892. r. Oct. 15, 1920.
16. ON THE MEAD by H. Lichner, arr. by H. Germer. c. Mar. 1, 1899. r. Feb. 25, 1927.
17. PASTORALE (pf.) by D. Scarlatti, arr. by Heinrich Germer. c. May 13, 1904. r. May 10, 1932.
18. PHILOPENA by Gustav Lange, arr. by H. Germer. c. Feb. 16, 1899. r. Feb. 16, 1927.
19. PLEASURE OF DANCE (pf.) by Philipp Scharwenka, arr. by H. Germer. c. Jan. 6, 1900. r. Jan. 5, 1928.
20. POLQUETTE (pf.) by G. Blasser, arr. by H. Germer. c. July 11, 1900. r. June 28, 1928.
21. RHAPSODIE HONGROISE (pf.) by F. Liszt, arr. by Heinrich Germer. c. Apr. 21, 1904. r. Apr. 16, 1932.
22. SCARF DANCE by C. Chaminade, arr. by H. Germer. c. Mar. 1, 1899. r. Feb. 25, 1927.
23. SELECTED PIANOFORTE STUDIES Book 1 (pf.) by Stephen Heller, arr. by H. Germer. c. Feb. 11, 1893. r. June 27, 1921.
24. SELECTED PIANOFORTE STUDIES Book 2 (pf.) by Stephen Heller, arr. by H. Germer. c. Feb. 11, 1893. r. Jan. 27, 1921.
25. SELECTED PIANOFORTE STUDIES Book 3 (pf.) by Stephen Heller, arr. by H. Germer. c. Feb. 11, 1893. r. Jan. 27, 1921.
26. SELECTED PIANOFORTE STUDIES Book 4 (pf.) by Stephen Heller, arr. by H. Germer. c. Feb. 11, 1893. r. Jan. 27, 1921.
27. SELECTED PIANOFORTE STUDIES Book 5 (pf.) by Stephen Heller, arr. by H. Germer. c. Feb. 11, 1893. r. Jan. 27, 1921.
28. SIEGMUND'S LOVE SONG (song) by R. Wagner, arr. by H. Germer. c. July 10, 1900. r. June 28, 1928.
29. SOLFEGIETTO by Ph. Em. Bach, arr. by H. Germer. c. Mar. 1, 1899. r. Feb. 25, 1927.
30. SPINNING WHEEL by F. Bendel, arr. by H. Germer. c. Feb. 18, 1899. r. Feb. 16, 1927.
31. SWALLOW'S MESSAGE (pf.) by G. Lange, arr. by H. Germer. c. Feb. 25, 1901. r. June 28, 1928.
32. TECHNICS OF PIANOFORTE PLAYING course 1, no. 1 (pf.) by W. K. Steiner, arr. by H. Germer. c. Oct. 10, 1896. r. Apr. 10, 1924.
33. TECHNICS OF PF. PLAYING course 2, no. 1 (pf.) by W. K. Steiner, arr. by H. Germer. c. Oct. 10, 1896. r. Apr. 16, 1924.
34. TECHNICS OF PF. PLAYING course 3, no. 1 (pf.) by W. K. Steiner, arr. by H. Germer. c. Oct. 10, 1896. r. Apr. 16, 1924.

35. TECHNICS OF PF. PLAYING
    course 4, no. 1, by W. K. Steiner, arr. by H. Germer. c. Oct. 10, 1896. r. Apr. 16, 1924.
36. TO MEET AGAIN
    (pf.) by H. Lichner, arr. by H. Germer. c. Feb. 25, 1901. r. June 28, 1928.
37. TO THE SPRING
    by Edvard Grieg, arr. by H. Germer. c. Feb. 18, 1899. r. Feb. 16, 1927.
38. TO THE SPRING, IN F
    by Edvard Grieg, arr. by H. Germer. c. Feb. 18, 1899. r. Feb. 16, 1927.
39. TWENTY-EIGHT STUDIES FOR THE MIDDLE GRADE
    Book 3 (pf.) by Stephen Heller, arr. by H. Germer. c. Sept. 17, 1896. r. Sept. 13, 1924.
40. TWENTY-FIVE EASY AND PROGRESSIVE STUDIES
    Book 1, by Doring, arr. by H. Germer. c. Feb. 27, 1899. r. Feb. 16, 1927.
41. TWENTY-FIVE EASY AND PROGRESSIVE STUDIES
    Book 2, by Doring, arr. by H. Germer. c. Feb. 27, 1899. r. Feb. 16, 1927.
42. TWENTY-FIVE EASY AND PROGRESSIVE STUDIES
    Book 3, by Doring, arr. by H. Germer. c. Feb. 27, 1899. r. Feb. 16, 1927.
43. VALSE
    (pf.) by A. Durand, arr. by Heinrich Germer. c. Nov. 14, 1906. r. Nov. 12, 1934.
44. VALSE MIGNONNE
    (pf.) by H. Harthen, arr. by H. Germer. c. July 11, 1900. r. June 28, 1928.
45. 1iere VALSE
    (pf.) by A. Durand, arr. by Heinrich Germer. c. Apr. 21, 1904. r. Apr. 16, 1932.

Renewals by Edward Schuberth and Company

In the Name of

VICTOR HARRIS

1. BUTTERFLIES & BUTTERCUPS
    (sop. or tenor) by Victor Harris. c. Dec. 7, 1894. r. Dec. 6, 1922.
2. DISAPPOINTMENT
    (song) by Victor Harris. c. Dec. 7, 1894. r. Dec. 6, 1922.
3. FOREVER & A DAY
    (high voice) by Victor Harris. c. Dec. 8, 1898. r. Dec. 7, 1926.
4. I KNOW NOT IF MOONLIGHT
    (song) by Victor Harris. c. Dec. 7, 1894. r. Dec. 6, 1922.
5. LOVE, HALLO
    (tenor or sop.) by Victor Harris. c. Dec. 7, 1894. r. Dec. 6, 1922.
6. MADRIGAL
    (sop.) by Victor Harris. c. Mar. 27, 1893. r. Feb. 9, 1921.
7. MADRIGAL
    (1 sop. 2 alto) by Victor Harris. c. Nov. 27, 1893. r. Feb. 23, 1921.
8. MADRIGAL
    (chorus, mixed voices) by Victor Harris. c. Nov. 2, 1894. r. Nov. 2, 1922.
9. MELODY
    (song) by Victor Harris. c. Dec. 7, 1894. r. Dec. 6, 1922.
10. NIGHT SONG
    (sop.) by Victor Harris. c. Nov. 27, 1893. r. Feb. 9, 1921.
11. ON THE WILD ROSE TREE
    (sop.) by Victor Harris. c. Nov. 27, 1893. r. Feb. 9, 1921.
12. SONG FROM OMAR KHAYYAM
    (low voice) by Victor Harris. c. Dec. 8, 1898. r. Dec. 7, 1926.

Renewals by Edward Schuberth and Company

In the Name of

VICTOR HERBERT (deceased)

1. AH CUPID
    (cornet solo band) from "Prince Ananias" by Victor Herbert. c. Aug. 9, 1895. r. Aug. 2, 1924.
2. AH! CUPID, MEDDLESOME BOY, GOODBYE
    by Victor Herbert. c. Nov. 12, 1894. r. Nov. 2, 1922.
3. AH! FOR THEE
    from "Serenade" by Victor Herbert. c. Feb. 17, 1897. r. Dec. 31, 1924.
4. AH! LOVE ME
    (pf.) by Victor Herbert. c. Oct. 19, 1888. r. Aug. 30, 1916.
5. AMERICAN GIRL
    (band) by Victor Herbert. c. Aug. 15, 1895. r. Aug. 11, 1924.
6. AM I A WIZARD
    (band) by Victor Herbert. c. May 20, 1896. r. Mar. 7, 1924.
7. AM I A WIZARD
    (orch.) by Victor Herbert. c. Feb. 26, 1896. r. Jan. 21, 1924.
8. AM I A WIZARD
    (pf.) by Victor Herbert. c. Feb. 10, 1896. r. Jan. 21, 1924.
9. AMARYLLIS
    (contralto) by Victor Herbert. c. Nov. 22, 1894. r. Nov. 21, 1922.
10. AMERICAN GIRL
    (piano) by Victor Herbert. c. July 25, 1896. r. Jan. 21, 1924.
11. AMERICAN GIRL
    (orch.) by Victor Herbert. c. Sept. 30, 1896. r. Sept. 24, 1924.
12. AMERIKANISCHE FANTASIE
    (orch.) by Victor Herbert. c. Aug. 6, 1898. r. Dec. 11, 1925.
13. ANGELUS
    from "Serenade" (high voice) by Victor Herbert. c. June 19, 1897. r. Dec. 31, 1924.
14. ANGELUS
    from "Serenade" (song) by Victor Herbert. c. Apr. 10, 1897. r. Dec. 31, 1924.
15. ANGELUS
    from "Serenade" (low voice) by Victor Herbert. c. June 5, 1899. r. Dec. 31, 1924.
16. ANGELUS
    from "Serenade" (contralto solo and mixed chorus) by Victor Herbert. c. May 9, 1898. r. Dec. 11, 1925.
17. AUTHOR, MANAGER AM I
    (solo & chorus) by Victor Herbert. c. Nov. 12, 1894. r. Nov. 11, 1922.
18. BADINAGE
    by Victor Herbert. c. Sept. 4, 1895. r. Sept. 12, 1922.
19. BALTIMORE EXPOSITION 1897
    (piano) by Victor Herbert. c. Dec. 17, 1895. r. Nov. 6, 1823.
20. BALTIMORE CENTENNIAL 1897
    (piano) by Victor Herbert. c. July 21, 1895. r. Mar. 7, 1924.
21. BALTIMORE CENTENNIAL MARCH
    (band) by Victor Herbert. c. Aug. 4, 1896. r. Aug. 2, 1924.
22. BELLE OF PITTSBURGH
    (band) by Victor Herbert. c. Apr. 30, 1896. r. Mar. 7, 1924.

23. BELLE OF PITTSBURGH (orch.) by Victor Herbert. c. Dec. 7, 1895. r. Nov. 6, 1923.

24. BELLE OF PITTSBURGH (piano) by Victor Herbert. c. Aug. 27, 1895. r. May 17, 1923.

25. CLEOPATRA'S ARIA (cornet solo, band) from "Wizard of the Nile" by Victor Herbert. c. Aug. 8, 1896. r. Aug. 2, 1924.

26. COLUMBIA by Victor Herbert. c. Apr. 21, 1898. r. Dec. 11, 1925.

27. CUPID AND I from "Serenade" (low voice) by Victor Herbert. c. June 19, 1897. r. Dec. 31, 1924.

28. CUPID AND I from "Serenade" (song) by Victor Herbert. c. Mar. 29, 1897. r. Dec. 31, 1924.

29. DON JOSE OF SEVILLA from "Serenade" (song) by Victor Herbert. c. Apr. 10, 1897. r. Dec. 31, 1924.

30. DREAMING, DREAMING from "Serenade" (song) by Victor Herbert. c. Feb. 8, 1897. r. Dec. 31, 1924.

31. FAIRY TALES from "Idol's Eye" (song) by Victor Herbert. c. Sept. 18, 1897. r. June 8, 1925.

32. GATE CITY GUARD (piano) by Victor Herbert. c. Aug. 27, 1895. r. May 17, 1923.

33. GAZE ON THIS FACE (duet) by Victor Herbert. c. Oct. 14, 1895. r. May 17, 1923.

34. GOLD BUG MARCH (band) by Victor Herbert. c. Oct. 21, 1896. r. Oct. 13, 1924.

35. GOLD BUG MARCH (orch.) by Victor Herbert. c. Oct. 15, 1896. r. Oct. 13, 1924.

36. GOLD BUG MARCH (pf.) by Victor Herbert. c. Sept. 14, 1896. r. Sept. 13, 1924.

37. HAMLET OF FANCY (song) by Victor Herbert. c. Nov. 12, 1894. r. Nov. 11, 1922.

38. HIS HIGHNESS by Victor Herbert. c. Mar. 5, 1895. r. Mar. 3, 1923.

39. HIS HIGHNESS (orch.) by Victor Herbert. c. Apr. 3, 1895. r. Mar. 3, 1923.

40. HIS HIGHNESS (band) by Victor Herbert. c. May 22, 1895. r. May 17, 1923.

41. I ENVY THE BIRD from "Serenade" (baritone) by Victor Herbert. c. Feb. 17, 1890. r. Dec. 31, 1924.

42. I LOVE THEE, I ADORE THEE from "Serenade" (violin or cello) by Victor Herbert. c. May 8, 1897. r. Dec. 31, 1924.

43. I LOVE THEE, I ADORE THEE from "Serenade" (cornet solo & orch.) by Victor Herbert. c. May 7, 1897. r. Dec. 31, 1924.

44. I LOVE THEE, I ADORE THEE from "Serenade" (song) by Victor Herbert. c. Mar. 29, 1897. r. Dec. 31, 1924.

45. IDOL'S EYE comic opera in three acts by Victor Herbert and Harry B. Smith. c. Oct. 12, 1897. r. June 8, 1925.

46. IDOL'S EYE from the opera (two step) by Victor Herbert. c. Nov. 20, 1897. r. June 8, 1925.

47. IDOL'S EYE vocal gems from the opera by Victor Herbert. c. Sept. 15, 1897. r. June 8, 1925.

48. IDOL'S EYE LANCERS by Victor Herbert. c. Jan. 20, 1898. r. Dec. 11, 1925.

49. IDOL'S EYE vocal score by Victor Herbert. c. Nov. 19, 1897. r. June 8, 1925.

50. IDOL'S EYE WALTZES by Victor Herbert. c. Jan. 25, 1898. r. Dec. 11, 1925.

51. I'VE APPEARED BEFORE THE CROWNED HEADS (solo with chorus) by Victor Herbert. c. Oct. 21, 1895. r. May 17, 1923.

52. IF I WERE KING (duet) by Victor Herbert. c. Oct. 14, 1895. r. May 17, 1923.

53. IN DREAMLAND (mezzo. soprano or baritone) by Victor Herbert. c. Jan. 23, 1896. r. Jan. 21, 1924.

54. IN DREAMLAND (soprano) by Victor Herbert. c. Dec. 27, 1895. r. Nov. 6, 1923.

55. IN DREAMLAND from "The Wizard of the Nile" (cornet solo & band) by Victor Herbert. c. Aug. 8, 1895. r. Aug. 2, 1924.

56. INTERMEZZO from "Cavalleria Rusticana," transcribed by Victor Herbert. c. Sept. 5, 1891. r. Aug. 12, 1919.

57. IT NEEDS NO POET (duet) by Victor Herbert. c. Nov. 12, 1894. r. Nov. 11, 1922.

58. JENNY'S BABY (song) by Victor Herbert. c. July 12, 1895. r. May 17, 1923.

59. JENNY'S BABY (orch.) by Victor Herbert. c. Feb. 20, 1897. r. Dec. 31, 1924.

60. LADY AND THE KICK from "Idol's Eye" by Victor Herbert. c. Sept. 18, 1897. r. June 8, 1925.

61. LAFITTE comic opera in three acts by Victor Herbert. c. Apr. 14, 1897. r. Dec. 31, 1924.

62. LOVE IS SPRING (song) by Victor Herbert. c. Nov. 12, 1894. r. Nov. 11, 1922.

63. LOVE NE'ER CAME NIGH (bass) by Victor Herbert. c. Apr. 26, 1895. r. Mar. 9, 1923.

64. LOVE'S TOKEN (piano) by Victor Herbert. c. Oct. 19, 1888. r. Aug. 30, 1916.

65. McKINLEY INAUGURATION MARCH (band) by Victor Herbert. c. Apr. 26, 1897. r. Dec. 31, 1927.

66. MARY'S LAMB (song) by Victor Herbert. c. May 26, 1898. r. Dec. 11, 1925.

67. MY ANGELINE (voice & piano) by Victor Herbert. c. Dec. 13, 1895. r. Nov. 6, 1923.

68. MY ANGELINE (chorus) by Victor Herbert. c. Nov. 7, 1895. r. Nov. 5, 1923.

69. MY ANGELINE (zither) by Victor Herbert. c. Feb. 21, 1896. r. Jan. 21, 1924.

70. OCEAN BREEZES (pf.) by Victor Herbert. c. July 18, 1898. r. Dec. 11, 1925.

71. ONE FOR ANOTHER from "The Gold Bug" (song) by Victor Herbert. c. Sept. 22, 1896. r. Sept. 13, 1924.

72. ONLY FOR THEE (song) by Victor Herbert. c. Oct. 8, 1898. r. Dec. 11, 1925.

73. ORIENTAL MARCH from "Wizard of the Nile" (pf.) by Victor Herbert. c. May 24, 1897. r. Dec. 31, 1924.

74. ORIENTAL MARCH (chorus) from "Wizard of the Nile" by Victor Herbert. c. Oct. 21, 1895. r. May 17, 1923.

75. OWL AND THE THRUSH from "The Gold Bug" (song) by Victor Herbert. c. Sept. 22, 1896. r. Sept. 13, 1924.

76. PRESIDENT'S MARCH (pf.) by Victor Herbert. c. Nov. 5, 1898. r. Dec. 11, 1925.

77. PRINCE ANANIAS comic opera in 2 pts., by Victor Herbert and Frances Neilson. c. Mar. 11, 1895. r. Mar. 9, 1923.

78. PRINCE ANANIAS (orch.) by Victor Herbert. c. Dec. 24, 1894. r. Dec. 9, 1922.

79. PRINCE ANANIAS POLKA (orch.) by Victor Herbert. c. Dec. 24, 1894. r. Dec. 9, 1922.

80. PRINCE ANANIAS POLKA (piano) by Victor Herbert. c. Dec. 17, 1894. r. Dec. 9, 1922.

81. PRINCE ANANIAS SCHOTTISCHE (orch.) by Victor Herbert. c. Dec. 31, 1894. r. Dec. 9, 1922.

82. PRINCE ANANIAS MARCH (piano) by Victor Herbert. c. Dec. 17, 1894. r. Dec. 9, 1922.

83. PRINCE ANANIAS
(band) by Victor Herbert. c. Mar. 26, 1896. r. Mar. 7, 1924.

84. PRINCE ANANIAS
(orch.) by Victor Herbert. c. Mar. 29, 1895. r. Mar. 9, 1923.

85. PRINCE ANANIAS
(band) by Victor Herbert. c. May 22, 1895. r. May 17, 1923.

86. PRINCE ANANIAS WALTZ
(piano) by Victor Herbert. c. Dec. 17, 1894. r. Dec. 9, 1922.

87. PURE AND WHITE AS THE LOTOS
from "Wizard of the Nile" (solo with chorus) by Victor Herbert. c. Oct. 21, 1895. r. May 17, 1923.

88. REGAL SADNESS SITS ON ME
from "Prince Ananias" (bass) by Victor Herbert. c. Nov. 22, 1894. r. Nov. 2, 1922.

89. SERENADE
comic opera in three acts (vocal score) by Victor Herbert. c. Apr. 26, 1897. r. Dec. 31, 1924.

90. SERENADE
comic opera in three acts (vocal score) by Victor Herbert. c. Apr. 26, 1897. r. Dec. 8, 1924.

91. SERENADE LANCERS
from "Serenade" (pf.) by Victor Herbert. c. May 8, 1897. r. Dec. 31, 1924.

92. SERENADE MARCH
(band) by Victor Herbert. c. May 5, 1897. r. Dec. 31, 1924.

93. SERENADE MARCH
(orch.) by Victor Herbert. c. Apr. 7, 1897. r. Dec. 31, 1924.

94. SERENADE MARCH
(pf.) by Victor Herbert. c. Feb. 17, 1897. r. Dec. 31, 1924.

95. SERENADE
(vocal gems) by Victor Herbert. c. Feb. 17, 1897. r. Dec. 31, 1924.

96. SERENADE WALTZ
(orch.) by Victor Herbert. c. Apr. 16, 1897. r. Dec. 3, 1924.

97. SERENADE WALTZES
(mandolin & guitar) by Victor Herbert. c. June 29, 1897. r. Dec. 31, 1924.

98. SERENADE WALTZES
(pf.) by Victor Herbert. c. Mar. 29, 1897. r. Dec. 31, 1924.

99. SILENT ROSE
(cornet solo & band) by Victor Herbert. c. Aug. 8, 1896. r. Aug. 2, 1924.

100. STARLIGHT WALTZ
from "Wizard of the Nile" (piano) by Victor Herbert. c. Sept. 15, 1896. r. Sept. 13, 1924.

101. SILENT ROSE
(alto) by Victor Herbert. c. Nov. 13, 1894. r. Nov. 11, 1922.

102. SILENT ROSE
(song) by Victor Herbert. c. Oct. 19, 1888. r. Aug. 30, 1916.

103. STARLIGHT, STARBRIGHT
from "The Wizard of The Nile" (quintette) by Victor Herbert. c. Nov. 25, 1895. r. Nov. 5, 1923.

104. STARLIGHT, STARBRIGHT
from "The Wizard of The Nile" (song) by Victor Herbert. c. Dec. 6, 1895. r. Nov. 6, 1923.

105. STARLIGHT, STARBRIGHT
from "The Wizard of The Nile" (mandolin or violin with pf. acc.) by Victor Herbert. c. Mar. 18, 1896. r. Jan. 21, 1924.

106. STARLIGHT, STARBRIGHT
from "The Wizard of The Nile" (mandolin with guitar acc.) by Victor Herbert. c. Mar. 18, 1896. r. Jan. 21, 1924.

107. STARLIGHT, STARBRIGHT
(zither) by Victor Herbert. c. Feb. 20, 1896. r. Jan. 21, 1924.

108. STARLIGHT
from "The Wizard of The Nile" (band) by Victor Herbert. c. May 20, 1896. r. Mar. 7, 1924.

109. STONE CUTTER'S SONG
(song & chorus) by Victor Herbert. c. Oct. 14, 1895. r. May 17, 1923.

110. SUNKEN CITY
(men's chorus) by Victor Herbert. c. Nov. 20, 1897. r. Dec. 9, 1924.

111. SWEET HARP OF THE DAYS THAT ARE GONE
(song) by Victor Herbert. c. Mar. 21, 1898. r. Dec. 11, 1925.

112. TALK ABOUT YO' LUCK
from "Idol's Eye" (song) by Victor Herbert. c. Sept. 18, 1897. r. June 8, 1925.

113. TATTOOED MAN
from "Idol's Eye" (song) by Victor Herbert. c. Sept. 18, 1897. r. June 8, 1925.

114. TIME WILL COME
(song) by Victor Herbert and Fred Dixon. c. Mar. 9, 1895. r. Mar. 9, 1923.

115. TO THE PYRAMID
(chorus) by Victor Herbert. c Oct. 21, 1895. r. May 17, 1923.

116. TOM AND JACK
from "Idol's Eye," by Victor Herbert. c. Sept. 18, 1897. r. June 8, 1925.

117. UNDER AN OAK
(song) by Victor Herbert. c. Nov. 12, 1894. r. Nov. 11, 1922.

118. WAS IST LIEB
from "Wizard of the Nile" (duet) by Victor Herbert. c. Nov. 3, 1896. r. Oct. 25, 1924.

119. WHAT IS LOVE
(duet) by Victor Herbert. c. Oct 21, 1895. r. May 17, 1923.

120. WHEN I WAS BORN, I WEIGHED TEN STONE
(baritone and bass) by Victor Herbert. c. Nov. 12, 1894. r. Nov. 11, 1922.

121. WHEN THE BUGLES ARE CALLING
from "The Wizard of the Nile" (bass) by Victor Herbert. c. Dec. 13, 1895. r. Nov. 6, 1923.

122. WHEN THE BUGLES ARE CALLING
from "The Wizard of the Nile" (solo) by Victor Herbert. c. Nov. 22, 1895. r. Nov. 5, 1923.

123. WHEN THE BUGLES ARE CALLING
from "The Wizard of the Nile" (tenor) by Victor Herbert. c. Dec. 13, 1895. r. Nov. 6, 1923

124. WHO MIGHT YOU BE
(baritone and chorus) by Victor Herbert. c. Nov. 12, 1894. r. Nov. 11, 1922.

125. WIZARD OF THE NILE
gems from the comic opera in three acts, by Victor Herbert. c. Jan. 28, 1896. r. Jan. 21, 1924.

126. WIZARD OF THE NILE
(orch.) by Victor Herbert. c. Dec. 31, 1895. r. Nov. 6, 1925.

127. WIZARD OF THE NILE
(piano) by Victor Herbert. c. Dec. 24, 1895. r. Nov. 6, 1923.

128. WIZARD OF THE NILE
(orch.) by Victor Herbert. c. Apr. 24, 1896. r. Mar. 7, 1924.

129. WIZARD OF THE NILE
(band) by Victor Herbert. c. June 12, 1896. r. Mar. 7, 1924.

130. WIZARD OF THE NILE
(vocal score) by Victor Herbert. c. Sept. 21, 1895. r. May 17, 1923.

131. WIZARD OF THE NILE
(orch.) by Victor Herbert, arr. by George Wiegand. c. Dec. 26, 1895. r. Nov. 6, 1923.

132. WIZARD OF THE NILE
(piano) by Victor Herbert. c. Dec. 3, 1895. r. Nov. 6, 1923.

133. WOMAN, LOVELY WOMAN
from "Serenade" (song) by Victor Herbert. c. Feb. 8, 1897. r. Dec. 31, 1924.

134. ZAUBERER MARSCH
(piano) by Victor Herbert. c. Nov. 3, 1896. r. Oct. 25, 1924.

135. ZAUBERER VOM NIL
(klavierauszug mit text) by Victor Herbert. c. Nov. 16, 1896. r. Oct. 25, 1924.

136. ZAUBERER VOM NIL
potpourri No. 1 (piano) by Victor Herbert. c. Nov. 3, 1895. r. Oct. 25, 1924.

137. ZAUBERER VOM NIL
potpourri No. 2 (piano) by Victor Herbert. c. Nov. 3, 1896. r. Oct. 25, 1924.

Renewals by Edward Schuberth and Company
In the Name of
VICTOR HOLLAENDER

1. AT THE BROOK
   op. 61, no. 2. Six very easy melodious compositions (violin and pf.) by Victor Hollaender. c. June 9, 1891. r. Dec. 9, 1918.
2. AT THE FAIR
   op. 61, no. 3. Six very easy melodious compositions (violin and pf.) by Victor Hollaender. c. June 9, 1891. r. Dec. 9, 1918.
3. CHRISTMAS FAIRY
   by Victor Hollaender. c. Dec. 7, 1895. r. May 17, 1923.
4. DEUXIEME CANZONETTA
   op. 51, no. 2 (pf.) by Victor Hollaender. c. June 9, 1891. r. Dec. 9, 1918.
5. GAVOTTE
   op. 61, no. 6. Six very easy melodious compositions (violin and pf.) by Victor Hollaender. c. June 9, 1891. r. Dec. 9, 1918.
6. IN THE MILL
   op. 61, no. 6. Six very easy melodious compositions (violin and pf.) by Victor Hollaender. c. June 9, 1891. r. Dec. 9, 1918.
7. MARCH
   op. 61, no. 1. Six very easy melodious compositions (violin and pf.) by Victor Hollaender. c. June 9, 1891. r. Dec. 9, 1918.
8. MENUET
   op. 51, no. 1 (pf.) by Victor Hollaender. c. June 9, 1891. r. Dec. 9, 1918.
9. NOTTURNO
   op. 61, no. 4. Six very easy melodious compositions (violin and pf.) by Victor Hollaender. c. June 9, 1891. r. Dec. 9, 1918.
10. ROMANZE
    op. 60 (violin) by Victor Hollaender. c. June 9, 1891. r. Dec. 9, 1918.
11. VALSE CAPRICE
    op. 51-3 (pf.) by Victor Hollaender. c. June 9, 1891. r. Dec. 9, 1918.

Renewal by Edward Schuberth and Company
In the Name of
RUPERT HUGHES

1. RILEY (JAMES WHITCOMB) ALBUM
   (10 songs) by Rupert Hughes. c. Jan. 10, 1902. r. Jan. 9, 1930.

Renewal by Edward Schuberth and Company
In the Name of
NETTIE R. JONES

1. SONG OF THE FAIRIES
   (mixed voices) by Nettie R. Jones. c. July 7, 1906. r. June 16, 1934.

Renewals by Edward Schuberth and Company
In the Name of
VICTOR KEMP

1. ANGEL EYES
   (high voice) by Victor Kemp. c. Nov. 5, 1900. r. June 25, 1928.
2. CAN I FORGET
   (high voice) by Victor Kemp. c. May 22, 1900. r. May 21, 1928.
3. DIMPLES
   (high voice) by Victor Kemp. c. Nov. 5, 1900. r. Jan. 25, 1928.
4. LAMENT
   (high voice) by Victor Kemp. c. Sept. 1, 1900. r. June 25, 1928.
5. LONGING
   (high voice) by Victor Kemp. c. July 18, 1900. r. June 25, 1928.
6. O ROSE SO FAIR
   (high voice) by Victor Kemp. c. Nov. 14, 1900. r. June 25, 1928.
7. SLUMBER SONG
   (high voice) by Victor Kemp. c. Jan. 7, 1900. r. May 21, 1928.

Renewals by M. Witmark and Sons
In the Name of
CHAS. KRAUSHAAR (CHAS. J. ROBERTS)

(It should be noted that in each of the following the "original claimant" was E. Schuberth and the renewals in every case were made in the name of the arranger by M. Witmark and Sons.)

1. BELLE OF BOHEMIA
   (orch.) from Belle of Bohemia arr. by Chas Kraushaar. c. Nov. 30, 1900. r. Dec. 1, 1927.
2. BELLE OF BOHEMIA
   (orch.) arr. by Chas. J. Roberts. c. Jan. 18, 1901. r. Mar. 23, 1928.
3. CASINO GIRL
   (pf.) arr. by Chas. J. Roberts. c. June 2, 1900. r. Mar. 23, 1928.

4. FOXY QUILLER (band) arr. by Chas. J. Roberts. c. May 11, 1900. r. May 12, 1928.
5. FOXY QUILLER (band) arr. by Chas J. Roberts. c. June 25, 1901. r. Nov. 28, 1928.
6. GRACEFUL DANCE (orch.) from "Foxy Quiller", arr. by Chas. Kraushaar (C. J. Roberts). c. Dec. 12, 1900. r. June 18, 1928.
7. MONKS OF MALABAR from the comic opera in 3 acts (pf.) arr. by Charles Roberts (C. Kraushaar). c. Nov. 15, 1900. r. Apr. 6, 1928.
8. MONKS OF MALABAR (orch.) arr. by Charles Kraushaar (C. J. Roberts). c. Oct. 20, 1900. r. Feb. 1, 1928.
9. MONKS OF MALABAR from the comic opera in 3 acts (pf.) arr. by Chas. Kraushaar (C. J. Roberts). c. Nov. 15, 1900. r. Dec. 1, 1927.
10. MONKS OF MALABAR (pf.) arr. by Chas. Kraushaar. c. Sept. 19, 1900. r. Oct. 26, 1927.
11. MONKS OF MALABAR (pf. and vocal) by J. Cheever Goodwin and Ludwig Englander, arr. by Chas. Kraushaar. c. Nov. 13, 1900. r. Dec. 1, 1927.
12. MONKS OF MALABAR (pf.) by J. Cheever Goodwin and Ludwig Englander, arr. by Chas. Kraushaar. c. Nov. 3, 1900. r. Dec. 1, 1927.
13. ROUNDERS (pf.) arr. by Charles Kraushaar. c. Sept. 14, 1899. r. July 27, 1927.
14. ROUNDERS (orch.) arr. by Charles Kraushaar. c. Aug. 16, 1899. r. July 27, 1927.
15. ROUNDERS (orch.) arr. by Charles Kraushaar. c. Oct. 4, 1899. r. July 27, 1927.
16. ROUNDERS (pf.) arr. by Charles Kraushaar. c. Aug. 1, 1899. r. July 27, 1927.
17. ROUNDERS (orch.) arr. by Charles Kraushaar. c. Aug. 30, 1899. r. July 27, 1927.
18. ROUNDERS (pf.) arr. by Charles Kraushaar. c. Aug. 14, 1899. r. July 27, 1927.
19. TARANTELLA (orch.) from "Foxy Quiller", arr. by Chas. J. Roberts. c. Jan. 25, 1901. r. May 12, 1928.

Renewals by Edward Schuberth and Company
In the Name of
OTTO LANGEY (deceased)

1. AMERICAN FANTASIE (band) arr. by Otto Langey. c. June 6, 1898. r. Dec. 11, 1925.
2. AMERICAN FANTASIE (orch.) arr. by Otto Langey. c. June 6, 1898. r. Dec. 11, 1925.
3. BADINAGE (orch.) by Victor Herbert, arr. by Otto Langey. c. Dec. 27, 1898. r. June 8, 1925.
4. BADINAGE (band) by Victor Herbert, arr. by Otto Langey. c. June 25, 1898. r. Dec. 11, 1925.
5. COLUMBIA (band) arr. by Otto Langey. c. June 25, 1898. r. Dec. 11, 1925.
6. COLUMBIA (orch.) arr. by Otto Langey. c. June 25, 1898. r. Dec. 11, 1925.
7. GATE CITY GUARD MARCH (orch.) by Victor Herbert, arr. by Otto Langey. c. Nov. 6, 1897. r. June 8, 1925.
8. IDOL'S EYE (orch.) by Victor Herbert, arr. by Otto Langey. c. Dec. 14, 1897. r. June 8, 1925.
9. IDOL'S EYE (band) by Victor Herbert, arr. by Otto Langey. c. June 8, 1898. r. Dec. 11, 1925.
10. IDOL'S EYE LANCERS (orch.) by Victor Herbert, arr. by Otto Langey. c. Jan. 11, 1898. r. Dec. 11, 1925.
11. IDOL'S EYE MARCH (band) by Victor Herbert, arr. by Otto Langey. c. Mar. 11, 1898. r. Dec. 11, 1925.
12. IDOL'S EYE SELECTION (orch.) by Victor Herbert, arr. by Otto Langey. c. Mar. 11, 1898. r. Dec. 11, 1925.
13. IDOL'S EYE WALTZES (band) by Victor Herbert, arr. by Otto Langey. c. Apr. 8, 1898. r. Dec. 11, 1925.
14. IDOL'S EYE WALTZES (orch.) by Victor Herbert, arr. by Otto Langey. c. Jan. 27, 1898. r. Dec. 11, 1925.
15. INAUGURATION MARCH (orch.) by Victor Herbert, arr. by Otto Langey. c. Aug. 27, 1897. r. June 8, 1925.
16. OCEAN BREEZES (band) arr. by Otto Langey. c. July 23, 1898. r. Dec. 11, 1925.
17. OCEAN BREEZES (orch.) arr. by Otto Langey. c. July 30, 1898. r. Dec. 11, 1925.
18. ORIENTAL MARCH (orch.) by Victor Herbert, arr. by Otto Langey. c. Oct. 1, 1897. r. June 8, 1925.
19. PRESIDENT'S MARCH (THE) (band) by Victor Herbert, arr. by Otto Langey. c. Apr. 9, 1898. r. June 8, 1925.
20. PRESIDENT'S MARCH (THE) (orch.) by Victor Herbert, arr. by Otto Langey. c. July 2, 1898. r. Dec. 11, 1925.
21. SERENADE (band) by Victor Herbert, arr. by Otto Langey. c. Sept. 4, 1897. r. June 8, 1925.
22. SERENADE (orch.) by Victor Herbert, arr. by Otto Langey. c. June 23, 1897. r. June 8, 1925.
23. VEILED PROPHET MARCH (orch.) by Victor Herbert. arr. by Otto Langey. c. Sept. 4, 1897. r. June 8, 1925.
24. 22ND REGIMENT MARCH (orch.) arr. by Otto Langey. c. July 23, 1898. r. Dec. 11, 1925.
25. 22ND REGIMENT MARCH (band) arr. by Otto Langey. c. July 16, 1898. r. Dec. 11, 1925.

Renewals of Edward Schuberth and Company
In the Name of
KATHERINE E. LUCKE

1. FAIRY LIFE (song) by K. E. Lucke and Shakespeare. c. Sept. 11, 1906. r. Sept. 10, 1934.
2. IT WAS A LOVER AND HIS LASS (song) by Shakespeare and K. E. Lucke. c. Sept. 11, 1906. r. Sept. 10, 1934.

Renewals by W. J. McCoy

In the Name of

W. J. McCOY

1. AFTER ALL (song) by W. J. McCoy. c. March 1, 1899, by Schuberth. r. Feb. 25, 1927, by W. J. McCoy.
2. AFTER ALL (alto with pf.) by W. J. McCoy. c. June 7, 1899, by Schuberth. r. Dec. 11, 1925, by W. J. McCoy.
3. BYE-LOW (song) by W. J. McCoy. c. March 1, 1899, by Schuberth. r. Feb. 25, 1927, by W. J. McCoy.
4. MAY (song) by W. J. McCoy. c. March 1, 1899, by Schuberth. r. Feb. 25, 1927, by W. J. McCoy.

Renewals by Edward Schuberth and Company

In the Name of

ARTHUR NEVIN

1. THAT SNEEZING SONG (song) by Arthur Nevin. c. Mar. 29, 1900. r. Feb. 18, 1928.
2. TO CATCH AN EARL (song) by Arthur Nevin. c. Mar. 29, 1900. r. Feb. 18, 1928.
3. MAM'SELLE (song) by Arthur Nevin. c. Mar. 31, 1900. r. Feb. 18, 1928.
4. ZANY (pf.) by Arthur Nevin. c. Jan. 20, 1900. r. Jan. 12, 1928.

Renewals by Edward Schuberth and Company

In the Name of

H. W. NICHOLL

1. ABENDSTERN nocturne (piano) by P. Weiss, ed. by H. W. Nicholl. c. Aug. 20, 1890. r. Nov. 28, 1917.
2. AIR DE DANSE (piano) by W. Goldner, ed. by H. W. Nicholl. c. Sept. 11, 1888. r. Aug. 17, 1916.
3. ALBUM OF SELECTED COMPOSITIONS (piano) by F. Schubert, J. Field, Mendelssohn, Schumann, Chopin, etc., revised by H. Germer, ed. by H. W. Nicholl. c. Mar. 19, 1890. r. May 25, 1917.
4. ALLA MARCIA (piano) by W. Goldner, ed. by H. W. Nicholl. c. Sept. 11, 1888. r. Aug. 17, 1916.
5. ALLA MAZURKA (piano) by Alessandro Longo, ed. by H. W. Nicholl. c. Dec. 13, 1888. r. Oct. 18, 1916.
6. ALPINE SHEPHERD by Fritz Kirchner, ed. by H. W. Nicholl. c. May 29, 1891. r. Nov. 11, 1918.
7. AM SONNTAGSMORGEN (violin and piano) by Albert Lange, ed. by H. W. Nicholl. c. Dec. 15, 1888. r. Oct. 20, 1916.
8. ANGELS GREETINGS (piano) by Franz Behr, ed. by H. W. Nicholl. c. Feb. 13, 1889. r. Dec. 9, 1916.
9. ANGEL'S VOICE (piano and violin) by L. Kron, ed. by N. W. Nicholl. c. Aug. 31, 1887. r. Aug. 4, 1915.
10. AROUND THE MAYPOLE (piano) by W. Cooper, ed. by H. W. Nicholl. c. Oct. 10, 1890. r. Dec. 24, 1917.
11. AURORA (song) by Ch. Morley, ed. by H. W. Nicholl. c. May 5, 1890. r. May 26, 1917.
12. AUTUMN (song) by Robert Schwalm and Helen D. Trothar, ed. by H. W. Nicholl. c. Oct. 1, 1888. r. Aug. 26, 1916.
13. AUTUMN DAYS by R. Schumann, ed. by H. W. Nicholl. c. Feb. 1, 1889. r. Nov. 28, 1916.
14. AVE MARIA (alto) by Luigi Luzzi, ed by H. W. Nicholl. c. July 24, 1889. r. Mar. 8, 1917.
15. AVE MARIA (sop.) by Luigi Luzzi, ed. by H. W. Nicholl. c. July 24, 1889. r. Mar. 8, 1917.
16. BALLGESPRACHE (orch.) by Hans Hohne, ed. by H. W. Nicholl. c. Nov. 28, 1888. r. Oct. 12, 1916.
17. BARCAROLE (piano) by Alessandro Longo, ed. by H. W. Nicholl. c. Dec. 13, 1888. r. Oct. 18, 1916.
18. BERCEUSE (piano) by Alessandro Longo, ed. by H. W. Nicholl. c. Dec. 13, 1888. r. Oct. 18, 1916.
19. BERCEUSE (piano & violin) by Oscar Kahl, ed. by H. W. Nicholl. c. Dec. 8, 1888. r. Oct. 16, 1916.
20. BERCEUSE ORIENTALE by Erik Meyer-Helmund, ed. by H. W. Nicholl. c. Dec. 13, 1890. r. Jan. 7, 1918.
21. BOAT RIDE (piano) by F. Kirchner, ed. by H. W. Nicholl. c. May 31, 1888. r. May 4, 1916.
22. BUTTERFLY AND FLOWER by F. Behr, ed. by H. W. Nicholl. c. Jan. 18, 1890. r. May 21, 1917.
23. CAMPANELLA (piano) by Edw. Harmston, ed. by H. W. Nicholl. c. Sept. 26, 1887. r. Sept. 4, 1915.
24. CANTO D'AMORE (piano) by Alessandro Longo, ed. by H. W. Nicholl c. Dec. 13, 1888. r. Oct. 18, 1916.
25. CANZONETTA (alto) by Erik Meyer-Helmund, ed. by H. W. Nicholl. c. Apr. 4, 1889. r. Jan. 15, 1917.
26. CANZONETTA (piano) by Felix Dreyschock no. 4, ed. by H. W. Nicholl. c. Dec. 15, 1888. r. Oct. 19, 1916.
27. CANZONETTA (piano duet) by Erik Meyer-Helmund, ed. by H. W. Nicholl. c. Apr. 4, 1889. r. Jan. 15, 1917.
28. CANZONETTA (piano solo) by Erik Meyer-Helmund, ed. by H. W. Nicholl. c. Apr. 4, 1889. r. Jan. 15, 1917.
29. CANZONETTA (soprano) by Erik Meyer-Helmund, ed. by H. W. Nicholl. c. Apr. 4, 1889. r. Jan. 15, 1917.

30. CAPRICCIOSO
(piano & violin) by Alb. Lange, ed. by H. W. Nicholl. c. May 28, 1888. r. May 4, 1916.

31. CHILDREN'S DANCE
(piano) by F. Kirchner, ed. by H. W. Nicholl. c. May 31, 1888, r. May 4, 1916.

32. CHINESE BELLRINGERS
by F. Behr, ed. by H. W. Nicholl. c. May 29, 1891. r. Nov. 4, 1918.

33. CHRIST OUR PASSOVER IS SACRIFICED FOR US
(solo & quartet) ed. by H. W. Nicholl. c. Mar. 5, 1889. r. Dec. 29, 1916.

34. CLOISTER SCENE (A)
(soprano, tenor and bass soli & chorus of mixed voices with acc. of grand orch. & organ obbl or piano & organ) by H. W. Nichol. c. Oct. 29, 1888. r. Sept. 1, 1916.

35. COUNTRY FESTIVAL
by Paul Weiss, ed. by H. W. Nicholl. c. Dec. 5, 1887. r. Nov. 8, 1915.

36. CRADLE SONG
(piano & violin) by Alb. Lange, arr. by H. W. Nicholl. c. May 28, 1888. r. May 4, 1916.

37. CUPID'S ARROW
by H. Hohne, ed. by H. W. Nicholl. c. Nov. 20, 1888. r. Sept. 27, 1916.

38. CZERNY'S (CARL) STUDIENEWERKE
bd. 1, th. 1, 2. Fifty small studies for the upper Elementary grade 2, Theil 32. 32 studies for the lower middle grades, arr. by Heinrich Germer, ed. by H. W. Nicholl. c. Oct. 3, 1888. r. Oct. 21, 1915.

39. CZERNY'S (CARL) STUDIENWERKE
bd. 2, th. 3, 4, arr. by Heinrich Germer, ed. by H. W. Nicholl. c. Oct. 3, 1888. r. Oct. 21, 1915.

40. CZERNY'S (CARL) STUDIENWERKE
bd. 3, th. 5, 6, arr. by Heinrich Germer, ed. by H. W. Nicholl. c. Oct. 3, 1888. r. Oct. 21, 1915.

41. CZERNY'S (CARL) STUDIENWERKE
bd. 4, th. 7, 8, arr. by Heinrich Germer, ed. by H. W. Nicholl. c. Oct. 3, 1888. r. Oct. 21, 1915.

42. DIANA
by Ch. Morley, ed. by Nicholl. c. May 5, 1890. r. May 26, 1917.

43. DREAMS OF LOVE
(piano) by W. Cooper, ed. by H. W. Nicholl. c. May 19, 1890. r. June 4, 1917.

44. DREI LIEDER
(mannerchor) no. 1. Fruhlingslied, no. 2, Octoberlied, no. 3 Herbst, by Robert Schwalm, ed. by H. W. Nicholl. c. Sept. 22, 1888. r. Aug. 26, 1916.

45. DUET ALBUM FOR SOPRANO AND ALTO
by Oscar Wermann, ed. by H. W. Nicholl. c. Aug. 23, 1889. r. Mar. 20, 1917.

46. DUETTINO
(piano) by S. Jadassohn, ed. by H. W. Nicholl. c. Apr. 3, 1880. r. Jan. 13, 1916.

47. EIGHT PIANOFORTE COMPOSITIONS
by Philipp Scharwenka, ed. by H. W. Nicholl. c. June 6, 1888. r. May 17, 1916.

48. ENCHANTRESS
by F. Behr, ed. by H. W. Nicholl. c. Jan. 18, 1890. r. May 21, 1917.

49. ERIKA
(piano) by R. Eilenberg, ed. by H. W. Nicholl. c. Apr. 25, 1888. r. Apr. 19, 1916.

50. EVENING TALE
by F. Behr, ed. by H. W. Nicholl. c. Jan. 18, 1890. r. May 21, 1917.

51. FESTIVAL SERENADE
by F. Behr, ed. by H. W. Nicholl. c. Oct. 10, 1890. r. Dec. 24, 1917.

52. FEUILLE D'ALBUM
(piano) by F. Dreyschock, ed. by H. W. Nicholl. c. Dec. 15, 1888, r. Oct. 19, 1916.

53. FILEUSE
(piano) by F. Behr, ed. by H. W. Nicholl. c. Sept. 11, 1888. r. Aug. 16, 1916.

54. FLIRTING AND CHATTING
by H. Hohne, ed. by H. W. Nicholl. c. Nov. 20, 1888. r. Sept. 27, 1916.

55. FLOWER GREETINGS
(piano) by Charles Morley, ed. by H. W. Nicholl. c. Oct. 6, 1891. r. Dec. 17, 1918.

56. FOREST BIRDLING'S MORNING SONG
by Fritz Kirchner, ed. by H. W. Nicholl. c. May 29, 1891. r. Nov. 11, 1918.

57. FOREST DREAMS
(piano) by F. Behr, ed. by H. W. Nicholl. c. Dec. 13, 1889. r. Oct. 18, 1916.

58. GAVOTTE
from "Margitta" (piano duet) by Erik Meyer-Helmund, ed. by H. W. Nicholl. c. May 21, 1888. r. May 4, 1916.

59. GAVOTTE
(piano) by J. Pache, ed. by H. W. Nicholl. c. Oct. 1, 1888. r. Aug, 22, 1916.

60. GAVOTTE
(piano) by Emil Kronke, ed. by H. W. Nicholl. c. Apr. 3, 1891. r. Sept. 17, 1918.

61. GAVOTTE IN F
(piano) by J. Handroch, ed. by H. W. Nicholl. c. Apr. 3, 1891. r. Sept. 17, 1918.

62. GAVOTTE NO. 1 IN G
(piano) by J. Handroch, ed. by H. W. Nicholl. c. Apr. 3, 1891. r. Sept. 17, 1918.

63. GAVOTTE
from "Margitta" (piano) by Erik Meyer-Helmund, ed. by H. W. Nicholl. c. May 21, 1888. r. May 4, 1916.

64. GAY SAILORS
by Franz Behr, ed. by H. W. Nicholl. c. May 29, 1891. r. Nov. 4, 1918.

65. GLAD TIDINGS
(piano) no. 4 by Franz Behr, ed. by H. W. Nicholl. c. Feb. 15, 1889. r. Dec. 13, 1916.

66. GNOMENTANZE
galopp (piano) by P. Weiss, ed. by H. W. Nicholl. c. Aug. 20, 1890. r. Nov. 28, 1917.

67. GNOMENTANZE
mazurka (piano) by P. Weiss, ed. by H. W. Nicholl. c. Aug. 20, 1890. r. Nov. 28, 1917.

68. GNOMENTANZE
polka (piano) by P. Weiss, ed. by H. W. Nicholl. c. Aug. 20, 1890. r. Nov. 28, 1917.

69. GNOMENTANZE
polonaise (piano) by P. Weiss, ed. by H. W. Nicholl. c. Aug. 20, 1890. r. Nov. 28, 1917.

70. GNOMENTANZE
tyrolienne (piano) by P. Weiss, ed. by H. W. Nicholl. c. Aug. 20, 1890. r. Nov. 28, 1917.

71. GNOMENTANZE
walzer (piano) by P. Weiss, ed. by H. W. Nicholl. c. Aug. 20, 1890. r. Nov. 28, 1917.

72. GONDOLIERS' MORNING SERENADE
by J. Leybach, ed. by H. W. Nicholl. c. Apr. 6, 1891. r. Nov. 11, 1918.

73. GOOD-NIGHT
(alto) by F. Reis, ed. by H. W. Nicholl. c. July 11, 1888. r. May 17, 1916.

74. GOOD-NIGHT
(sop.) by F. Reis, ed. by H. W. Nicholl. c. June 11, 1888. r. May 17, 1916.

75. GOOSE MARCH
(piano) by F. Kirchner, ed. by H. W. Nicholl. c. May 31, 1888. r. May 4, 1916.

76. GRANDMA'S FAVORITE DANCE
(piano) by Franz Behr, ed. by H. W. Nicholl. c. Apr. 3, 1891. r. Sept. 17, 1918.

77. HA-HA, GAVOTTE
by F. Behr, ed. by H. W. Nicholl. c. Oct. 3, 1890. r. Dec. 24, 1917.

78. HAMLET
(piano) by H. W. Nicholl. c. Apr. 5, 1888. r. Jan. 13, 1916.

79. HAMLET
(orch.) by H. W. Nicholl. c. Mar. 24, 1888. r. Jan. 13, 1916.

80. HARFE UND SPIELUHR (piano) by Edw. Harmston, ed. by H. W. Nicholl. c. Sept. 26, 1887. r. Sept. 4, 1915.

81. HARPER'S NIGHT SONG (piano) by Franz Behr, ed. by H. W. Nicholl. c. Dec. 13, 1888. r. Oct. 18, 1916.

82. HEART SORROW (piano) by F. Behr, ed. by H. W. Nicholl. c. Dec. 31, 1887. r. Dec. 6, 1915.

83. HEINZELMANNCHEN (piano) by Chas. Morley, ed. by H. W. Nicholl. c. Oct. 27, 1890. r. Dec. 24, 1917.

84. HIGHLAND FLOWERS (piano) by F. Behr, ed. by H. W. Nicholl. c. Dec. 12, 1890. r. Jan. 7, 1918.

85. HOME AGAIN by Paul Weiss, ed. by H. W. Nicholl. c. Dec. 5, 1887. r. Nov. 8, 1915.

86. IM HERBST by J. Handroch, ed. by H. W. Nicholl. c. May 25, 1889. r. Feb. 9, 1917.

87. IMPERIAL GUARD MARCH (piano) by Chas. Morley, ed. by H. W. Nicholl. c. May 19, 1890. r. June 4, 1917.

88. IN LONESOME HOURS (pf.) by W. Schuster, ed. by H. W. Nicholl. c. May 13, 1889. r. Feb. 1, 1917.

89. IN SPRING (alto) by Carl Bohm, ed. by H. W. Nicholl. c. Oct. 6, 1891. r. Dec. 17, 1918.

90. IN SPRING (soprano) by C. Bohm, ed. by H. W. Nicholl. c. Oct. 6, 1891. r. Dec. 17, 1918.

91. IN THE FOREST by Paul Weiss, ed. by H. W. Nicholl. c. Dec. 5, 1887. r. Nov. 8, 1915.

92. IN THE GONDOLA by P. Weiss, ed. by H. W. Nicholl. c. Dec. 5, 1887. r. Nov. 8, 1915.

93. JOLLY CADETS MARCH by F. Behr, ed. by H. W. Nicholl. c. Oct. 10, 1890. r. Dec. 24, 1917.

94. LESSON (soprano) by Alban Forster, ed. by H. W. Nicholl. c. June 13, 1888. r. June 7, 1916.

95. LITTLE BIRD SONG by F. Reis, ed. by H. W. Nicholl. c. June 11, 1888. r. May 17, 1916.

96. LITTLE FLATTERER (pf.) by W. Schuster, ed. by H. W. Nicholl. c. May 13, 1889. r. Feb. 1, 1917.

97. LOVE FOREVER WILL STAY (alto) by F. Reis, ed. by H. W. Nicholl. c. Aug. 29, 1890. r. Dec. 5, 1917.

98. LOVE FOREVER WILL STAY (mezzo soprano) by F. Reis, ed. by H. W. Nicholl. c. Aug. 29, 1890. r. Dec. 5, 1917.

99. LOVE FOREVER WILL STAY (soprano) by F. Reis, ed. by H. W. Nicholl. c. Aug. 29, 1890. r. Dec. 5, 1917.

100. LOVE LIFE COMPLETE (alto) by F. Reis, ed. by H. W. Nicholl. c. Aug. 29, 1890. r. Dec. 5, 1917.

101. LOVE LIFE COMPLETE (soprano) by F. Reis, ed. by H. W. Nicholl. c. Aug. 29, 1890. r. Dec. 5, 1917.

102. MARCHE TRIUMPHALE (piano) by C. Rubner, ed. by H. W. Nicholl. c. Mar. 2, 1889. r. Dec. 28, 1916.

103. MARGITTA komische oper in drei akten, by Rudolph Bunge, J. Freund, and Erik Meyer-Helmund, ed. by H. W. Nicholl. c. Mar. 12, 1890. r. May 21, 1917.

104. MARS by Ch. Morley, ed. by H. W. Nicholl. c. May 5, 1890. r. May 26, 1917.

105. MATHILDE (piano) by Schmidt-Dolf, ed. by H. W. Nicholl. c. Feb. 18, 1889. r. Dec. 15, 1916.

106. MAY BELLS (piano) by Ch. Morley, ed. by H. W. Nicholl. c. Oct. 6, 1891. r. Dec. 17, 1918.

107. MAZURKA (piano) by W. Goldner, ed. by H. W. Nicholl. Op. 51 no. 1. c. Sept. 11, 1888. r. Aug. 17, 1916.

108. MAZURKA No. 4 (piano) by Schmidt-Dolf, ed. by H. W. Nicholl. c. Feb. 18, 1889. r. Dec. 15, 1916.

109. MEIN LIEB UND ICH (piano) begleitung von H. W. Nicholl. c. Feb. 12, 1889. r. Dec. 8, 1916.

110. MERCUR by Ch. Morley, ed. by H. W. Nicholl. c. May 5, 1890. r. May 26, 1917.

111. MINUETTO—MAZURKA (piano) by G. De Sena, ed. by H. W. Nicholl. c. Nov. 10, 1888. r. Sept. 13, 1916.

112. NEW HARVEST OF FLOWERS FOR THE YOUNG VIOLINIST (eine violine allein) by Julius Weiss, ed. by H. W. Nicholl. c. Oct. 26, 1888. r. Aug. 31, 1916.

113. NEW HARVEST OF FLOWERS FOR THE YOUNG VIOLINIST (eine violine und pf.) by Julius Weiss, ed. by H. W. Nicholl. c. Oct. 26, 1888, r. Aug. 31, 1916.

114. NEW HARVEST OF FLOWERS FOR THE YOUNG VIOLINIST (zwei violinen) by Julius Weiss, ed. by H. W. Nicholl, c. Oct. 26, 1888, r. Aug. 31, 1916.

115. NIGHT HAS A THOUSAND EYES (The) (pf. and vocal) by Charles Hause, ed. by H. W. Nicholl. c. Feb. 4, 1890. r. May 21, 1917.

116. NOCTURNE (pf.) by Alexander von Fielitz, ed. by H. W. Nicholl. c. Oct. 1, 1888. r. Aug. 24, 1916.

117. NORDISCH (violin and pf.) by Albert Lange, ed. by H. W. Nicholl. c. Dec. 15, 1888. r. Oct. 20, 1916.

118. NOTTURINO (pf.) by Alessandro Longo, ed. by H. W. Nicholl. c. Dec. 13, 1888. r. Oct. 18, 1916.

119. NOTTURNO (alto) by Erik Meyer-Helmund, ed. by H. W. Nicholl. c. Sept. 25, 1889. r. Apr. 16, 1917.

120. NOTTURNO (mezzo sop.) by Erik Meyer-Helmund, ed. by H. W. Nicholl. c. Sept. 25, 1889. r. Apr. 16, 1917.

121. NOTTURNO (sop.) by Erik Meyer-Melmund, ed. by H. W. Nicholl. c. Sept. 25, 1889. r. Apr. 16, 1917.

122. O TELL MY SWEETHEART ON THE RHINE (pf.) by Franz Behr, ed. by H. W. Nicholl. c. Apr. 6, 1891. r. Nov. 11, 1918.

123. OCTOBER (song) by Helen D. Trothar and Robert Schwalm, ed. by H. W. Nicholl. c. Oct. 1, 1888. r. Aug. 26, 1916.

124. ON THE LAKE SHORE (alto) by Franz Reis, ed. by H. W. Nicholl. c. July 11, 1888. r. May 17, 1916.

125. ON THE LAKE SHORE (sop.) by Franz Reis, ed. by H. W. Nicholl. c. June 11, 1888. r. May 17, 1916.

126. OUR DARLING (pf.) by Franz Behr, ed. by H. W. Nicholl. c. Feb. 13, 1889. r. Dec. 9, 1916.

127. OUR DARLING (pf.) by W. Schuster, ed. by H. W. Nicholl. c. May 13, 1889. r. Feb. 1, 1917.

128. PARADE (pf.) by Fritz Kirchner, ed. by H. W. Nicholl. c. May 31, 1888. r. May 4, 1916.

129. POLKA DE SALON by Fritz Kirchner, ed. by H. W. Nicholl. c. May 29, 1891. r. Nov. 11, 1918.

130. POLONAISE
by Karl Zuschneid, ed. by H. W. Nicholl. c. Dec. 31, 1887. r. Dec. 6, 1915.

131. PRELUDIO
(pf.) by Alessandro Longo, ed. by H. W. Nicholl. c. Dec. 3, 1888. r. Oct. 13, 1916.

132. PROLOGUE
(pf.) by S. Jadassohn, ed. by H. W. Nicholl. c. Apr. 3, 1888. r. Jan. 13, 1916.

133. REMINISCENCES
(pf.) by Francois Behr, ed. by H. W. Nicholl. c. May 19, 1890. r. June 4, 1917.

134. ROMANCE
(pf.) by Fritz Kirchner, ed. by H. W. Nicholl. c. Dec. 11, 1890. r. Jan. 7, 1918.

135. ROMANCE RUSSE
by Erik Meyer-Helmund, ed. by H. W. Nicholl. c. Dec. 13, 1890. r. Jan. 7, 1918.

136. ROMANZA
(pf.) by Alessandro Longo, ed. by H. W. Nicholl. c. Dec. 3, 1888. r. Oct. 13, 1916.

137. ROMANZE
(violin and pf.) by G. Tyson-Wolff, ed. by H. W. Nicholl. c. Aug. 7, 1888. r. Aug. 5, 1916.

138. ROMANZETTA
(violin and pf.) op. 42, no. 2, by G Tyson-Wolff, ed. by H. W. Nicholl. c. Aug. 7, 1888. r. Aug. 5, 1916.

139. RONDE DES ELFES
(pf.) by Paul Dupont, ed. by H. W. Nicholl. c. July 22, 1891. r. Nov. 19, 1918.

140. RONDO, D MAJOR
(pf.) by Max Franke, ed. by H. W. Nicholl. c. Apr. 22, 1889. r. Jan. 18, 1917.

141. RONDO IN G MAJOR
(pf.) by Max Franke, ed. by H. W. Nicholl. c. Feb. 28, 1889. r. Dec. 19, 1916.

142. ROSE GREETINGS
(pf.) by Carl Bohm, ed. by H. W. Nicholl. c. Dec. 20, 1888. r. Oct. 23, 1916.

143. SADNESS
by R. Schumann, ed. by H. W. Nicholl. c. Feb. 1, 1889. r. Nov. 28, 1916.

144. SAILOR'S HORNPIPE
(pf.) by Fritz Kirchner, ed. by H. W. Nicholl. c. May 31, 1888. r. May 4, 1916.

145. SALVE REGINA (FATHER MOST HOLY)
(high voice in C, violin or cello obbl., organ and pf.) by H. W. Nicholl. c. Dec. 20, 1897. r. June 8, 1925.

146. SCHERZINO
(pf.) by S. Jadassohn, ed. by H. W. Nicholl. c. Apr. 3, 1888. r. Jan. 13, 1916.

147. SCHERZINO
(pf.) by Alessandro Longo, ed. by H. W. Nicholl. c. Dec. 13, 1888. r. Oct. 18, 1916.

148. SCHOOL OF MELODY
(violin and pf.) Book I, by Goby Eberhardt, ed. by H. W. Nicholl. c. Mar. 1, 1888. r. Jan. 13, 1916.

149. SCHOOL OF MELODY
(violin and pf.) Book II, by Goby Eberhardt, ed. by H. W. Nicholl. c. Mar. 1, 1888. r. Jan. 13, 1916.

150. SCHOOL OF MELODY
(violin and pf. Book III, by Goby Eberhardt, ed. by H. W. Nicholl. c. Mar. 1, 1888. r. Jan. 13, 1916.

151. SCHWEIZER'S HEIMWEH
by Franz Behr, ed. by H. W. Nicholl. c. Dec. 22, 1887. r. Dec. 6, 1915.

152. SECHZEHN FORTSCHREITENDE MELODISCHE VORTRAGS ETUDEN FUR CLAVIER
(heft 1, no. 1-10) by Ludwig Schytte, ed. by H. W. Nicholl. c. Nov. 16, 1888. r. Sept. 16, 1916.

153. SECHZEHN FORTSCHREITENDE MELODISCHE VORTRAGS ETUDEN FUR CLAVIER
(heft 2, no. 11-16) by Ludwig Schytte, ed. by H. W. Nicholl. c Nov. 16, 1888. r. Sept. 16, 1916.

154. SENTIMENTS POETIQUES
(pf.) Cahier I, by H. W. Nicholl. c. May 10, 1888. r. Apr. 19, 1916.

155. SENTIMENTS POETIQUES
(pf.) Cahier II, by H. W. Nicholl. c. May 10, 1888. r. Apr. 19, 1916.

156. SERENATA
(pf.) by Alessandro Longo, ed. by H. W. Nicholl. c. Dec. 3, 1888. r. Oct. 13, 1916.

157. SERENADE
(pf. a 2 ms.) by Erik Meyer-Helmund, ed. by H. W. Nicholl. c. July 12, 1888. r. June 10, 1916.

158. SERENADE A NINON
(pf.) by Paul Dupont, ed. by H. W. Nicholl. c. July 22, 1891. r. Nov. 19, 1918.

159. SERENADE
(pf. a 4 ms.) by Erik Meyer-Helmund, ed. by H. W. Nicholl. c. July 12, 1888. r. June 10, 1916.

160. SHEPHERD AND SHEPHERDESS
by Franz Behr, ed. by H. W. Nicholl c. May 29, 1891. r. Nov. 4, 1918.

161. SHEPHERDS LAY
by Paul Weiss, ed. by H. W. Nicholl. c. Dec. 5, 1887. r. Nov. 8, 1915.

162. SILVER BELLS
(pf.) by Carl Hause, Ed. by W. W. Nichol. c. Oct. 8, 1889. r. Apr. 30, 1917.

163. SIX EASY AND INSTRUCTIVE PIECES
No. 1 by Gustav Tyson-Wolff, ed. by H. W. Nicholl. c. July 31, 1888. r. June 22, 1916.

164. SIX EASY AND INSTRUCTIVE PIECES
No. 2, by Gustav Tyson-Wolff, ed. by H. W. Nicholl. c. July 31, 1888. r. June 22, 1916.

165. SIX EASY AND INSTRUCTIVE PIECES
No. 3, by Gustav Tyson-Wolff, ed. by H. W. Nicholl. c. July 31, 1888. r. June 22, 1916.

166. SIX EASY AND INSTRUCTIVE PIECES
No. 4, by Gustav Tyson-Wolff, ed. by H. W. Nicholl. c. July 31, 1888. r. June 22, 1916.

167. SIX EASY AND INSTRUCTIVE PIECES
No. 5, by Gustav Tyson-Wolff, ed. by H. W. Nicholl. c. July 31, 1888. r. June 22, 1916.

168. SIX EASY AND INSTRUCTIVE PIECES
No. 6, by Gustav Tyson-Wolff, ed. by H. W. Nicholl. c. July 31, 1888. r. June 22, 1916

169. SIX LYRIC PIECES FOR PIANO
by Ludwig Schytte, ed. by H. W. Nicholl. c. May 7, 1888. r. Apr. 19, 1916.

170. SIX PRELUDES AND FUGUES FOR THE ORGAN
By H. W. Nicholl. c. Dec. 23, 1897. r. June 8, 1925.

171. SOLDIER AND SUTLER
by Franz Behr, ed. by H. W. Nicholl. c. May 29, 1891. r. Nov. 4, 1918

172. SOLDIERS ARE COMING
(pf.) by Paul Weiss, ed. by H. W. Nicholl. c. May 28, 1888. r. May 4, 1916.

173. SOLDIERS ARE COMING
(pf. 4 ms.) by Paul Weiss, ed. by H. W. Nicholl. c. Aug. 15, 1888. r. Aug. 9, 1916.

174. SONATE FOR VIOLINCELLO, AND PIANOFORTE
by H. W. Nicholl. c. June 11, 1888. r. May 17, 1916.

175. SONATINE NO. 1
(pf.) by Julius Handrock, ed. H. W. Nicholl. c. May 25, 1889. r. Feb. 9, 1917.

176. SONATINE NO. 2
(pf.) by Julius Handrock, ed. by H. W. Nicholl. c. May 25, 1889. r. Feb. 9, 1917.

177. SONATINE NO. 3
(pf.) by Julius Handrock, ed. by H. W. Nicholl. c. May 25, 1889. r. Feb. 9, 1917.

178. SONG DANCE
(pf.) by Fritz Kirchner, ed. by H. W. Nicholl. c. May 31, 1888. r. May 4, 1916.

179. SPANISH CHIMES
(pf.) by Franz Behr, ed. by H. W. Nicholl. c. Dec. 13, 1888. r. Oct. 18, 1916.

180. SPANISH SONG
(sop.) by Franz Behr, ed. by H. W. Nicholl. c. Aug. 12, 1891. r. Dec. 2, 1918.

181. SPRING'S RETURN
(song) by Rob. Schwalm and Helen D. Trothar, ed. by H. W. Nicholl. c. Oct. 1, 1888. r. Aug. 26, 1916.

182. SUITE ALLEGRO MODERATO
(pf.) by Rudolf Bihl, ed. by H. W. Nicholl. c. Aug. 15, 1888. r. Aug. 9, 1916.

183. SUMMER MORNING
by Paul Weiss, ed. by H. W. Nicholl. c. Dec. 5, 1887. r. Nov. 8, 1915.

184. SUNDAY REST
by Karl Zuschneid, ed. by H. W. Nicholl. c. Dec. 29, 1887. r. Dec. 6, 1915.

185. TALE
(pf.) by S. Jadassohn, ed. by H. W. Nicholl. c. Apr. 3, 1888. r. Jan. 13, 1916.

186. TANZSTUCK
(pf.) by Bernhard Wolff, ed. by H. W. Nicholl. c. July 6, 1888. r. June 9, 1916.

187. TROISIEME MAZURKA
(pf.) by Genari Karganoff, ed. by H. W. Nicholl. c. Nov. 7, 1887. r. Sept. 4, 1915.

188. TWENTY-FOUR PRELUDES IN ALL THE MAJOR AND MINOR KEYS FOR THE CHURCH ORGAN
by Wilhelm Suss, ed. by H. W. Nicholl. c. July 3, 1890. r. Nov. 20, 1917.

189. UNDER THE BRANCHES
(alto) by Erik Meyer-Helmund, ed. by H. W. Nicholl. c. Sept. 25, 1889. r. Apr. 16, 1917.

190. UNDER THE BRANCHES
(mezzo sop.) by Erik Meyer-Helmund, ed. by H. W. Nicholl. c. Sept. 25, 1889. r. Apr. 16, 1917.

191. UNDER THE BRANCHES
(sop.) by Erik Meyer-Helmund, ed. by H. W. Nicholl. c. Sept. 25, 1889. r. Apr. 16, 1917.

192. UNION SQUARE COLLECTION NO. 41
(6 pieces for 2 violins and pf., Book 1) by S. Jacoby, ed. by H. W. Nicholl. c. Mar. 9, 1889. r. Jan. 3, 1917.

193. UNION SQUARE COLLECTION NO. 42
(6 pieces for 2 violins and pf., Book 2) by S. Jacoby, ed. by H. W. Nicholl. c. Mar. 9, 1889. r. Jan. 3, 1917.

194. VALSE
(pf.) by Felix Dreyschock, ed. by H. W. Nicholl. c. Dec. 15, 1888. r. Oct. 19, 1916.

195. VALSE DES HIRONDELLES
(pf.) by Francis Samary, ed. by H. W. Nicholl. c. July 22, 1891. r. Nov. 19, 1918.

196. VALSE-IMPROMPTU
(pf.) by Genari Karganoff, ed. by H. W. Nicholl. c. Oct. 18, 1887. r. Sept. 4, 1915.

197. VALSE MELANCOLIQUE
by Erik Meyer-Helmund, ed. by H. W. Nicholl. c. Dec. 13, 1890. r. Jan. 7, 1918.

198. VEILCHEN AM BACH
by Charles Morley, ed. by H. W. Nicholl. c. July 3, 1890. r. Nov. 20, 1917.

199. WALTZ
(pf.) by Bernhard Wolff, ed. by H. W. Nicholl. c. July 6, 1888. r. June 9, 1916.

200. WALTZ
from "Margitta" (pf. duett) by Erik Meyer-Helmund, ed. by H. W. Nicholl. c. Feb. 18, 1889. r. Dec. 14, 1916.

201. WALTZ
from "Margitta" (pf. solo) by Erik Meyer-Helmund, ed. by H. W. Nicholl. c. Feb. 18, 1889. r. Dec. 14, 1916.

202. WANDA
(orch.) by Franz Behr, ed. by H. W. Nicholl. c. Aug. 9, 1890. r. Nov. 23, 1917.

203. WANDA MAZURKA
(pf.) by Franz Behr, ed. by H. W. Nicholl. c. Dec. 13, 1888. r. Oct. 18, 1916.

204. WANDERMARSCH
(pf.) by Paul Weiss, ed. by H. W. Nicholl. c. Aug. 20, 1890. r. Nov. 28, 1917.

205. WEDDING MARCH
(pf.) by Bernhard Wolff, ed. by H. W. Nicholl. c. July 6, 1888. r. June 9, 1916.

206. WELCOME YOUNG SPRING
(song) by H. W. Nicholl. c. Aug. 9, 1889. r. March 17, 1917.

207. ZUM HERZEN
(orch.) by Hans Hohne, ed. by H. W. Nicholl. c. Nov. 28, 1888. r. Oct. 12, 1916.

208. 1 ERE VALSE BRILLANTE
(pf.) by H. W. Nicholl. c. Oct. 31, 1888. r. Sept. 1, 1916.

209. 3 COMPOSITIONS
(1) congratulation, (2) toast, (3) drinking song (pf.) by Bernhard Wolff, ed. by H. W. Nicholl. c. July 6, 1888. r. June 13, 1916.

210. 8 CHARACTERISTIC PIECES
no. 1 in C major (pf.) by H. W. Nicholl. c. Feb. 19, 1889. r. Dec. 16, 1916.

211. 8 CHARACTERISTIC PIECES
no. 2 in F major (pf.) by H. W. Nicholl. c. Feb. 19, 1889. r. Dec. 16, 1916.

212. 8 CHARACTERISTIC PIECES
no. 3 in G minor (pf.) by H. W. Nichol. c. Feb. 19, 1889. r. Dec. 16, 1916.

213. 8 CHARACTERISTIC PIECES
no. 4 in C major (pf.) by H. W. Nicholl. c. Feb. 19, 1889. r. Dec. 16, 1916.

214. 8 CHARACTERISTIC PIECES
no. 5 in C major (pf.) by H. W. Nicholl. c. Feb. 19, 1889. r. Dec. 16, 1916.

215. 8 CHARACTERISTIC PIECES
no. 6 in F major (pf.) by H. W. Nicholl. c. Feb. 19, 1889. r. Dec. 16, 1916.

216. 8 CHARACTERISTIC PIECES
no. 7 in G major (pf.) by H. W. Nicholl. c. Feb. 19, 1889. r. Dec. 16, 1916.

217. 8 CHARACTERISTIC PIECES
no. 8 in A flat major (pf.) by H. W. Nicholl. c. Feb. 19, 1889. r. Dec. 16, 1916.

218. 24 EASY MELODIC EXERCISES IN ALL MAJOR AND MINOR KEYS
book 1, by A. Loeschhorn, ed. by H. W. Nicholl. c. Sept. 15, 1888. r. Aug. 18, 1916.

219. 24 EASY MELODIC EXERCISES IN ALL MAJOR AND MINOR KEYS
book 2, by A. Loeschhorn, ed. by H. W. Nicholl. c. Sept. 15, 1888. r. Aug. 18, 1916.

Renewal by Edward Schuberth and Company

In the Name of

W. G. OWST

1. AUF WIEDERSEHN
(low voice) by Walter Roberts and W. G. Owst. c. July 12, 1907. r. July 11, 1935.

Renewal by Edward Schuberth and Company

In the Name of

FRANK PATTERSON

1. MARGUERITE (pf.) by Frank Patterson. c. Dec. 15, 1906. r. Dec. 14, 1934.

Renewals by Edward Schuberth and Company

In the Name of

ANDOR PINTER

It should be noted that in each of the following the original claimant was E. Schuberth and the renewal in every case was made in the name of the arranger by M. Witmark & Sons.

1. BELLE OF BOHEMIA from "The Belle of Bohemia," arr. by Andor Pinter. c. Nov. 19, 1900. r. Apr. 6, 1928.
2. FOXY QUILLER gems from the opera (pf.) arr. by Andor Pinter. c. Nov. 22, 1900. r. Apr. 6, 1928.
3. GRACEFUL DANCE (pf.) arr. by Andor Pinter. c. Jan. 18, 1901. r. May 12, 1928.

Renewal by Edward Schuberth and Company

In the Name of

EUGENE PLATZMAN

1. SONG OF HOPE (song) by Eugene Platzman and Burt Fletcher. c. Sept. 21, 1905. r. Sept. 19, 1933.

Renewal by Edward Schuberth and Company

In the Name of

FRITZ REUTER (deceased)

1. IN BLOOMING FIELDS (pf.) by Fritz Reuter. c. Oct. 7, 1908. r. Sept. 8, 1936.

Renewals by Edward Schuberth and Company

In the Name of

ALEXANDER RIHM

1. AMERICAN FANTASIE (pf.) by Victor Herbert, arr. by Alexander Rihm. c. July 27, 1898. r. Dec. 11, 1925.
2. BADINAGE (pf.) by Victor Herbert, arr. by Alex. Rihm. c. Sept. 22, 1897. r. June 8, 1925.
3. IDOL'S EYE gems from "Serenade" (pf.) arr. by Alex. Rihm. c. Jan. 13, 1898. r. Dec. 11, 1925.
4. SERENADE gems from "Serenade" (pf.) by Victor Herbert, arr. by Alex. Rihm. c. May 11, 1897. r. Mar. 9, 1925.

Renewals by Edward Schuberth and Company

In the Name of

CHARLES J. ROBERTS (CHARLES KRAUSHAAR)

(See also list under Charles Kraushaar)

1. HAPPY DAYS (orch) by A. Strelezki, arr. by Charles J. Roberts. c. July 14, 1908. r. Jan. 9, 1936, by E. Schuberth and Company.
2. LIFE'S THANKSGIVING (orch.) arr. by Charles J. Roberts. c. Aug. 12, 1908, by Gould and Company. r. July 31, 1936, by E. Schuberth and Company.
3. RATCHARMER'S SONG (orch.) from "Der Ratcharmer of Hamelin" by Ad. Neuendorff, arr. by Chas. Kraushaar. c. Mar. 4, 1901. r. Aug. 3, 1928, by E. Schuberth and Company.

Renewals by Edward Schuberth and Company

In the Name of

WM. A. ROEBUCK

1. ANGELUS (high voice) by Wm. A. Roebuck. c. Apr. 27, 1907. r. Apr. 13, 1935.
2. JUST THIS ONE DAY (low voice) by Wm. A. Roebuck. c. Apr. 2, 1907. r. Mar. 28, 1935.

Renewals by Edward Schuberth and Company

In the Name of

JAMES H. ROGERS

1. MENUET A L'ANTIQUE (violin and pf.) by James H. Rogers. c. July 12, 1901. r. July 6, 1929.
2. SICILIENNE (violin and pf.) by James H. Rogers. c. July 12, 1901. r. July 6, 1929.
3. VALSE MINIATURE (violin and pf.) by James H. Rogers. c. July 12, 1901. r. July 6, 1929.

Renewals by Edward Schuberth and Company

In the Name of

P. A. SCHNECKER (deceased)

1. ALBUMBLATT (violin or pf.) by H. Scholtz, arr. by P. A. Schnecker. c. Apr. 24, 1889. Jan. 5, 1917.
2. ALBUMBLATT (pf.) by P. A. Schnecker. c. Sept. 9, 1893. r. Mar. 29, 1921.
3. ALL MY HEART THIS NIGHT REJOICES by P. A. Schnecker. c. Nov. 21, 1892. r. Nov. 15, 1920.
4. ALL THIS NIGHT BRIGHT ANGELS SING by P. A. Schnecker. c. Nov. 29, 1886. r. Aug. 8, 1914.
5. AS IT BEGAN TO DAWN TOWARDS THE FIRST DAY OF THE WEEK (quartet and solo) by P. A. Schnecker. c. Feb. 11, 1897. r. Dec. 31, 1924.
6. AT THE LAMB'S HIGH FEAST WE SING (quartet and solo) by P. A. Schnecker. c. Mar 18, 1895. r. Mar. 9, 1923.
7. BAGATELLE (pf.) by P. A. Schnecker. c. Oct. 5, 1900. r. June 27, 1928.
8. BALLETINO (pf.) by P. A. Schnecker. c. Oct. 5, 1900. r. June 27, 1928.
9. BELLS ARE RINGING LOUD AND SWEET by P. A. Schnecker. c. Nov. 21, 1892. r. Nov. 15, 1920.
10. CALM ON THE LISTENING EAR OF NIGHT (sop., alto solo and quartet) by P. A. Schenecker. c. Dec. 3, 1890. r. Jan. 2, 1918.
11. CHILD JESUS by P. A. Schnecker. c. Nov. 17, 1888. r. Sept. 26, 1916.
12. CHRIST OUR PASSOVER (quartet) by P. A. Schnecker. c. Feb. 17, 1899. r. Feb. 10, 1927.
13. CHRISTIANS AWAKE by P. A. Schnecker. c. Nov. 30, 1887. r. Nov. 8, 1915.
14. CHRISTMAS BELLS ARE SOUNDING CLEAR by P. A. Schnecker. c. Nov. 2, 1892. r. Nov. 15, 1920.
15. CHRIST'S NATIVITY by P. A. Schnecker. c. Nov. 17, 1888. r. Sept. 26, 1916.
16. COME FORTH, THE LIGHT IS SHINING (quartet and soli) by P. A. Schnecker. c. Dec. 24, 1894. r. Dec. 9, 1922.
17. COME SEE THE PLACE WHERE JESUS LAY (quartet or chorus—choir with soli) by P. A. Schnecker. c. Mar. 24, 1887. r. Dec. 31, 1914.
18. COME TO THE MANGER IN BETHLEHEM by P. A. Schnecker. c. Dec. 3, 1890. r. Jan. 2, 1918.
19. COME YE LOFTY by P. A. Schnecker. c. Nov. 28, 1884. r. Oct. 23, 1912.
20. CRADLE SONG (A) by P. A. Schnecker. c. Nov. 23, 1885. r. Nov. 5, 1913.
22. DEAR CHRISTMAS! ALL THE WORLD IS GLAD by P. A. Schnecker. c. Dec. 3, 1890. r. Jan. 2, 1918.
23. EARTH IS THE LORD'S by P. A. Schnecker. c. Nov. 10, 1896. r. Oct. 25, 1924.
24. EASTER ANTHEM (quartet or chor.) by P. A. Schnecker. c. Feb. 14, 1889. r. Dec. 11, 1916.
25. EASTER SUNSHINE BREAKS AGAIN (ten., alto, quartet and chor.) by P. A. Schnecker. c. Feb. 24, 1900. r. Feb. 18, 1928.
26. FAINT FROM THE SKIES (bass solo and quartet or chor.) by P. A. Schnecker. c. Nov. 21, 1892. r. Nov. 15, 1920.
27. FAN-FOOLING (alto) by E. Meyer-Helmund, arr. by P. A. Schnecker. c. Nov. 10, 1888. r. Sept. 12, 1916.
28. FAN-FOOLING (sop.) by E. Meyer-Helmund, arr. by P. A. Schnecker. c. Nov. 10, 1888. r. Sept. 12, 1916.
29. FESTIVAL TE DEUM IN G by P. A. Schnecker. c. Jan. 14, 1887. r. Dec. 31, 1914.
30. FROM THE EASTERN MOUNTAINS (quartet of mixed voices and soli) by P. A. Schnecker. c. Nov. 25, 1895. r. Nov. 6, 1923.
31. GENTLY LORD (tenor solo and quartet) by P. A. Schnecker. c. Sept. 8, 1885. r. Sept. 5, 1913.
32. GLORY TO THEE, MY GOD THIS NIGHT (tenor solo and quartet) by P. A. Schnecker. c. Nov. 21, 1892. r. Nov. 15, 1920.
33. GO, LABOR ON (mixed quartet) by P. A. Schnecker. c. May 29, 1903. r. May 28, 1931.
34. GREAT GOD TO THEE MY EVENING SONG (sop. solo and quartet) by P. A. Schnecker. c. Nov. 23, 1888. r. Oct. 11, 1916.

35. HAIL, ALL HAIL THE JOYFUL MORN
by P. A. Schnecker. c. Nov. 21, 1892. r. Nov. 15, 1920.

36. HARK, HARK, THE NOTES OF JOY
(quartet) by P. A. Schnecker. c. Feb. 18, 1898. r. Dec. 17, 1925.

37. HARK, WHAT MEAN THOSE HOLY VOICES
(sop. and alto solo) by P. A. Schnecker. c. Nov. 23, 1888. r. Oct. 11, 1916.

38. HE IS RISEN, HE IS RISEN
(violin obbl. and pf. or organ acc.) by P. A. Schnecker. c. Feb. 20, 1896. r. Jan. 21, 1924.

39. HOLY NIGHT, PEACEFUL NIGHT
(quartet) by P. A. Schnecker. c. Oct. 17, 1893. r. Mar. 29, 1921.

40. HOW SWEET TO LEAVE THE WORLD AWHILE
(quartet) by P. A. Schnecker. c. Nov. 23, 1888. r. Oct. 11, 1916.

41. I GIVE THEE ALL, I CAN NO MORE
(song) by P. A. Schnecker. c. Dec. 28, 1898. r. Dec. 23, 1926.

42. I HEARD THE VOICE OF JESUS SAY
(bass solo and quartet) by P. A. Schnecker. c. Oct. 31, 1896. r. Oct. 13, 1924.

43. I WILL TELL YOU A WONDERFUL STORY
by P. A. Schnecker. c. Nov. 21, 1892. r. Nov. 15, 1920.

44. I WERE BUT A LITTLE FLOWER
(song) by P. A. Schnecker. c. Oct. 25, 1899. r. Oct. 24, 1927.

45. IMMORTAL BABE
by P. A. Schnecker. c. Nov. 17, 1888. r. Sept. 26, 1916.

46. IN LOVE'S SERVICE
(pf.) by Erik Meyer-Helmund, arr. by P. A. Schnecker. c. July 19, 1888. r. June 13, 1916.

47. IT CAME UPON THE MIDNIGHT CLEAR
by P. A. Schnecker. c. Nov. 30, 1887. r. Nov. 8, 1915.

48. JESUS IN THE MANGER
by P. A. Schnecker. c. Nov. 29, 1886. r. Aug. 8, 1914.

49. JESUS, MY STRENGTH, MY HOPE
(solo and quartet) by P. A. Schnecker. c. Feb. 18, 1898. r. Dec. 17, 1925.

50. JESUS THE VERY THOUGHT OF THEE
(quartet) by Ch. Gounod, arr. by P. A. Schnecker. c. May 14, 1886. r. May 6, 1914.

51. JOY, JOY, CHRIST IS BORN
by P. A. Schnecker. c. Nov. 28, 1884. r. Oct. 23, 1912.

52. LITTLE CHILDREN CAN YOU TELL
by P. A. Schnecker. c. Nov. 21, 1892. r. Nov. 15, 1920.

53. LORD, I AM THINE
(quartet with tenor and bass solo) by P. A. Schnecker. c. Mar. 25, 1896. r. Jan. 21, 1924.

54. LORD IS MY SHEPHERD (THE)
by P. A. Schnecker. c. Mar. 24, 1893. r. Mar. 8, 1921.

55. LORD, WHILE FOR ALL MANKIND WE PRAY
(quartet) by P. A. Schnecker. c. Feb. 28, 1893. r. Feb. 16, 1921.

56. LOVE'S FANTASY
(high voice) by P. A. Schnecker. c. Apr. 18, 1899. r. Apr. 13, 1927.

57. LOVE'S GREETING
(pf.) by Carl Koelling, arr. by P. A. Schnecker. c. Feb. 12, 1889. r. Dec. 7, 1916.

58. LOVE'S REQUEST
(song) by P. A. Schnecker and Louise Mervyn. c. July 9, 1901. r. July 6, 1929.

59. MY SHEPHERD IS THE LORD
by P. A. Schnecker. c. Feb. 19, 1898. r. Dec. 17, 1925.

60. MY TRUE LOVE HATH MY HEART
(song) by P. A. Schnecker. c. June 20, 1899. r. Apr. 13, 1927.

61. NEARER MY GOD TO THEE
(quartet and organ acc.) by P. A. Schnecker. c. Sept. 27, 1886. r. Aug. 8, 1914.

62. NIGHT HAS A THOUSAND EYES
(high voice) by P. A. Schnecker. c. June 20, 1899. r. Apr. 13, 1927.

63. NOW THE DAY IS OVER
(quartet) by P. A. Schnecker. c. Oct. 31, 1896. r. Oct. 25, 1924.

64. O DAY OF REST AND GLADNESS
(duet) by P. A. Schnecker. c. Apr. 7, 1887. r. Dec. 31, 1914.

65. O EYES THAT ARE WEARY AND HEARTS THAT ARE SAD
(sop. in A flat) by P. A. Schnecker. c. Oct. 21, 1896. r. Oct. 13, 1924.

66. O, LAMB OF GOD!
(sop. solo, sop. and tenor duet and quartet) by P. A. Schnecker. c. Sept. 8, 1885. r. Sept. 5, 1913.

67. O LITTLE TOWN OF BETHLEHEM
(quartet) by P. A. Schnecker. c. Nov. 20, 1897. r. June 8, 1925.

68. OH, THAT'S THE ROSE FOR ME
(high voice) by P. A. Schnecker. c. Oct. 5, 1900. r. June 27, 1928.

69. ORGANIST AT HOME
(collection of classical and modern compositions parlor organ) arr. by P. A. Schnecker. c. Sept. 12, 1886. r. Aug. 8, 1914.

70. ORGANIST AT HOME
(organ) Volume 2, arr. by P. A. Schnecker. c. Nov. 22, 1895. r. Nov. 5, 1923.

71. REJOICE IN THE LORD O YE RIGHTEOUS
(sop. solo and quartet or chorus) by P. A. Schnecker. c. Oct. 6, 1891. r. Dec. 17, 1918.

72. REND YOUR HEART
(song) by P. A. Schnecker. c. Apr. 1, 1893. r. Mar. 29, 1921.

73. SABBATH OF THE SOUL
(bass solo and quartet) by P. A. Schnecker. c. June 24, 1891. r. Sept. 3, 1918.

74. SHEPHERDS, HAIL THE WONDROUS STRANGER
(tenor solo, sop. alto duet, quartet or cho.) by P. A. Schnecker. c. Nov. 28, 1900. r. June 27, 1928.

75. SHOUT THE GLAD TIDINGS
by P. A. Schnecker. c. Nov. 22, 1883. r. Oct. 21, 1911.

76. SLEEP HOLY BABE
by P. A. Schnecker. c. Nov. 28, 1884. r. Oct. 23, 1912.

77. SLEEP ON LOVE
(alto) by E. Meyer-Helmund, arr. by P. A. Schnecker. c. Nov. 10, 1888. r. Sept. 12, 1916.

78. SLEEP ON LOVE
(sop.) by E. Meyer-Helmund, arr. by P. A. Schnecker. c. Nov. 10, 1888. r. Sept. 12, 1916.

79. SOFTLY NOW THE LIGHT OF DAY
(solo and quartet) by Chopin, arr. by P. A. Schnecker. c. May 29, 1903. r. May 28, 1931.

80. SPACIOUS FIRMAMENT ON HIGH
(quartet and organ) by R. Wagner, arr. by P. A. Schnecker. c. Sept. 25, 1890. r. Dec. 24, 1917.

81. SPIRIT OF GOD DESCEND UPON MY HEART
(high voice) by P. A. Schnecker and George Croly. c. Oct. 5, 1900. r. June 27, 1928.

82. STAR OF BETHLEHEM
(sop. or tenor in D) by P. A. Schnecker. c. Nov. 22, 1892. r. Nov. 15, 1920.

83. STILL WITH THEE
(song in B flat) by P. A. Schnecker. c. Oct. 12, 1897. r. June 8, 1925.

84. STILL WITH THEE
(song in D) by P. A. Schnecker. c. Oct. 12, 1897. r. June 8, 1925.

85. SWEET BE THY REST
(alto with violin—piano and organ acc.) by P. Mascagni, arr. by P. A. Schnecker. c. Sept. 25, 1891. r. Dec. 17, 1918.

86. SWEET BE THY REST
(piano, violin and organ acc. sop. ed.) by P. Mascagni, arr. by P. A. Schnecker. c. Sept. 25, 1891. r. Dec. 17, 1918.

87. SWEET THE MOMENTS RICH IN BLESSING
(quartet) arr. by P. A. Schnecker. c. Sept. 25, 1890. r. Dec. 24, 1917.

88. TE DEUM LAUDAMUS
by P. A. Schnecker. c. Aug. 2, 1884. r. July 17, 1912.

89. THERE IS A GREEN HILL FAR AWAY
(sacred duet) by P. A. Schnecker. c. May 29, 1903. r. May 28, 1931.

90. THERE IS A LAND IMMORTAL
by Evard Grieg, arr. by P. A. Schnecker. c. Dec. 2, 1886. r. Nov. 12, 1914.

91. VALENTINE
(high voice) by P. A. Schnecker. c. May 29, 1903. r. May 28, 1931.

92. VALSE AMIABLE
(pf.) by P. A. Schnecker. c. May 27, 1884. r. Apr. 4, 1912.

93. WE GIVE IMMORTAL PRAISE
(alto solo and quartet) by P. A. Schnecker. c. Oct. 31, 1896. r. Oct. 25, 1924.

94. WE GIVE IMMORTAL PRAISE
(tenor solo and quartet) by Schumann, arr. by P. A. Schnecker. c. May 28, 1931. r. May 28, 1931.

95. WHEN FIRST I KISSED THY BROW LOVE
(alto) by E. Meyer-Helmund, arr. by P. A. Schnecker. c. Nov. 10, 1888. r. Sept. 12, 1916.

96. WHEN FIRST I KISSED THY BROW LOVE
(sop.) by E. Meyer-Helmund, arr. by P. A. Schnecker. c. Nov. 10, 1888. r. Sept. 12, 1916.

97. WHEN I VIEW THE MOTHER HOLDING
by P. A. Schnecker. c. Nov. 29, 1886. r. Aug. 8, 1914.

98. WHEN MARSHALLED ON THE MIGHTY PLAIN
(bass and sop. solo—quartet) by P. A. Schnecker. c. Sept. 7, 1891. r. Dec. 9, 1918.

Renewals by Edward Schuberth and Company

In the Name of

HARRY ROWE SHELLEY

1. ANIMAL SONG
(high voice) by H. R. Shelley. c. June 7, 1901. r. July 25, 1928.

2. BERCEUSE
(pf.) by H. R. Shelley. c. Oct. 1, 1901. r. Sept. 30, 1929.

3. BETHLEHEM
(solo) by H. R. Shelley and Phillips Brooks. c. Nov. 28, 1900. r. June 25, 1928.

4. CHORUS OF TOYMAKERS
(song) by H. R. Shelley. c. Nov. 28, 1900. r. June 25, 1928.

5. EVENING SENTENCE
(alto or mezzo sop.) by H. R. Shelley. c. Aug. 1, 1900. r. June 25, 1928.

6. FOR ALL THE SAINTS THAT FROM THEIR LABOURS REST
(sop. and alto) by H. R. Shelley. c. July 14, 1900. r. June 25, 1928.

7. FOR ALL THE SAINTS THAT FROM THEIR LABOURS REST
(sop. and alto solo, quartet and chorus) by H. R. Shelley. c. May 21, 1900. r. May 3, 1928.

8. FOR THEE, O DEAR, DEAR COUNTRY
(tenor solo, quartet and chorus) by H. R. Shelley. c. May 21, 1900. r. May 3, 1928.

9. JERUSALEM, HIGH TOW'R THY GLORIOUS WALLS
(alto and tenor, solo and cho.) by H. R. Shelley. c. June 21, 1900. r. May 3, 1928.

10. LAND OF MY HOME
(low voice) by H. R. Shelley. c. June 7, 1901. r. June 25, 1928.

11. LORD WITH GLOWING HEART
(alto) by H. R. Shelley. c. May 21, 1900. r. May 3, 1928.

12. LOVE SONG
(high voice) by H. R. Shelley. c. June 7, 1901. r. June 27, 1928.

13. MORNING SONG
(sop. or tenor) by H. R. Shelley and Anna Alice Chapin. c. May 18, 1901. r. June 25, 1928.

14. O, HOME OF FADELESS SPLENDOR
by H. R. Shelley. c. Apr. 10, 1901. r. June 25, 1928.

15. ROMEO AND JULIET
(lyric drama in 3 acts and 1 tableau) by H. R. Shelley. c. Mar. 14, 1901. r. June 25, 1928.

16. ROMEO AND JULIET
(lyric drama in 3 acts and 1 tableau) by H. R. Shelley. c. June 25, 1901. r. June 27, 1928.

17. SANTA CLAUS
(lyrical intermezzo) by H. R. Shelley. c. June 26, 1900. r. May 3, 1928.

18. SANTA CLAUS
(lyrisches intermezzo) by H. R. Shelley. c. Nov. 14, 1900. r. June 27, 1928.

19. SANTA CLAUS
(lyrical intermezzo) by H. R. Shelley. c. Nov. 14, 1900. r. June 27, 1928.

20. SANTA CLAUS
overture (orch.) by H. R. Shelley. c. Nov. 22, 1900. r. June 27, 1928.

21. SONGS UNSUNG
(high voice) by H. R. Shelley and Ernest McGaffay. c. Apr. 23, 1901. r. June 25, 1928.

22. TOAST TO THE JESTERS
(song) by H. R. Shelley and Anna Alice Chapin. c. Apr. 23, 1901. r. June 25, 1928.

23. WHO ARE THESE
(sop. and tenor) by H. R. Shelley. c. July 14, 1900. r. June 25, 1928.

24. WHO ARE THESE
(quartet and chorus) by H. R. Shelley. c. May 21, 1900. r. May 3, 1928.

Renewal by M. Witmark and Sons

In the Name of

ROBERT B. SMITH

1. LOOK IT UP IN THE DREAM BOOK
   (song) from "The Strollers," by Robert B. Smith and Harry T. MacConnell. c. June 28, 1901, by Edward Schuberth and Company. r. May 24, 1929, by M. Witmark and Sons.

Renewals by Edward Schuberth and Company

In the Name of

WM. C. STEERE

1. WOODNYMPH
   (pf.) by Wm. C. Steere. c. Dec. 15, 1906. r. Dec. 14, 1934.

Renewals by Edward Schuberth and Company

In the Name of

R. SPAULDING STOUGHTON

1. IN FAIRYLAND
   op. 10 (pf.) by R. S. Stoughton. c. Dec. 8, 1906. r. Dec. 7, 1934.
2. IN THE SWING
   op. 15 no 5 (pf.) by R. S. Stoughton. c. April 27, 1907. r. April 13, 1935.
3. NURSERY RHYMES
   op. 14, no. 4 (pf.) by R. S. Stoughton. c. April 27, 1907. r. April 13, 1935.
4. RAG DOLL'S DANCE
   op. 15, no. 3 (pf.) by R. S. Stoughton. c. Apr. 27, 1907. r. Apr. 13, 1935.
5. SNOWMAN
   op. 15, no. 2 (pf) by R. S. Stoughton. c. Apr. 27, 1907. r. Apr. 13, 1935.
6. TEDDY BEAR PARADE
   op. 15, no. 1 (pf) by R. S. Stoughton. c. April 27, 1907. r. April 13, 1935.

Renewals by Edward Schuberth and Company

In the Name of

A. TELLIER (Wilhelm Aletter)

1. ALLA MARCIA IN D
   op. 30, no. 4 (pf.) by A. Tellier (W. Aletter). Melodious recital pieces without octaves. c. June 23, 1905. r. June 21, 1933.
2. BLUETTE
   (pf.) by Wilhelm Aletter. c. July 15, 1904. r. July 15, 1932.
3. BLUETTE IN B
   op. 30, no. 5 (pf.), by (Wilhelm Aletter) A. Tellier. c. June 23, 1905. r. June 21, 1933.
4. CAPRICE
   (pf.) by Wilhelm Aletter. c. July 15, 1904. r. July 15, 1932.
5. CHILDREN'S SONG
   (pf.) c. June 23, 1905. r. June 21, 1933.
6. DANSE KOSAQUE
   (pf.) by Wilhelm Aletter. c. July 15, 1904. r. July 15, 1932.
7. GAVOTTE
   (pf.) by Wilhelm Aletter. c. July 15, 1904. r. July 15, 1932.
8. MELODY
   (pf.) by A. Tellier (W. Aletter). c. June 23, 1905. r. June 21, 1933.
9. MINUETTO
   (pf.) by W. Aletter. c. July 15, 1904. r. July 15, 1932.
10. PASTOURELLE
    (pf.) by A. Tellier (W. Aletter). c. June 23, 1905. r. June 21, 1933.
11. RONDINO IN E FLAT
    (pf.) by A. Tellier (W. Aletter). c. June 23, 1905. r. June 21, 1933.
12. SCHERZETTO
    (pf.) by W. Aletter. c. July 15, 1904. r. July 15, 1932.
13. SCHERZO IN A
    (pf.) by A. Tellier (W. Aletter). c. June 23, 1905. r. June 21, 1933.
14. SCOTCH BAG PIPES IN A FLAT
    (pf.) by A. Tellier (W. Aletter). c. June 23, 1905. r. June 21, 1933.
15. TARANTELLA
    (pf.) by A. Tellier (W. Aletter). c. June 23, 1905. r. June 21, 1933.

Renewals by Edward Schuberth and Company

In the Name of

LUDOMIR THOMAS (deceased)

1. BLACK ROSE (THE)
   (orch.) by Ludomir Thomas. c. May 12, 1904 by Schuberth. r. May 10, 1932 by Schuberth.
2. BLACK ROSE (THE)
   (pf.) by Ludomir Thomas. c. May 24, 1904 by Schuberth. r. May 10, 1932 by Schuberth.

Renewal by Edward Schuberth and Company

In the Name of

BAREND VAN GERBIG

1. THREE CHARACTER STUDIES
(pf.) by Barend Van Gerbig. c. Jan. 27, 1898. r. Dec. 17, 1925.

Renewals by Edward Schuberth and Company

In the Name of

C. E. VAN LAER

1. AGAIN AS EVENING SHADOWS FALL
(vesper hymn) by Longfellow and C. E. Van Laer. c. May 24, 1907. r. May 23, 1935.
2. CHANSON DE PRINTEMPS
(pf.) by C. E. Van Laer. c. Aug. 25, 1890. r. Dec. 4, 1917.
3. MÜHLE
(pf.) by C. E. Van Laer. c. Aug. 25, 1890. r. Dec. 4, 1917.
4. NOTTURNO
op. 18, by C. E. Van Laer. c. Mar. 5, 1883. r. Nov. 19, 1910.
5. POLKA MAZURKA
(pf.) by C. E. Van Laer. c. Aug. 25, 1890. r. Dec. 4, 1917.
6. ROMANZA
op. 17, by C. E. Van Laer. c. Jan. 15, 1883. r. Oct. 20, 1910.
7. SOUVENIR DES BOIS (pf.) by C. E. Van Laer. c. Sept. 7, 1895. r. May 17, 1923.
8. WEIGENLIED
(pf.) by C. E. Van Laer. c. Aug. 25, 1890. r. Dec. 4, 1917.

Renewal by Edward Schuberth and Company

In the Name of

WALTER O. WILKINSON

1. THOU ART FAIRER THAN THE CHILDREN OF MEN
(sop. or ten. solo and chor.) by Walter O. Wilkinson. c. Jan. 25, 1906. r. Jan. 20, 1934.

Renewal by Edward Schuberth and Company

In the Name of

ALBERT WOELTGE

1. FESTIVAL TE DEUM
(soli. chorus and organ) by Albert Woeltge. c. Sept. 21, 1905. r. Sept. 20, 1933.

Renewal by Edward Schuberth and Company

In the Name of

J. F. ZIMMERMAN

1. SOLITUDE
(pf.) by J. F. Zimmerman. c. May 10, 1907. r. May 4, 1935.

Of the foregoing 747 renewals made by EDWARD SCHUBERTH AND COMPANY 221 were written by composers and authors who are listed in the 1931 ASCAP directory as members of the ASCAP. (As indicated, some of these are listed in the June 1, 1925, directory as well as the 1931 directory.)

Carrie Jacobs Bond
Charles Wakefield Cadman
Reginald De Koren, Est. of
Harvey B. Gaul
Victor Harris (1925)
Victor Herbert, Est. of (1925)
Rupert Hughes (1925)
Chas. J. Roberts (Chas. Krausharr (1925)
Arthur Nevin (1925)
Eugene Platzman
James H. Rogers (1925)
Harry Rowe Shelley (1925)
Robert B. Smith (1925)

A discussion of the complications arising from the fact that several of the composers and authors of selection in this catalogue are members of the ASCAP appears in the foreword of this report.

Schedule B

Edward Schuberth & Co. N. Y.

(Containing a list of the musical compositions which according to our findings were copyrighted by EDWARD SCHUBERTH & COMPANY, INC., in the period from 1909 to 1927.)

1. ABSENCE
   (song) by Paul Haeussler. c. Mar. 18, 1925.
2. ADAGIO MOLTO AND ALLEGRO VIVACE
   from No. 4 symphony, The tragic. (salon orch) arr. by W. Piercy. c. Feb. 17, 1915.
3. ADORATION
   (song) by McNair Ilgenfritz. c. Apr. 24, 1926.
4. AH, LOVE, HOW CAN IT BE
   (chimes & piano) by F. E. Hollweg. c. May 1, 1915.
5. ALBUMLEAF
   (chimes) by F. Arthur Johnson. c. Dec. 5, 1917.
6. ALLA TARANTELLA
   (violin & pf.) by Paul Stoeving. c. Feb. 13, 1925.
7. ALLEGRO CON BRIO
   from 5th symphony in C minor, by Beethoven. (salon orch.) arr. by W. Piercy. c. May 7, 1915.
8. AMERICA, OUR COUNTRY
   battle hymn (medium voice or unison chorus) by Louis Oesterle. c. June 19, 1919.
9. AMERICA, OUR PRIDE
   (high & low voice) by Louis Oesterle. c. Mar. 22, 1917.
10. AMERICA, OUR PRIDE
    national hymn (band) by Louis Oesterle. c. Mar. 30, 1917.
11. AMERICA, OUR PRIDE
    national hymn (orch.) by Louis Oesterle. c. Mar. 30, 1917.
12. AMERICA, OUR PRIDE
    national hymn (women's trio) by Louis Oesterle. c. Mar. 8, 1917.
13. AMERICA, OUR PRIDE
    national hymn (women's quartet) by Louis Oesterle c. Mar. 8, 1917.
14. AMERICA, OUR PRIDE
    national hymn (tenor and bass) by Louis Oesterle. c. Mar. 8, 1917.
15. ANDANTE CANTABILE
    (pf.) by H. R. Ward. c. Jan. 17, 1918.
16. ANGEL CHILD
    (song) by Robert Braine and Hetty O'Haley. c. Nov. 13, 1922.
17. ANGELUS
    (alto with male chorus) by Victor Herbert and Harry B. Smith. c. Dec. 24, 1921.
18. ANTICIPATION
    (band) arr. by Emil Ascher. c. July 30, 1914.
19. ANTICIPATION VALSE
    (orch.) arr. by Emil Ascher. c. Feb. 13, 1914.
20. ARISE, SHINE FOR THY LIGHT IS COME
    (baritone solo & cho.) by Chas. B. Blount. c. Dec. 2, 1914.
21. AS WE PART
    (orch.) by H. M. Burg. c. Mar. 12, 1917.
22. AS WE PART
    (song) by McNair Ilgenfritz and Frederick Peterson. c. Aug. 24, 1916.
23. AS YOU DANCE, OH FAIR MARQUISE
    (song) by Louis Versel and Zara Holt Versel. c. Nov. 24, 1915.
24. AUTUMN MOOD
    (violin & pf.) by Jerome H. Kanner. c. May 8, 1924.
25. AWAKE, THOU THAT SLEEPEST
    (Easter anthem) by James R. Gillette. c. Mar. 1, 1915.
26. BABBLING BROOKLET
    (pf.) by Carl Motes. c. Aug. 20, 1913.
27. BALLADE
    (pf.) arr. by Arthur Johnson. c. May 16, 1923.
28. BARCAROLLE
    (pf.) by Hans Barth. c. May 10, 1911.
29. BARCAROLLE
    (pf.) arr. by Arthur Johnson. c. Dec. 17, 1920.
30. BEHOLD, GOD IS MY SALVATION
    (anthem) by LeRoy M. Rile. c. Feb. 23, 1918.
31. BELOVED, LET US LOVE
    (sacred song) by W. Dichmont and H. Bonar. c. May 19, 1913.
32. BENEDICTION NUPTIALE
    (organ) by Frank Frysinger. c. June 30, 1910.
33. BERCEUSE
    (pf.) by Theo. Saul. c. Sept. 19, 1911.
34. BERCEUSE
    (song) by Grace E. Mellon "Turquoise." c. Nov. 4, 1913.
35. BERCEUSE
    (violin & pf.) by Alfredo Sgueo. c. Feb. 10, 1926.
36. BIRDS' LULLABY
    (pf.) by Edward Holst. c. May 14, 1924.
37. BIRTHDAY SONG (A)
    (mixed voices) by Gottfried H. Federleno and Grace Denio Litchfield. c. July 25, 1913.
38. BLOW, BLOW, THOU WINTER WIND
    (song) by McNair Ilgenfritz and Shakespeare. c. Jan. 11, 1922.
39. BONNIE BROWN HEAD
    (song) by Wm. Dichmont and Arthur Rutherford. c. Aug. 13, 1914.
40. BOY WHO WHISTLES
    (song) by Eugenio Pirani and Antony E. Anderson. c. Oct. 5, 1910.
41. BRIDAL SONG
    (song) by Herbert Ralph Ward and K. Ward. c. Mar. 1, 1917.
42. BUTTERCUPS
    (pf.) by H. R. Ward. c. July 29, 1919.
43. BY THE WATERS OF BABYLON
    (anthem) by Louise Tudor Woeltge. c. May 27, 1910.
44. CALLING TO THEE
    (song in D) by Eugene Wyatt and Harriette Kershaw Leiding. c. July 2, 1913.
45. CALLING TO THEE
    (song) by Eugene Wyatt and H. K. Leiding. c. Aug. 1, 1912.
46. CALLING TO THEE
    (low voice) by Eugene Wyatt and H. K. Leiding. c. Mar. 11, 1913.
47. CANON IN F MAJOR
    (organ) by F. Middleschulte. c July 15, 1909.
48. CANTER (A) IN THE PARK
    (pf.) by Eugene Wyatt. c. May 1, 1913.
49. CAPER SAUCE
    (pf.) by Cecil Macklin. c. Oct. 20, 1914.
50. CAPER SAUCE
    (orch.) by Cecil Macklin, arr. by Jacques Henri. c. Dec. 3, 1914.
51. CAPRICCIO RUSTICO
    (violin & pf.) by Paul Stoeving. c. Dec. 31, 1925.
52. CAPRICE
    (pf.) by Edw. J. Biedermann. c. Oct. 6, 1916.
53. CHANT CANADIENNE
    (violin & pf.) by Thomas Vincent Cator. ed. by Jacob Gegna. c. May 18, 1925.
54. CHATTER
    (pf.) by Robert A. Helland. c. Oct. 8, 1926.
55. CHURCH AND CONCERT ORGANIST
    by Clarence Eddy. c. Aug. 24, 1909.

56. CLARISSA
dance (pf.) by Wm. C. Heere. c. Oct. 11, 1917.

57. CLORINDA SINGS
(in F) by Thomas Vincent Cator. c. Jan. 29, 1913.

58. CLORINDA SINGS
(song) by Thos. Vincent Cator. c. Sept. 7, 1912.

59. CLOWN'S SERENADE
(pf.) by Ada Deigel Towers. c. Aug. 3, 1914.

60. COME, BOYS, AND FIGHT FOR YOUR COUNTRY
(med. voice or unison cho.) by Louis Oesterle. c. June 19, 1919.

61. COME UNTO ME WHEN SHADOWS DARKLY GATHER
(sacred song) by Bradford Caynshell and Catherine Harbisen Esling. c. Nov. 2, 1910.

62. COME WANDERING SHEEP! OH COME
(sacred song) by LeRoy M. Rile, Luis de Gongoray Argote and Sir John Bowring. c. Oct. 6, 1916.

63. COMPLETE SCALES AND ARPEGGIOS WITH STANDARD FINGERING
(volin) by K. Jensen. c. July 15, 1919.

64. CONSOLATION
(organ) by Fritz Reuter. c. Mar. 22, 1912.

65. CRADLE SONG
(organ) by A. W. Hoffman. c. July 15, 1909.

66. CRADLE SONG
(violin & pf.) by Edward G. Rendiel. c. Oct. 11, 1926.

67. CRADLE SONG
(wiegenlied) (violin & pf.) by Char. Bach, arr. by Carlo Ronchi. c. Feb. 1, 1912.

68. CRADLE SONG
(string quintet with pf.) by Char. Bach (Casino collection of orch. music No. 115). c. Feb. 1, 1912.

69. CROSSING THE BAR
(quartet or chorus) by LeRoy M. Rile and Alfred Lord Tennyson. c. Sept. 20, 1917.

70. DANCE OF THE FIREFLIES
(Petite scherzo) by Wm. C. Heere. c. Aug. 27, 1912.

71. DANCE TO THE MOON
(pf.) by L. Leslie Loth. c. Mar. 25, 1926.

72. DANCING DOLL
(violin & pf.) by Edward Rendiel. c. Oct. 11, 1926.

73. DANSE ANTIQUE
(pf.) by H. R. Ward. c. Feb. 24, 1923.

74. DAWNLIGHT, THE ROSE AND YOU
(song) by Edw. G. Simon and Richard Lovell. c. Oct. 11, 1926.

75. DAY (THE) THOU GAVEST
(tenor or sop. solo, quartet or chorus with organ) by Eugene Wyatt and Rev. John Ellerton. c. Dec. 31, 1913.

76. DEAR LAND OF HOME
(orch.) by Graham Valmore, arr. by Gaston Borch. c. May 17, 1916.

77. DEAR LAND OF HOME
(in F) by Graham Valmore (new & rev. ed.). c. Feb. 28, 1916.

78. DEAR LITTLE CHILD, THE STARS ARE SHINING
(song) by Louis Versel and Zara Holt-Versel. c. Nov. 24, 1915.

79. DO YOU REMEMBER?
(violin & pf.) by Paul Stoeving. c. Apr. 3, 1924.

80. DOLLY'S PARADE
(pf.) by H. R. Ward. c. Oct. 8, 1926.

81. DONKEY TROT
(pf.) by Ed. Poldini. c. Apr. 7, 1921.

82. DREAM CHIMES
(orch.) by Eugene Wyatt, arr. by Gaston Borch. c. July 27, 1915.

83. DREAM CHIMES
(pf.) by Eugene Wyatt. c. July 7, 1915.

84. DREAMING
(pf.) by H. R. Ward. c. Oct. 8, 1926.

85. DREAMING YOUTH
(pf.) by L. Leslie Loth. c. Mar. 25, 1926.

86. ENCHANTRESS
(pf.) by Robt. A. Hellard. c. Oct. 8, 1926.

87. EXALTATION
(organ) Adolf M. Foerster. ed. by Clarence Eddy. c. Oct. 5, 1910.

88. FALLING ASLEEP
(song) by Wm. Dichmont and A. Rutherford. c. Oct. 14, 1914.

89. FAREWELL DREAM
(male voices) by Fr. Reuter and G. Ruediger. c. Apr. 3, 1912.

90. FESTAL MARCH
(organ) by R. L. Houghton. c. May 12, 1916.

91. FESTIVAL MARCH
(organ) by Theo. Saul. c. Sept. 22, 1911.

92. FEMILLE (UNE) D'AUTOMME
(cello solo with violin, bass & pf.) by E. Kukowski. c. June 10, 1915.

93. FIGHT THE GOOD FIGHT
(quartet or chorus with sop. & baritone) by LeRoy M. Rile and J. T. B. Monsell. c. Sept. 20, 1917.

94. FLAMME (LA)
(orch.) by Clara Evelyn. c. Dec. 31, 1914.

95. FLAMME (LA)
(pf.) by Clara Evelyn. c. Nov. 25, 1914.

96. FLORENCE
(pf.) by H. R. Ward. c. Jan. 17, 1918.

97. FLOWERS
(medium voice) by McNair Ilgenfritz. c. July 17, 1920.

98. FOR ALL THE SAINTS, WHO FROM THEIR LABOURS REST
(organ) by LeRoy M. Rile and W. W. Howe. c. Sept. 13, 1917.

99. FOR YOU, JUST YOU
(song) by Dan Walker and Stanley Day. c. May 1, 1926.

100. FOR YOU, JUST YOU
(orch.) by Dan Walker and Stanley Day, arr. by Edmont Rickett. c. June 11, 1926.

101. FORGETFULNESS
(song) by Clarence Bowden and P. Tanaquil. c. Jan. 3, 1922.

102. FOUR DUCKS IN A POND
(song) by Louis Versel and Allingham. c. Dec. 20, 1917.

103. FRAGMENT (A)
(low voice) by A. Alfred Austin and Grace E. Miller. c. Nov. 10, 1909.

104. FROLIC IN THE GREEN
(pf.) by Emil Rhode. c. Feb. 1, 1912.

105. FROM NORWAY
(pf.) by Gaston Borch. c. Oct. 14, 1915.

106. GAVOTTE
(organ) by G. Debat-Ponsan, arr. by Clarence Eddy c. Nov. 16, 1915.

107. GAVOTTE
(pf.) by Theodore Saul. c. Aug. 2, 1911.

108. GAVOTTINA
(pf.) by H. A. Ward. c. Feb. 24, 1923.

109. GOD BLESS YOU
(song) by H. R. Ward and Fred G. Bowles. c. Mar. 30, 1925.

110. GOD SMILED AND SENT ME YOU
(song) by Paul Haeussler and Marie Scammel. c. Mar. 18, 1925.

111. GOD THAT MADEST EARTH AND HEAVEN
(sacred song) by Edward F. Johnston, R. Heber and R. Whately. c. Aug. 27, 1912.

112. GOD, THE ALL-TERRIBLE, GIVE TO US PEACE
(quartet of mixed voices, with alto or bass solo) by E. J. Bonhomme. c. Dec. 9, 1918.

113. GOLDEN FANCIES
(pf.) by L. Leslie Loth. c. Mar. 25, 1926.

114. GOLDEN VOICE IS GONE (song) by Wm. J. C. Lewis and Jerome F. Kanner. c. Sept. 2, 1921.
115. GOLDEN VOICE IS GONE (song) by Wm. J. C. Lewis and Jerome Kanner. c. Sept. 27, 1921.
116. GONE (high & low voice) by Herbert A. Wrightson and Whitney Montgomery. c. July 11, 1911.
117. GOOD NIGHT, MY DEAREST LOVE (B flat) by LeRoy M. Rile and Frances Stone Mason. c. Feb. 5, 1917.
118. GRIEF AND JOY (song) by LeRoy M. Rile and Frances Stone Mason. c. Oct. 6, 1916.
119. HAPPY HOUR (pf.) by H. R. Ward. c. Feb. 1, 1916.
120. HAPPY MORNING (pf.) by Emil Rhode. c. Feb. 1, 1912.
121. HAPPY SPRING DAYS (pf.) by Reginald Barrett. c. July 17, 1911.
122. HELEN POLKA (pf.) by Reginald Barrett. c. Aug. 2, 1911.
123. HER ANSWER (song) by Lillian Haralsen. c. Apr. 1, 1926.
124. HIDDEN REEF (violin & pf.) by Paul Stoeving. c. Aug. 1, 1924.
125. HOW HAPPY ARE THE SOULS ABOVE (high and low voice), by Edw. J. Beiderman. c. Nov. 15, 1910.
126. HUNGARIAN DANCE (violin & pf.) by Edward G. Rendiel. c. Oct. 11, 1926.
127. HUNGARIAN HYMN (organ) by E. Remsnyi. c. July 15, 1909.
128. I'D LIKE TO BE A SANTA CLAUS (song); by May F. Laurence and Alice Whitson. c. Nov. 26, 1923.
129. I HAVE LONGED FOR THY SALVATION (mixed voices) by Patty Stair. c. Oct. 24, 1913.
130. I KNOW THEY HAVE A RADIO IN HEAVEN (song) by Harold Wardell and Wm. Harold Martin. c. Mar. 22, 1926.
131. I KNOW THEY HAVE A RADIO IN HEAVEN (orch.) by Harold Wardell and Wm. Harold Martin, arr. by Wm. C. Polla. c. Aug. 7, 1926.
132. I KNOW THEY HAVE A RADIO IN HEAVEN (song) Harold Wardell and Wm. Harold Martin. c. May 15, 1926.
133. IF I WERE KING (song) by Mary Helen Brown. c. Apr. 17, 1911.
134. IM FRUEHLING (orch.) by C. Crozart-Converse. c. July 1, 1913.
135. IN CAPULET'S GARDEN (organ) by W. C. Steere. c. May 2, 1919.
136. IN FLANDERS FIELDS (song) by Ed. J. Bonhomme and J. D. McCrae. c. Feb. 28, 1919.
137. IN THE FOREST (pf.) by Emil Rhode. c. Feb. 1, 1912.
138. IN THE HOUR OF TRIAL (contralto or bass) by Ed. F. Johnston and J. Montgomery. c. Aug. 27, 1912.
139. IN YOUR SMILING EYES (song) by Harold Wardell and G. de Grandcourt. c. Mar. 18, 1921.
140. INDIAN SERENADE (song) by Marie Walters Kennedy and Percy Shelley. c. Dec. 16, 1912.
141. INSPIRATION (female voices) by Otto Wick and F. F. Fleischer. c. Oct. 3, 1924.
142. INTERLUDES (high voice) by Alfred Austin and Grace Mellor. c. Jan. 18, 1910.
143. INTERLUDES (song) by G. E. Mellor. c. Nov. 17, 1909.
144. IT IS THEN MY HEART WILL FORGET (song) by Harold Wardell and Beth Staten Whitson c. Nov. 4, 1922.
145. IT IS THEN MY HEART WILL FORGET (orch.) by Harold Wardell and Beth Staten Whitson, arr. by Wm. Schultz. c. Dec. 13, 1922.
146. JORESSE DE SALONE (song) by McNair Ilgenfritz and Oscar Wilde. c. Oct. 17, 1923.
147. JESTER (pf.) by Robert A. Hellard. c. July 23, 1924.
148. JOYOUS MOMENT (pf.) by H. R. Ward c. Feb. 1, 1916.
149. JOYOUS REFRAIN op. 117 (pf.) by Gaston Borch. c. Oct. 14, 1915.
150. JUS DE RAISINS (GRAPE JUICE) (orch.) by Theodore Schoenauer. c. June 15, 1915.
151. JUS DE RAISINS (GRAPE JUICE) (pf.) by Theo. Schoenauer. c. June 22, 1915.
152. JUST A LITTLE SONG (male voices) by Otto Wick. c. Sept. 7, 1921.
153. JUST A ROSE (song) by Paul Haeussler. c. Mar. 18, 1925.
154. JUST FANCIFUL (violin & pf.) by Paul Stoeving. c. Aug. 1, 1924.
155. JUST TO CALL YOU MINE (song) by Jack Bauer. c. May 17, 1922.
156. KISH-MA-HANI (orch.) by Rodolf Guarda. c. Sept. 10, 1921.
157. KISH-MA-HANI (song) by Rodolf Guarda and G. de Grandecourt. c. Dec. 23, 1920.
158. KISH-MA-HANI (song) by Rodolf Guarda and G. de Grandecourt. c. Oct. 11, 1920.
159. LEAD US, HEAVENLY FATHER (mixed voices) by Addison F. Andrews and James Edmesten. c. May 1, 1923.
160. LIGHT DIVINE (song) by A. Musgrave Roberts. c. May 6, 1910.
161. LIKE DRIFTWOOD (male voice) by Otto Wick and C. H. Dill. c. Sept. 7, 1921.
162. LILY (A) PURE (high voice) by Eugene Wyatt. c. Apr. 17, 1913.
163. LILY (A) PURE (low voice) by Eugene Wyatt. c. May 1, 1913.
164. LITTLE DARLINGS DANCE (pf.) by G. Lazarus. c. June 19, 1912.
165. LITTLE HUNTING SONG (pf.) by G. Lazarus. c. June 19, 1912.
166. LITTLE ROSE UPON MY HEART (song) by Le Roy M. Rile and Virginia T. Biddle. c. May 25, 1917.
167. LITTLE THOUGHTS, LIKE FAIRY WINGS (song) by Eugene Wyatt. c. Aug. 26, 1913.
168. LOIN DU PAYS (pf.) by Gaston Borch. c. July 17, 1912.
169. LOOKING BACK THOSE DAYS OF LONG AGO (song) by Frank Boyls and Mary Harriett White. c. Aug. 2, 1920.
170. LORD GOD OF MORNING AND NIGHT (sop. ten. alto & bass, organ acc.) by Ed J. Biedermann. c. Sept. 7, 1915.
171. LOST CHORD (two treble voices) by Ed. J. Biedermann. c. Oct. 19, 1916.
172. LOVE'S WONDER (song) by H. R. Ward and Henry G. Treasure. c. Dec. 31, 1913.

173. LULLABY LIGHTS
(song) by W. Dichmont and Katherine Newlin. c. Oct. 14, 1913.

174. MADELAINE
(pf.) by L. Leslie Loth. c. June 1, 1917.

175. MAN (THE) AT ARMS
(trio & chorus) by Reginald de Koven and Harry B. Smith. c. Mar. 13, 1913.

176. MARGUERITE, STOP FOOLING ME
(orch.) by Fred Holly. c. June 21, 1924.

177. MARGUERITE, STOP FOOLING ME
(song) by Fred Holly. c. June 21, 1924.

178. MAVOURNEEN ACHUSHLA, I'M SINGING OF YOU
(song) by Raymond Brown and Adam O'Neill. c. Apr. 9. 1914.

179. MELODIE
(pf. left hand alone) by Eliz. Kunzer. c. Aug. 10, 1926.

180. MELODIE JOYEUX
pf.) by G. Lazarus. c. June 19, 1912.

181. MELODY LULLABY
(pf.) by Robert A. Hellard. c. Apr. 12, 1926.

182. MINUET GRACIEUSE
(violin & pf.) by Arnoldo Sartorio. c. Dec. 6, 1924.

183. MESSAGE (THE)
(Schone, helle goldne sterne) (song). by Grace E. Mellor and H. Heine. c. Aug. 24, 1910.

184. MIMOSA
(pf.) by Ed. Poldini. c. Apr. 7, 1921.

185. MINIATURE DANCE
(pf.) by Ada Weigel Powers. c. Sept. 17, 1917.

186. MINUET
(pf.) by Mrs. Alexander Mason. c. Dec. 24, 1913.

187. MINUETTO
(pf.) by C. A. Van Loon. c. July 17, 1912.

188. MOODS
(orch.) by Ronchi Zavaloni. c. Aug. 6, 1918.

189. MOODS
(pf.) by F. E. Holly. c. May 4, 1918.

190. MOON-MAN
(song) by May F. Lawrence and Alice Whitson. c. Nov. 26, 1923.

191. MORNING SONG
(song) by Louis Versel and Richard Le Galbenne. c. June 19, 1918.

192. MOTHER MINE
(song) by Paul Haeussler. c. Jan. 30, 1924.

193. MOUNT SHASTA
(organ) by E. Remenyi. c. July 15, 1909.

194. MUEZZIN
(violin & pf.) by Andrew Thomas Williams. c. June 27, 1924.

195. MUSETTA
(pf.) by Eugene Wyatt. c. May 1, 1913.

196. MUSIC BOX
(pf.) by Hans Barth. c. Dec. 28, 1911.

197. MUSIC BOX
(pf.) by G. Lazarus. c. June 19, 1912.

198. MY GARDEN FAIR
(medium voice) by McNair Ilgenfritz. c. July 17, 1920.

199. MY HEART WOULD BE AN EMPTY NEST IF LOVE SHOULD FLY AWAY
(song) by H. R. Ward and Beth Slater Whitson. c. July 26, 1923.

200. NAPTOL VISIT
(song) by Andre Irsay and Alexander Petofi. c. Sept. 14, 1925.

201. NAUGHTY ARABIAN
(orch.) by F. E. Hollweg, arr. by Gaston Borch. c. Apr. 5, 1916.

202. NAUGHTY ARABIAN
(pf.) by F. E. Hollweg. c. Mar. 22, 1916.

203. THE NEW PRACTICAL ORGANIST
(coll. of preludes, offertories & postludes) by Carl Figue. c. Feb. 17, 1915.

204. NIGHT SONG
(women's trio), by Le Roy M. Rile and Matthias Claudius, trans. by C. T. Brooks. c. Sept. 20, 1917.

205. NINNERELLA
(song) by Le Roy M. Rile and Frances Stone Mason. c. May 25, 1917.

206. NOCTURNE
(organ) by Hans Harthou. c. Oct. 29, 1914.

207. NOR EYE HATH SEEN
(sacred song) by E. J. Biedermann. c. Nov. 15, 1910.

208. NOT TOO MANY CARES
(violin & pf.) by Paul Stoeving. c. Apr. 3, 1924.

209. NYMPH OF THE WOODS
(pf.) by E. Lent. c. July 15, 1909.

210. O WORSHIP THE KING
(sop. solo & quartet) by Bradford Campbell and Robert Grant. c. Sept. 29, 1911.

211. O'ER HILL AND DALE
(recital piece) by Carl Moter. c. Mar. 12, 1913.

212. O, THE WONDER OF IT
(high voice) by H. R. Ward and Adam O'Neill. c. Nov. 22, 1926.

213. ON THE LAKE
by Emil Rhode. c. Feb. 1, 1912.

214. ORIGINAL HESITATION WALTZ
(orch.) by McNair Ilgenfritz, arr. by Gaston Borch. c. May 26, 1914.

215. ORIGINAL HESITATION WALTZ
(pf.) by McNair Ilgenfritz and Alice Martin. Apr. 2, 1914.

216. ORIGINAL HESITATION WALTZ
(pf.) by McNair Ilgenfritz—revision by E. J. Bonhomme. c. Apr. 12, 1918.

217. OUR LIFE IS VAIN
(high & low voice) by H. B. Saul and George du Maurier. c. July 26, 1911.

218. OWL (THE)
(mixed voices) No. 1 by Reginald Barrett and Tennyson. c. Sept. 19, 1911.

219. OWL (THE)
(mixed voices) No. 2 by Reginald Barrett and Tennyson. c. Sept. 19, 1911.

220. PAEAN TO SPRING
(women's trio) by Le Roy M. Rile and Frances Mason. c. Sept. 20, 1917.

221. PAMELA
(old English dance) by Wm. C. Steere. c. Aug. 27, 1912.

222. PEACE HYMN OF THE REPUBLIC
(band) by C. Crozat Converse. c. Oct. 9, 1913.

223. PEACE HYMN OF THE REPUBLIC
(mixed voices) by C. Crozat Converse and Henry Van Dyke. c. Aug. 27, 1913.

224. PEACE HYMN OF THE REPUBLIC
(orch.) by C. Crozat Converse. c. Oct. 9, 1913.

225. PENANCE
(female voices) by Otto Wick. c. Sept. 7, 1921.

226. PENANCE
(song) by Otto Wick. c. May 23, 1922.

227. PERHAPS
(song) by Stanly Day and Beth Walker. c. Aug. 12, 1926.

228. PETALS
(orch.) by Gaston Borch. c. Mar. 12, 1914.

229. PETITS (LES) MOULINS A VENT
(pf.) by F. Couperin. c. Nov. 13, 1911.

230. PIGGLY WIGGLY WEE
(song) by M. F. Laurence and Alice Whitson. c. Nov. 26, 1923.

231. POLKA DE BAL
pf.) by Bradford Campbell. c. Aug. 2, 1911.

232. POLONAISE
(pf.) by Emil Rhode. c. Feb. 8, 1912.

233. POP CORN
(pf.) by Eugene Wyatt. c. May 1, 1913.

234. PRAISE THE LORD
(anthem) by Frances Wornock c. Jan. 11, 1923.

235. PRELUDE AND FUGUE, IN A MAJOR
(pf.) by H. W. Nicholl. c. Apr. 22, 1918.

236. PRIMROSES
(pf.) by Robert A. Hellard. c. July 23, 1924.

237. QUESTION & ANSWER
(song) by May T. Laurence and A. Whitson. c. Nov. 26, 1923.

238. RAINBOW CYCLE
(song book for children) by M. T. Laurence and Alice Whitson. c. Nov. 26, 1923.

239. RAINDROPS
(pf.) by Robert A. Hellard. c. May 21, 1923.

240. RATIONAL METHOD FOR THE VIOLIN
(with tetrachord system) by Karl Jensen. c. Jan. 1, 1914.

241. RATIONAL METHOD FOR VIOLIN
(with tetrachord system) (new ed. revised, added melodies, complete scales) by Karl Jensen. c. Dec. 1, 1924.

242. RATIONAL METHOD FOR THE VIOLIN
(with tetrachord system) (revision & enlargements) by Karl Jensen. c. Dec. 23, 1914.

243. REVELATION
(orch.) by R. Guarda, arr. by Alfred Dalby. c. Dec. 31, 1921.

244. REVELATION
(pf.) by R. Guarda and G. de Grandcourt. c. Sept. 16, 1920.

245. REVELATION
(orch.) by R. Guarda, arr. by Alfred Dalby. c. Dec. 29, 1920.

246. REVELATION E2
(pf.) by Rodolf Guarda and G. de Grandcourt. c. July 16, 1920.

247. REVELATION
(pf.) by Rodolf Guarda. c. Dec. 17, 1920.

248. REVELATION E2
(song) by Rodolf Guarda and G. de Grandcourt. c. July 16, 1920.

249. REVELATION
(song) by Rodolf Guarda. c. Dec. 17, 1920.

250. REVELATION
(melody) by Rodolf Guarda and G. de Grandcourt. c. Sept. 16, 1920.

251. REVERIE
by Carrie Jacobs-Bond, arr. for organ by Clarence Eddy. c. Nov. 16, 1915.

252. REVERIE
(pf.) by E. Kuhlstrom. c. Nov. 13, 1911.

253. REVERIE—PATHETIQUE
(violin, cello & bass with pf.) by Henri Beaudet. c. Apr. 16, 1915.

254. RIMEMBRANZE
(violin & pf.) by Alfredo Sgueo. c. Feb. 10, 1926.

255. ROCK-A-BY, LULLABY
(song) by Gottlieb Federlein and Dr. I. G. Holland. c. Mar. 11, 1913.

256. ROCK OF AGES
(chimes and pf.) by F. E. Hollweg. c. May 1, 1915.

257. ROMANZA
(violin & pf.) by Alfredo Sgueo. c. Aug. 5, 1926.

258. ROSE
(song) by Lillian Haralsen. c. Aug. 5, 1926.

259. ROSES AND FAIRIES
(song) by Eugene Wyatt and F. Douglas Tuber. c. Aug. 13, 1914.

260. SAND DUNES AND SEA
(song) by Clarence Bowden and John R. Moreland. c. Jan. 3, 1922.

261. SCHERZO
(pf.) by Emil Rhode. c. Sept. 26, 1912.

262. SCHERZO—ETUDE
(pf.) by Bradford Campbell. c. Aug. 2, 1911.

263. SCHERZO IN D MINOR
(pf.) by Arnoldo Sartorio. c. Dec. 6, 1924.

264. SEA LILY
(violin & pf.) by Thomas Vincent Cator. c. May 18, 1925.

265. SEA OF DREAMS
(pf.) by L. Leslie Loth. c. Mar. 25, 1926.

266. SECRET
(song) by May F. Laurence and Alice Whitson. c. Nov. 26, 1923.

267. SERENADE
(mixed voices) by Reginald de Koven and H. B. Smith. c. Mar. 14, 1914.

268. SEVEN PRELUDES
(pf.) by Andrew Thomas Willams. c. June 30, 1924.

269. SHALL I WED THEE?
(high & medium voice), by Reginald Barrett and James Bayard Taylor. c. June 1, 1911.

270. SHE HAD HER SPATS ON; MARY HAD HER SPATS ON
(band) arr. by Emil Ascher. c. Aug. 20, 1914.

271. SHE HAD HER SPATS ON; MARY HAD HER SPATS ON
(orch.) arr. by E. Ascher. c. Feb. 13, 1914.

272. SHEPHERD'S SONG
(organ) by A. W. Powers, arr. by Clarence Eddy. c. June 2, 1915.

273. SHEPHERD'S SONG
(pf.) by Ada Weigel Powers. c. Aug. 3, 1914.

274. SLEEPY LAND
(female voices) by Reginald Barrett and Frederick Steele. c. June 16, 1911.

275. SIMPLE MOTIFS E2
(pf.) by Ed. Poldini. c. Dec. 30, 1920.

276. SOLITUDE
(violin, pf. and 2nd violin or cello) by Jerome Kanner. c. May 14, 1924.

277. SOME DAYS MORE THAN OTHERS, GOD IS NEAR US
(sacred song) by H. R. Ward and Fred G. Bowles. c. Mar. 13, 1924.

278. SONG OF THE SIREN
(pf.) by Hugo O. Bornn. c. Aug. 5, 1926.

279. SONG OF THE WILD FLOWERS
(pf.) by Ada W. Powers. c. Aug. 13, 1914.

280. SOUVENIR D'AMOUR
(violin & pf.) by Santo Mineo. c. June 28, 1926.

281. SPRING
(song) by McNair Ilgenfritz and Mabel Linn. c. Aug. 30, 1922.

282. SPRING MORNING
(song) by W. Dichmont and A. M. Rutherford. c. Oct. 14, 1913.

283. SPRING WENT BY
(female voices) by Otto Wick and F. F. Fleischer. c. Oct. 3, 1924.

284. STANBREAK
(violin & pf.) by Thomas Vincent Cator. c. May 18, 1925.

285. STARS OF THE SUMMER NIGHT
(song) by LeRoy M. Rile and Henry W. Longfellow. c. May 25, 1917.

286. STILL, STILL WITH THEE
(sacred song) by W. Dichmont. c. May 19, 1913.

287. SUN OF MY SOUL
(tenor or sop, solo & quartet) by James R. Gillette and John Keble. c. Mar. 26, 1913.

288. SUNBEAMS
(pf.) by Robert A. Hellard. c. Apr. 10, 1926.

289. SUZANNE
(orch.) by Walter Rolfe, arr. by Gaston Borch. c. July 10, 1913.

290. SUZANNE
(pf.) by Walter Rolfe. c. Sept. 10, 1912.

291. SWAN
(pf.) by Saint-Saens, arr. by Herman Spilter. c. May 23, 1922.

292. SWEET HARP OF THE DAYS THAT ARE GONE
(high voice in E flat) by Victor Herbert. c. Feb. 12, 1915.

293. SWEETEST SONG OF ALL
(song) by H. R. Ward and Fred G. Bowles. c. Mar. 6, 1924.

294. SWING SONG
(song) by M. F. Laurence and Alice Whitson. c. Nov. 26, 1923.

295. SWING SONG
(violin & pf.) by Frank Patterson. c. Nov. 10, 1909.

296. TARRY WITH ME, O MY SAVIOR
(alto solo & quartet, organ acc.) by Edw. J. Biedermann. c. Sept. 7, 1915.

297. TE DEUM LAUDAMUS
(mixed voices & organ) arr. by E. J. Biedermann. c. May 1, 1913.

298. TECHNIC OF THE FIRST POSITION VIOLIN
by Albert H. McConell. c. June 3, 1919.

299. TERESINA
(pf.) by Walter Rolfe. c. June 21, 1916.

300. THERE'S A NOTE
(male voices) by Otto Wick and C. K. Dill. c. Sept. 7, 1921.

301. THEY SHALL COME AND SING
(mixed voices, solo & chorus) by Chas. B. Blount. c. Oct. 14, 1914.

302. TILL THEN
(song) by Paul Haeussler. c. Jan. 30, 1924.

303. TO A LITTLE GIRL
(song) by Otto Wick. c. June 12, 1922.

304. TO A LITTLE GIRL
(women's trio) by Otto Wick. c. Oct. 5, 1923.

305. TO A MOTHER
(song) by Russell J. England. c. Apr. 10, 1926.

306. TO A WOOD VIOLET
(song) by Otto Wick and J. B. Tabb. c. Sept. 7, 1921.

307. TOO MUCH MUSTARD
(orch.) by Cecil Macklin, arr. by Jimmy Dale and Al J. Neiburg. c. Mar. 12, 1937.

308. TOO MUCH MUSTARD
(song) by Cecil Macklin, arr. by Jimmy Dale and Al. J. Neiburg. c. Mar. 27, 1937.

309. TRES MOUTARDE
(orch.) by Cecil Macklin, arr. by Gaston Borch. c. Feb. 2, 1915.

310. TRES MOUTARDE
(pf.) by Cecil Macklin, new arr. by C. R. F. E. H. c. Dec. 26, 1914.

311. TRES MOUTARDE
(one or two step) by Cecil Macklin, arr. by H. F. Odell, c. Mar. 21, 1914.

312. TRUSTING EYES
(orch.) by C. G. Gartner, arr. by Gaston Borch. c. May 1, 1915.

313. TWILIGHT FANCIES
(pf.) by Robert A. Hellard. c. Apr. 10, 1926.

314. TWILIGHT NYMPHS
(pf.) by Robert A. Hellard. c. May 21, 1923.

315. 'TWILL NOT BE LONG
(song in G) by Theo. Gehrig. c. Mar. 8, 1920.

316. TWO PRELUDES
(A major and C minor) by Etta Weiner. c. June 17, 1924.

317. TWO PRELUDES
(G minor and A minor) by M. Friedman. c. June 17, 1924.

318. UNDER THE ARBOR
(pf.) by Ed. Poldini. c. Apr. 7, 1921.

319. UNITED WE STAND
(orch.) by Fred E. Holly. c. July 9, 1917.

320. UNITED WE STAND
(song) by Fred E. Holly. c. June 25, 1917.

321. VALSE-ARIETTA
(pf.) by Bradford Campbell. c. Aug. 2, 1911.

322. VALSE DES FANTOMES
(pf.) by H. Francis Miles. c. Oct. 2, 1926.

323. VALSE MIGNONNE
(pf.) by E. Schutt, arr. by E. J. Biedermann. c. May 2, 1921.

324. VALENTINE (A)
(song) by Mary H. Brown and Clinton Scollard. c. Apr. 17, 1911.

325. VENITE EXULTEMUS
(sop. solo & quartet) by Florian Schaffter. c. June 16, 1911.

326. VENUS AND ADONIS
(pf.) by Fred E. Holly. c. Dec. 21, 1922.

327. VISION
(pf.) by Edw. J. Biedermann. c. Oct. 6, 1916.

328. VOLUNTARY
(organ) by A. Guilmant, arr. by Clarence Eddy. c. July 15, 15, 1909.

329. WALTZ EPISODE
(pf.) by Emil Rhode. c. Sept. 26, 1912.

330. WALTZ FILLIP
(pf.) by Ed. Poldini. c. Apr. 7, 1921.

331. WHAT DO YOU THINK OF THAT?
(song) by Walter Rolfe. c. Aug. 27, 1912.

332. WHAT'S A WHOLE WORLD TO ME WITHOUT YOU
(song) by Harold Wardell and Beth S. Whitson. c. Sept. 15, 1923.

333. WHAT'S A WHOLE WORLD TO ME WITHOUT YOU
(orch.) by Harold Wardell and Beth Whitson, arr. by Robert Braine. c. Nov. 28, 1923.

334. WHEN YOU FORGET TO SMILE
(song) by Harold Wardell and Wm. Harold Martin. c. Jan. 22, 1921.

335. WHEN YOU FORGET TO SMILE
(song) by Harold Wardell and Wm. Harold Martin. c. May 4, 1921.

336. WHERE DREAMS ARE MADE
(low voice) by E. F. Johnston-Burges Johnson. c. Mar. 19, 1912.

337. WHERE DREAMS ARE MADE
(song) by Edw. F. Johnston and Burges Johnson. c. Mar. 19, 1912.

338. WHERE THE BEE SUCKS
(song) by Louis Versel and Shakespeare. c. Dec. 20, 1917.

339. WHITE LILACS
(song) by H. R. Ward and Katherine Ward. c. Nov. 16, 1915.

340. WHY
(song) by LeRoy M. Rile and Mary Louise Ritter. c. Nov. 20, 1916.

341. WIND
(song) by May F. Laurence and Alice Whitson. c. Nov. 26, 1923.

342. WISHIN'
(song) by Russell J. England. c. Apr. 10, 1926.

343. ZELIMA
(orch.) by McNair Ilgenfritz, arr. by Gaston Borch. c. Sept. 30, 1914.

344. ZELIMA
(pf.) by McNair Ilgenfritz. c. Apr. 23, 1914.

345. TEN EASY RECITAL PIECES
Schuberth's Collection No. 7. c. June 24, 1912.

346. TWELVE EASY PIECES FOR PIANOFORTE
(Collection No. 1), progressively arr., edited and fingered by E. Schuberth & Co., c. June 28, 1911.

347. FRAGMENT (A)
(song) by Grace E. Mellor and Alfred Austin. c. Nov. 10, 1909.

348. SWING SONG
(violin & piano) by Frank Patterson. c. Nov. 10, 1909.

349. A FRAGMENT (song for high voice) by Grace E. Mellor and Alfred Austin. c. Jan. 18, 1910.
350. EXALTATION, Prelude in C (organ) by Adolf M. Foerster. c. Oct. 5, 1910..
351. HOW HAPPY ARE THE SOULS ABOVE (high voice) by E. J. Biedermann. c. Nov. 15, 1910.
352. IF I WERE KING (song) by Mary H. Brown. c. Apr. 17, 1911.
353. SLEEPYLAND (female voices), by Frederick M. Steele. c. June 16, 1911.
354. 7 RECITAL PIECES FOR PIANO arr. by E. Schuberth and Co. c. Aug. 29, 1911.

Schedule C

(Containing a list of the musical compositions which according to our findings were copyrighted by EDWARD SCHUBERTH & COMPANY, INC., in the period from 1927 to April 1, 1937.)

1. ALBUM LEAF (pf.) by Carl Braun, Germany. c. Nov. 9, 1928.
2. AMARA (alto sax & pf.) by Frederick Preston Search. c. Sept. 21, 1930.
3. AMORETTE (violin & pf.) by Geo. Stoupa. c. Apr. 20, 1929.
4. APPLE BLOSSOMS (song) by Robert Braine. c. May 17, 1928.
5. APRIL DAY (pf.) by H. R. Ward. c. May 21, 1929.
6. APRIL EVENING (song) by McNair Ilgenfritz. c. Nov. 24, 1931.
7. ARIOSO in C minor (organ) by J. S. Bach, arr. by R. L. Bedell. c. Oct. 31, 1936.
8. AUTUMN (song) by McNair Ilgenfritz. c. Apr. 11, 1930.
9. AUTUMN CARNIVAL (pf.) by R. A. Hellard. c. May 21, 1929.
10. BADINAGE (song) by V. Herbert and H. Robinson, vocal arr. by H. Sanford. c. Mar. 15, 1935.
11. BADINAGE (orch.) by Victor Herbert, arr. by H. Sanford. c. Nov. 29, 1935.
12. BEETLES BUZZ (pf.) by Francis Moore. c. Mar. 19, 1936.
13. BEFORE YOU CAME (high voice, in F) by Florence Worthington. c. Mar. 23, 1936.
14. BENEDICITE OMNIA OPERA (mixed voices) by H. R. Ward. c. Dec. 5, 1930.
15. BINGELO BYE (song) by Stanley Day. c. Aug. 11, 1928.
16. BLUE BONNET FLOWER (song) by Edna June Bump. c. Nov. 6, 1933.
17. BOHEMIAN SERENADE (violin & pf.) by Ada Weigel Powers. c. Sept. 28, 1931.
18. BOUNTY MUTINEERS (men's voices) by F. R. Treasure. c. Dec. 30, 1935.
19. BY THE COZY FIRESIDE (pf.) by H. Meyerowitz. c. Apr. 18, 1927.
20. CANTIENE in B minor (organ), by R. L. Bedell. c. May 18, 1936.
21. CAPRICCIETTO in A minor (pf.), by H. Meyerowitz. c. Apr. 18, 1927.
22. CAPRICE DE CONCERT (violin and accd.) by O. Musin. c. Dec. 31, 1928.
23. CHANSON D'AMOUR (violin and pf.) by A. W. Powers. c. Oct. 22, 1928.
24. CHANSON DE VALSE (song) by McNair Ilgenfritz. c. May 1, 1933.
25. CHANT DE LAS FONTAINE (pf.) by Rudolph Kvelve. c. Sept. 15, 1932.
26. CHORAL FANTASIA ON "GELOBET SIEST DU, JESU CHRIST" (organ) by Bach, arr. by R. L. Bedell. c. Oct. 31, 1936.
27. COMING OF THE WARRIOR "From the land of the wigwam," No. 1. (pf.) by F. Groton. c. Oct 14, 1930.
28. COSSACK DANCE Ukrainian folk-song (violin and pf.) arr. by R. Prydatkewytsch. c. Dec. 11, 1928.
29. CUBAN SERENADE (pf.) by Charles Midgley. c. Nov. 28, 1928.
30. CUBAN SERENADE (orch.) by C. Midgley, arr. by J. Engelman. c. Feb. 25, 1934.
31. CUCKOO CLOCK (pf.) by J. Schendel. c. Apr. 13, 1931.
32. CUCKOO WALTZ (violin & pf.) by E. Johnson, arr. by A. Wertheim. c. Feb. 5, 1929.
33. DAINTY DANCER (pf.) by H. R. Ward. c. Apr. 30, 1930.
34. DALILA (pf.) by R. A. Hellard. c. Apr. 30, 1930.
35. DANCE BARBARIC (pf.) by J. Heymann. c. Dec. 3, 1932.
36. DANCE CAPRICE (violin & pf.) by P. Stoeving. c. Oct. 8, 1928.
37. DANCE OF THE GOBLINS (pf.) by F. J. Bried. c. Dec. 10, 1927.
38. DANCER (violin & pf.) by A. Pauspeart, arr. by A. H. Wertheim. c. Dec. 31, 1929.
39. DANCING BOW (violin & pf.) by H. Haaf. c. Jan. 4, 1930.
40. DANCING BOW (violin, cello and pf.) by H. Haaf. c. Jan. 4, 1930.
41. DANCING DOLLS (pf.) by H. R. Ward. c. July 7, 1927.
42. "DAWNLIGHT, THE ROSE & YOU" (violin & pf.) by E. G. Simon, edited by P. E. Hughes. c. Oct. 3, 1928.
43. DEBUTANTE (violin & pf.) by G. Stoupa. c. Apr. 20, 1929.
44. DELIA (med. voice) by J. Heymann. c. Dec. 3, 1932.
45. DITES-MOI (song) by M Ilgenfritz. c. Sept. 5, 1930.
46. DOLLY'S WALTZ (pf.) by H. Meyerowitz. c. July 5, 1929.
47. DRAGON-FLY (pf.) by A. Lewing. c. Aug. 6, 1928.
48. DREAMING DREAMS OF YOU (based on the melody "Solitude") by J. Kanner and J. Morse. c. Aug. 15, 1931.
49. DREAMS in D (song) by McNair Ilgenfritz. c. June 17, 1930.
50. EAGLE (med. voice) by J. Heymann. c. Dec. 3, 1932.
51. ELEGY (violin & pf.) by R. Kvelve. c. Nov. 5, 1928.
52. ENCHANTMENT (song) by M. Ilgenfritz. c. Dec. 23, 1935.
53. ENTREATY (song) by J. Kanner. c. May 17, 1928.
54. ESTRELLA TROPICAL (pf.) by H. R. Ward. c. Jan. 2, 1929.
55. EVENING CALM (pf.) by Carl Braun. c. Nov. 9, 1928.

56. EVENTIDE
(violin & pf.) by L. B. Turney. c. Feb. 5, 1929.

57. EXILE SONG
(violin and pf.) by A. W. Powers. c. Aug. 21, 1928.

58. FLAMES
(song) by M. Ilgenfritz. c. June 22, 1931.

59. FORGET-ME-NOT
(in B flat) by H. R. Ward. c. Dec. 31, 1929.

60. FROLIC
(violin & pf.) by P. Stoeving. c. Apr. 13, 1927.

61. GLORY CLOUDS
(song) by J. Kanner. c. Apr. 13, 1927.

62. GOD MADE ME THINE
(song) by A. S. Watkins (c. Mar. 12, 1929.

63. GOLONDRINA
(vio., violoncello & pf.) by F. P. Search. c. Mar. 4, 1931.

64. GOOD-NIGHT, DEAR LOVE, GOOD-NIGHT
(song) by S. Day. c. Mar. 4, 1927.

65. HAROUN AL RASCHID
(med. voice) by J. Heymann. c. Dec. 3, 1932.

66. HEAVEN'S HOME
(song) by W. Roche. c. Nov. 21, 1936.

67. HIGHLY COLORED WINGS
(song) by A. S. Watkins. c. Mar. 12, 1929.

68. HOLD BACK THE DAY, NIGHT IS FOR LOVE
(song) by L. Ceppara. c. Mar. 23, 1932.

69. HYACINTH
(pf.) by R. Ward. c. July 27, 1927.

70. I DON'T WANT TO MARRY YOU
(song) by V. A. Vedova. c. Apr. 27, 1928.

71. I HAVE A GIFT FOR YOU
in A flat (song) by A. S. Watkins. c. Mar. 12, 1929.

72. I SHALL NOT CARE
(song) by M. Ilgenfritz. c. May 18, 1934.

73. IF YOU SHOULD CALL
in E flat (song) by A. S. Watkins. c. Apr. 23, 1929.

74. IGNATZ, THE MOUSE
(pf.) by E. B. Griebel. c. Mar. 4, 1931.

75. I'LL KISS YOU GOOD MORNING
(song) by C. P. Forrester. c. Apr. 30, 1934.

76. IMMORTELLES
(song) by A. W. Powers. c. Apr. 11, 1930.

77. IMMORTELLES
(mixed voices) by A. W. Powers, arr. by F. Drago. c. Mar. 30, 1934.

78. IMPLORATION
(song) by M. Ilgenfritz. c. Apr. 28, 1930.

79. IN A LAND WHERE WISHES GROW
(song) by H. R. Ward. c. Aug. 30, 1927.

80. IN SOME FAR DAY
(song) by A. S. Watkins. c. Mar. 12, 1929.

81. KEEP IN STEP!
(pf.) by F. J. Boyeril. c. Oct. 26, 1929.

82. LAMENT
(violin & pf. or organ) by E. P. and P. Stoeving. c. Jan. 3, 1928.

83. LAST INVOCATION
(song) by A. W. Powers. c. Aug. 30, 1927.

84. LIFE'S ALTAR
(song) by M. Ilgenfritz. c. Apr. 11, 1930.

85. LIFE'S SONG
(song) by A. Carina. c. Apr. 20, 1935.

86. LIL' BROWN BABY
(song) by C. Carty. c. Dec. 17, 1934.

87. LITTLE CHINESE GIRL
(pf.) by H. Meyerowitz. c. July 5, 1929.

88. LITTLE DANCE
(pf.) by H. R. Ward. c. Dec. 31, 1929.

89. LITTLE WALTZ
(pf.) by H. R. Ward. c. Dec. 31, 1929.

90. LONDON BRIDGE IS FALLING DOWN
(pf.) by H. Meyerowitz. c. Mar. 25, 1930.

91. LOOSE PAPOOSE
from the "Land of the Wigwam," No. 3. (pf.) by F. Groton. c. Oct. 14, 1930.

92. LOVE IN GRANADA
(song) by F. E. Holly. c. Feb. 28, 1927.

93. LULLABY
in B flat (cello & pf.) by Mozart, arr. by W. D. Otto. c. Jan. 29, 1927.

94. LULLABY
in B flat (violin & pf.) by Mozart, arr. by W. D. Otto. c. Jan. 29, 1927.

95. LULLABY
(violin & pf.) by Mozart, concert edition arr. by W. D. Otto. c. Jan. 29, 1927.

96. MADRIGAL
(violin & pf.) by R. Paniaqua. c. Feb. 6, 1928.

97. MAID O' ATHLONE
(song) by C. P. Forrester. c. Mar. 14, 1934.

98. MANY MEADOWS
(song) by J. Kanner. c. Sept. 27, 1927.

99. MARJORIE'S PLAY
(pf.) by H. Meyerowitz. c. Apr. 18, 1927.

100. MAVOURNEEN ACUSHLA I'M SINGING OF YOU
(pf.) by R. Brown, arr. by H. R. Ward. c. July 11, 1930.

101. MAY DAY DANCE
(pf.) by A. W. Powers. c. Nov. 9, 1928.

102. MEMORIES OF POLAND
(pf.) by A. Irsay. c. Sept. 27, 1927.

103. MEMORY
(song) by M. Ilgenfritz. c. Apr. 10, 1930.

104. MIGNONETTE
(pf.) by R. A. Hellard. c. Dec. 31, 1929.

105. MINUET
(violin & pf.) by F. P. Search. c. Sept. 29, 1930.

106. MINUET
(trio for violin, cello & pf.) arr. by F. P. Search. c. Sept. 29, 1930.

107. MIRIAM
(pf.) by F. Keffer. c. July 19, 1928.

108. MY DADDY'S WALTZ
(pf.) by E. J. Schoeneman. c. Oct. 11, 1927.

109. MY LADY OF THE CAMEO
(orch.) by McCormick, Clarke and Livernash, arr. by G. Guentzel. c. July 31, 1934.

110. MY LADY OF THE CAMEO
(song) by W. McCormick, A. Clarke and W. Livernash. c. Mar. 2, 1932.

111. MY OLD RENDEZVOUS
(song) by R. Harlow. c. Dec. 17, 1934.

112. MYSTIC STARS
(pf.) by R. Kvelve. c. Mar. 19, 1934.

113. NARCISSUS
(song) by M. Ilgenfritz. c. Aug. 7, 1936.

114. NIGHT HAS A THOUSAND EYES
(song) by A. W. Powers. c. Aug. 30, 1927.

115. NORLAND CAPRICE
(pf.) by R. Kvelve. c. Sept. 5, 1930.

116. NORSE ROMANCE
(violin & pf.) by R. Kvelve. c. Dec. 31, 1929.

117. NORTH STAR
(song) by A. S Watkins. c. Nov. 2, 1928.

118. O BELLE NUIT (O LOVELY NIGHT)
(song) by M. Ilgenfritz. c. Apr. 20, 1929.

119. OFFRANDE
(pf.) by E. Poldini. c. June 23, 1927.

120. OH! THE WONDER OF IT
(song) by H. R. Ward. c. Dec. 30, 1927.

121. OUT OF THE WOODS
(pf.) by H. Haaf. c. Mar. 16, 1931.

122. OUT TO PLAY (pf.) by H. R. Ward. c. Apr. 30, 1930.
123. OVER THE SEA (pf.) by A. Lewing. c. Sept. 5, 1930.
124. PASSING (song) by J. Kanner. c. Feb. 28, 1927.
125. PASSING THOUGHT prelude in F (pf.) by E. J. Schoeneman. c. Oct. 11, 1927.
126. PEACE-PIPE POW-WOW from the "Land of the Wigwam," No. 2. (pf.) by F. Groton. c. Oct. 14, 1930.
127. PEDAL EXERCITIUM in G minor (pedal organ) by Bach, arr. by R. L. Bedell. c. May 18, 1936.
128. PETITE ETUDE (pf.) by A. W. Powers. c. Apr. 20, 1929.
129. PEIRROT & PIERETTE (pf.) by H. Meyerowitz. c. Jan. 20, 1931.
130. PIROUETTE (pf.) by R. A. Hellard. c. July 7, 1927.
131. POEME D'AMOUR (violin & pf.) by R. Kvelve. c. Aug. 7, 1933.
132. POLISH SERENADE (2 violins, cello & pf.), by R. Bass, arr. by A. Wertheim. c. Apr. 1, 1931.
133. PRELUDE in A minor (pf.) by J. Heymann. c. Dec. 3, 1932.
134. PRELUDE in D minor (pf.) by J. Heymann. c. Dec. 3, 1932.
135. PSALM OF THE SOUL (song) by J. Kanner. c. Nov. 30, 1928.
136. RAKOCZY (pf.) arr. by A. Irsay. c. Feb. 28, 1927.
137. REFLECTION IN CRYSTAL POOL (pf. or organ) by R. L. Bedell. c. Apr. 13, 1936.
138. REJOICE TODAY WITH ONE ACCORD (sop., alto, ten. & bass with organ). by R. H. Ward. c. June 4, 1929.
139. ROMANTIQUE (pf.) by R. Kvelve. c. Mar. 19, 1934.
140. ROSE OF SHARON (pf.) by H. Wardell. c. Feb. 3, 1927.
141. ROSES (violin & pf.) by E. di Capua, arr. by A. H. Wertheim. c. Apr. 8, 1929.
142. ROSES IN RAIN (song) by M. Ilgenfritz. c. Apr. 28, 1930.
143. SCENE DE BALLET (violin & pf.) by R. Kvelve. c. Aug. 7, 1933.
144. SCHERZO (pf.) op. 4, No. 2, by A. Sgueo. c. Dec. 21, 1931.
145. SCHERZO WALTZ (pf.) by M. Ilgenfritz. c. Jan. 7, 1930.
146. SEA POEM (violin and pf.) by R. Kvelve. c. May 4, 1936.
147. SERENADE (violin and pf.) by Jules E. Massenet, arr. by H. Wertheim. c. Jan. 7, 1930.
148. SERENADE TO THE MOON (violoncello) by Harry Meyerowitz. c. June 22, 1928.
149. SLEEPY DARK NIGHT (song) by S. R. Vier. c. July 20, 1933.
150. SLEEPY IN THE TEE-PEE from the "Land of the Wigwam," No. 4. (pf.) by F. Groton. c. Oct. 14, 1930.
151. SOLACE (cello & pf.) by O. Merikanto, arr. by A. H. Wertheim. c. Apr. 20, 1929.
152. SOLACE (violin & pf.) by O. Merikanto, arr. by A. H. Wertheim. c. Apr. 8, 1929.
153. SONG AT EVENING (cello & pf.) by H. Haaf. c. Jan. 4, 1930.
154. SONG AT EVENING (violin & pf.) by H. Haaf. c. Jan. 4, 1930.
155. SONG AT EVENING (violin, cello & pf.), arr. by H. Haaf. c. Jan 4, 1930.
156. SONG AT SUNSET (song) by E. Pendleton. c. July 3, 1934.
157. SOUVENIR (pf.) by A. W. Powers. c. Apr. 20, 1929.
158. SOUVENIR VENITIENNE (pf.) by F. Kvelve. c. Nov. 10, 1931.
159. SPOOKS (pf.) by H. Meyerowitz. c. July 5, 1929.
160. STORY OF LONG AGO (pf.) by A. W. Powers. c. Nov. 5, 1928.
161. SUENAS NUBLADAS (violin with pf.) by R. Paniagua. c. Aug. 25, 1928.
162. SUPPOSE (song) by S. Day. c. June 23, 1927.
163. SWEET DREAMS (alto c. saxophone & pf.) by F. P. Search. c. Jan. 11, 1928.
164. TANGO TRISTE (violin & pf.) by L. Glasser. c. Jan. 11, 1928.
165. TAPESTRY (pf.) by J. Kanner. c. Sept. 9, 1930.
166. THERE'S MAY-TIME FOR ME ALWAYS IN YOUR EYES (song) by R. Braine. c. Dec. 31, 1929.
167. TICK TACKS (pf.) by R. A. Hellard. c. May 21, 1929.
168. TIP TOES (pf.) by H. Wardell. c. Dec. 8, 1927.
169. TO A POND LILY (pf.) by H. R. Ward. c. Feb. 28, 1927.
170. TORNA A SORRIENTO (vio. & pf.) by E. de Curtis, transcribed by A. H. Wertheim. c. Dec. 10, 1928.
171. TREES (song) by M. Ilgenfritz. c. June 23, 1927.
172. TRYST WITH THE WIND (violin & pf.) arr. by R. Prydatkewyisch. c. Dec. 11, 1928.
173. TWO RUSSIAN FOLK SONGS (pf. & violin) arr. by. Boris Levenson. c. Mar. 19, 1928.
174. VOCATION (low voice) by H. R. Ward. c. Mar. 19, 1928.
175. WAIT 'TWELL TER-MORROR (plantation ditty) by R. Braine. c. July 31, 1929.
176. WALTZ OF THE PAST (song) by R. Vogel. c. Jan. 2, 1931.
177. WEEP NOT FOR THE DEAD (song) by A. W. Powers. c. May 5, 1933.
178. WHILE DAY IS ENDING (pf.) by A. A. Hine. c. Aug. 19, 1935.
179. WHITE SHRINE march (pf.) by A. Archer & G. Alphenaar. c. Oct. 13, 1931.
180. WHO SHALL SEPARATE US FROM THE LOVE OF CHRIST (mixed voices with alto solo) by E. P. Mason. c. Mar. 26, 1936.
181. WILLOWS (violin & pf.) by L. B. Turney. c. Dec. 10, 1928.
182. WISHING (pf.) by H. R. Ward. c. May 21, 1929.
183. YANITCHOK (violin & pf.) arr. by R. Prydatkewytsch. c. Dec. 11, 1928.
184. ZEPHYRS (song) by M. Ilgenfritz. c. July 19, 1929.

It will be observed that Schuberth has registered for copyright only 184 musical selections in the past 10 years.

This catalogue differs from the others referred to in this report in that it is primarily involved with the question of the renewal of copyrights, and that a substantial number of the selections were composed by persons who are prominent members of the ASCAP.

It will be observed that 747 selections have been renewed through the offices of EDWARD SCHUBERTH AND COMPANY (Schedule A). Frankly, great confusion exists in the matter of the renewal of copyrights. It appears that until recently, it has been possible for more than one person to file a renewal of copyright in a single musical selection. Some notable instances may be cited. For example:

> "Serenade," a comic opera *originally copyrighted* on April 26, 1897 (c. #25779) by Edward Schuberth and Company.

At the time of renewal, two separate applications for an extension of the above original copyright were entered within three weeks of each other:

1. "Serenade," a comic opera (c. #25779) renewed *Dec. 8, 1924* (renewal #29915) by Mrs. Victor Herbert.
2. "Serenade," a comic opera (c. #25779) renewed *Dec. 31, 1924* (renewal #29011) by Edward Schuberth and Company in the name of Mrs. Victor Herbert.

As another example:

> "Lafitte," a comic opera *originally copyrighted* on April 14, 1897 (c. #23315) by Edward Schuberth and Company.

At the time of renewal, two separate applications for an extension of the above original copyright were entered within three weeks of each other:

1. "Lafitte," a comic opera (c. #23315) renewed *Dec. 8, 1924* (renewal #29914) by Mrs. Victor Herbert.
2. "Lafitte," a comic opera (c. #23315) renewed *Dec. 31, 1924* (renewal #29009) by Edward Schuberth and Company in the name of Mrs. Victor Herbert.

It is difficult to understand why Mrs. Herbert would renew these copyrights one day and authorize Schuberth to renew the same copyrights the next day. These circumstances tend to illustrate how archaic is the copyright law and how urgently remedial legislation is needed to the end that users of music may be informed of the true copyright owners and representatives of copyright owners. The only defense the broadcaster has in these cases is to avoid the use of such music until authentic information is obtainable from Licensing Societies.

On the whole, this catalogue, while it involves a large number of musical selections may be evaluated on the basis of the classification described at the beginning of this chapter.

Sesac Publications

New York, N. Y.

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries in the name of SESAC PUBLICATIONS, New York, which is listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1879–1930

No copyright entries found.

Period 1931–April 1, 1937

The following list:

1. BEZ S LADU TWA WIELKA MILOSC MINIE
   (Tango) by W. Stepien and J. Petersburski, c. July 2, 1936.
2. BEZ S LADU TWA WIELKA MILOSC MINIE (and) MILCZ SERCE, MILCZ
   (orch.) 1. By W. Stepien and J. Petersburski, arr. by J. Wesby. 2. By B. Kuron and T. Kwiecinski, arr. by J. Gert. c. July 2, 1936.
3. JUST SAY THAT YOU LOVE ME (SAG 'JA)
   From "Student Sein" (pf. with uke arr.) by Josef Buckhorn, Ernst Erich Buder, and Franz Baumann, Eng. version by Harry Gilder, arr. by May Singhi Breen. c. April 18, 1931.
4. MILCZ SERCE, MILCZ
   (Tango) by T. Kwiecinskiego and B. Kurona. c. July 2, 1936.
5. PAN'S PIPER
   (violin and pf.) by A. W. Reynolds. c. April 17, 1934.
6. REFLECTION
   (violin and pf.) by A. W. Reynolds. c. April 17, 1934.
7. RIP VAN WINKLE
   (violin and pf.) by A. W. Reynolds. c. April 17, 1934.

The above list should enable the broadcasters to appraise the true worth of this catalogue.

Herman Seeman (Nachfolger or Successor)

Leipzig, Germany

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed only five entries under the name of HERMAN SEEMAN, Leipzig, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license. According to the latest SESAC brochures, HERMAN SEEMAN is included under Harmonie Verlag. The five copyrights entered in the name of HERMAN SEEMAN included: 1, ten piano exercises; 2, five German songs; 3, one piano number; 4, one opera in three acts (ZENOBIA); and 5, one group of children's songs. These copyrights were all entered on May 13, 1901.

Further examination of the musical copyright records of the Library of Congress failed to disclose any renewals having been entered on any of the above selections. This music, therefore, appears to be in the Public Domain.

Information from a reliable source states that: "The firm of Herman Seeman was dissolved before the war. The remaining stocks of books were taken over by about 5 different book dealing firms, while the printed music department went over to the firm of Universal Edition, Karlsplatz 6, Wien I, Austria. This above firm is stated to be still in existence at the above indicated address. It maintains in Leipzig only a selling agency in the hands of Friedrich Hofmeister, 10 Karlstrasse, Leipzig C.1." The address given is 6 Karlsplatz, Wien I, Austria.

Universal Edition, referred to in the above quotation as having taken over the music department of HERMAN SEEMAN, we understand is represented in the United States by the Associated Music Publishers, Inc., New York City. Broadcasters desiring to use musical selections copyrighted by Universal Edition, therefore, must acquire the radio performing rights in such music from the Associated Music Publishers, Inc.

It is possible that the SESAC, through its representation of HARMONIE VERLAG, has certain rights in books which at one time were owned and controlled by HERMAN SEEMAN, since the information quoted above shows "* * * * The remaining stocks of books were taken over by about 5 different book dealing firms. * * * *" But all the information we are able to obtain makes it appear that the inclusion of HERMAN SEEMAN in the SESAC brochure is misleading insofar as performing rights in music are concerned.

G. Seyfarth

Lwow, Poland

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of G. SEYFARTH, Lwow, Poland, listed in the SESAC brochure dated January 1, 1937, as a publisher or organization included under its license:

Period 1870–1935

No copyright entries found.

Period 1936–April 1, 1937

The following list:

1. CHLOPCA MEGO MI ZABRALI (piesn) by St. Niewiadomski. c. Oct. 8, 1936.
2. HUMORESKI (piesn) by St. Niewiadomski. c. Sept. 29, 1936.
3. JASKOWA DOLA (9 piesni) by St. Niewiadomski. c. Sept. 29, 1936.
4. KLATWA (piesn) by St. Niewiadomski. c. Oct. 8, 1936.
5. NIE BEDE CIE RWALA KONWALIJKO BIALA (piesn) by St. Niewiadomski. c. Oct. 8, 1936.
6. OTWORZ JANKU (piesn) by St. Niewiadomski. c. Oct. 8, 1936.
7. PIEKNE TULIPANY (piosnki starodawne) by St. Niewiadomski. c. Sept. 29, 1936.
8. PIOSNKI (z. roznak stron) by St. Niewiadomski. c. Sept. 29, 1936.
9. PRZYKRO, PRZYKRO JEST DEBOWI (piesn) by St. Niewiadomski. c. Oct. 8, 1936.
10. SIEDZI PTASZEK NA DRZEWIE (piesn) by St. Niewiadomski. c. Oct. 8, 1936.
11. SIWY KONIU (piesn) by St. Niewiadomski. c. Oct. 8, 1936.
12. SLICZNE GWOZDZIKI (piosnki starodawne) by St. Niewiadomski. c. Sept. 29, 1936.
13. SZUMI W GAJU KRZEZINA (piesn) by St. Niewiadomski. c. Oct. 8, 1936.
14. Z WIOSENNYCH TCHNIEN (12 piesni) by St. Niewiadomski. c. Sept. 29, 1936.
15. Z. WYSOKICH PARNASOW (16 piesni) by St. Niewiadomski. c. Sept. 29, 1936.

An examination of the assignment records of the United States Library of Congress disclosed an assignment which was made by G. SEYFARTH to the SESAC. A copy of this assignment, marked Exhibit 108, is attached to and made a part of this report.

The 15 compositions contained in this catalogue, all written by the same composer, probably have a certain performance value to those broadcasters who cannot operate in the public interest, convenience and necessity without using this type of Polish music.

Solunastra

Berlin, Germany—Lisbon, Portugal

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, failed to disclose any musical copyright entries in the name of SOLUNASTRA, Berlin, Lisbon, listed in the SESAC brochure dated June 1, 1936, as a publisher or organization included under its license.

An examination also was made of the assignment records in the Library of Congress and we failed to find any record of assignments by this firm to the SESAC.

An investigation concerning this firm has been made both in Berlin and Lisbon, and we are advised as follows: "It has not been possible to locate this firm in Berlin. It is unknown among sheet music publishers" and, "This firm is unknown in Lisbon. * * * Not listed in telephone or commercial directories."

We have not been able to locate any catalogue material concerning this organization, as referred to in Item 14 of the SESAC letter dated November 19, 1936 (Exhibit No. 4).

The absence of any musical copyright entries in the name of this organization, our failure to find any records of assignment made by this organization to the SESAC, and the absence of any catalogue material among the data which has been supplied to us by the SESAC is the basis for our belief that the inclusion of SOLUNASTRA in the SESAC brochure is misleading insofar as radio performing rights in music are concerned.

Alfred Thorsings Musikforlag

Copenhagen, Denmark

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of ALFRED THORSINGS MUSIKFORLAG, Copenhagen, Denmark, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1870–1926

No copyright entries found.

Period 1927–April 1, 1937

The following list:

("E2" indicates unpublished copyright entries.)

1. AFTENSTEMNING (E2)
   (pf.) by Enrico Moreno. c. June 18, 1927.
2. BALLET SUITE FOR ORKESTER
   (stemmer med, pf. direction) (a) Festivo, (b) Cantilena, (c) Scherzo, by Oskar Gyldmark. c. July 15, 1933.
3. BARE LIDT MED DET
   (pf.) by Jack Williams and Axel Breidahl. c. Mar. 10, 1928.
4. BEDSTEFARS VALS
   (pf.) by Tom Andy and Arvid Muller. c. June 13, 1932.
5. CANTO D'AMORE
   (ork.) by Per Thielmann. c. Jan. 3, 1936.
6. CHARLOTTE FRA CHARLOTTELUND
   (pf.) by Pat O'Henry and Mikkel Kongeson. c. Dec. 12, 1930.
7. DER FINDES IKKE EN SOMDU
   (pf.) by Sula Lewitsch and Alfred Holck. c. Dec. 17, 1930.
8. DU
   (ork.) by Sven Gyldmark and Victor Skaarup, arr. by Carl Hersted. c. June 11, 1936.
9. ERMAASKE EN LILLEPIGE, DER DREMMER OM DIG (E2)
   (pf.) by Alexander Yrneh and Henry Carlsen. c. June 18. 1927.
10. ESKIMOR OG ESKIFAR, KAERLIGHED, PAA GRONLAND
    (pf.) by Billy Snow and Cecil. c. Oct. 3, 1930.
11. FAMILIE VALSEN
    (pf.) by Poul Andersen and Anker Hansen. c. May 23, 1933.
12. FARBRORS VALS
    (ork.) by E. Manuel and Ole Sam, arr. by H. Hoffmark. c. Dec 14, 1934.
13. FESTMARK
    (ork.) by Fini Henriques, arr. by Emil Reesen. c. Mar. 6, 1934.
14. FORAAR I KINA
    (ork.) by Oskar Gyldmark. c. July 6, 1934.
15. GAAR DET IKKE NOK SE'GODT, MED EN LILLIE FOXETROT
    (pf.) by Irving Yowa, Dan Folke and Leif Berg. c. June 15, 1928.
16. GAVOTTE (E2)
    (pf.) by M. Michailow. c. June 18, 1927.
17. HR. POLITIBETJENT, HR. POLITIBETJENT
    (pf.) by Egon Ritz and Mikkel Kongeson. c. Oct. 5, 1930.
18. KALLE
    (pf.) by Ture Anderson, Lasse Karlesen and Karin Anderson. c. July 22, 1930.
19. KOB EN LILLE BLAA VIOL (E2)
    (pf.) by Vincent de Costa. c. Sept. 27, 1927.
20. KONG VALDEMARS JAGT (E2)
    (pf.) by Emil Juel-Frederiksen. c. Nov. 25, 1927.
21. KUN DIG JEG TAENKER PAA
    (pf.) by Pat O'Henry and B. Cecil. c. Oct. 3, 1930.
22. LANDLIG SUITE
    (ork.) by Oskar Gyldmark. c. Feb. 15, 1935.
23. MELODI AMOROSO
    (strygork) by Oskar Gyldmark. c. Jan. 3, 1936.
24. MELODI AMOROSO
    (strygork) by Oskar Gyldmark. c. June 9, 1936.
25. MENUET ALL'ANTICO (E2)
    (pf.) by E. A. Bertelsen. c. Nov. 25, 1927.
26. MINDERNES SPINET (and) PETER OG LISE
    (ork.) 1. by B. Lundgaard, arr. by P. Christiansen; 2. by A. Frederiksen and A. Breidahl, arr. by H. Hoffmark. c. Dec. 30, 1935.
27. MOR KAN IKKE SOVE FOR FAR EN KOMMET HJEM (E2)
    (pf.) by Vincent de Costa. c. June 18, 1927.
28. NORDISK STEMNING (E2)
    (pf.) by Emil Juel-Frederiksen. c. Sept. 27, 1927.
29. OH! MARGOT! FRA KNALLERTEN
    (pf.) by Jose Lopez and Alfred Kjerulf. c. Jan. 9, 1931.
30. OH! TAGMIG MED TIL HAWAII
    (ork.) by W. Eiberg and E. Manuel, arr. by H. Hoffmark. c. Dec. 30, 1935.
31. ROSEN ER FOR HVER EN KVINDE
    (pf.) by Jose Lopez and Alfred Kjerulf. c. Jan 9, 1931.
32. SAETERPIGENS DROMME (E2)
    (pf.) by Emil Juel-Frederiksen. c. Sept. 27, 1927.
33. SERENADE
    (ork.) by Oskar Gyldmark. c. Jan 6, 1932.
34. SPANSK MARSCH
    (ork.) by Oskar Gyldmark. c. Nov. 10, 1932.
35. SPILLEDAASEN
    (pf.) by Ernest Bax. c. Feb. 1, 1929.
36. TANGO HUMORESQUE
    (pf.) by Guiseppe Bonadoni, B. and A. Muller and Ahl-Nelsen. c. May 23, 1933.
37. THORS BRUDEFART (E2)
    (pf.) by Emil Juel-Fredericksen. c. Sept. 27, 1927.
38. TO MINIATURER
    (kammerork) by Oskar Gyldmark. c. Jan. 3, 1936.
39. VED DONANENS BRED
    (ork.) by Andre Verino and Poul Rungwald. c. Dec. 30, 1935.
40. VIL DU DANSE EN RIGTIG TYROLER MED MIG
    (pf.) by E. Manuel, Anker Hansen, and Lasse. c., Dec. 30, 1932.
41. ZIGEUNER MARSCH
    (ork.) by Oskar Gyldmark. c. July 6, 1934.

An examination of the assignment records of the United States Library of Congress disclosed an assignment which was made by ALFRED THORSINGS MUSIKFORLAG to the SESAC. A copy of this assignment, marked Exhibit 109, is attached to and made a part of this report.

On the basis of an investigation made in Denmark, we are advised as follows with regard to this firm:

> "Alfred Thorsings Musikforlag, 13 Vesterbrogade, Copenhagen, Denmark. * * * Importer and retailer of music. Publisher and jobber, orchestral, classical and popular 'sheet' music. Republishing popular American music. * * *"

The 41 musical compositions copyrighted in the United States by this organization are in the Danish language, and probably have a certain performance value to those radio broadcasters who cannot operate in the public interest, convenience and necessity without using Danish music.

The right to represent this organization in the United States is in dispute. The SESAC, in its letter dated November 19, 1936 (Exhibit No. 4) in Item 7a, states: "* * * In indicating that our 'performing rights' in the catalogs of the following * * * Alfred Thorsings Musikforlag, Copenhagen * * * cover 'all rights' therein, we naturally mean such rights for all publications published and controlled by each of the aforementioned firms."

The ASCAP, on page 3 of its January 1, 1936 directory, states that: "ASCAP does have reciprocal agreements whereunder it represents in the United States of America such rights as their members have in this country, with the following foreign societies: Denmark, KODA, International Forbund Til Beskyttelse af Komponistrettigheder I Danmark, Kronprinsessegade 26, Copenhagen, Denmark." Also, on page T-5 in the same directory, the ASCAP identifies ALFRED THORSINGS MUSIKFORLAG as a publisher member of KODA.

Union de Compositores

Barcelona, Spain

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of UNION DE COMPOSITORES, Barcelona, Spain, listed in an announcement by the SESAC dated February 3, 1937, as a publisher or organization included under its license:

Period 1870–1935

No copyright entries found.

Period 1936–April 1, 1937

The following entries:

1. MENTISTE (orch.) by N. Suris. c. Sept. 1, 1936.
2. AMOR DE ESCLAVO (orch.) by Gil Luano. c. Sept. 1, 1936.

An examination of the assignment records of the United States Library of Congress disclosed an assignment which was made by UNION DE COMPOSITORES to the SESAC. A copy of this assignment, marked Exhibit 110, is attached to and made a part of this report.

As an aid in appraising the value of these two compositions in building radio programs for American radio listeners, we again invite your attention to Exhibit 16.

J. Urgelles

Barcelona, Spain

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of J. URGELLES, Barcelona, Spain, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1870–1935

No copyright entries found.

Period 1936–April 1, 1936

The following list:

1. MUCHACHA
   tango, (orch.) by Jose Urgelles. c. Sept. 5, 1936.
2. ROSITA
   tango, (orch.) by Jose Urgelles. c. Sept. 5, 1936.
3. RUMBITA
   rhumba, (orch.) by Jose Urgelles. c. June 9, 1936.
4. RUMBITA (and) TORERO
   (orch.) by Jose Mora. c. June 22, 1936.
5. TORERO
   pasodoble, (orch.) by J. Urgelles. c. June 9, 1936.

An examination of the assignment records of the United States Library of Congress disclosed certain assignments which were made by J. URGELLES to the SESAC. Copies of these assignments, marked Exhibit 111 and Exhibit 112 are attached to and made a part of this report.

As an aid in appraising the value of this music in building radio programs for American radio listeners, we again invite your attention to Exhibit 16.

A. Urmeneta

Barcelona, Spain

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of A. URMENETA, Barcelona, Spain, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1870–1932

No copyright entries found.

Period 1933–April 1, 1937

The following list:

1. AGARRATE (and) SOY ANDALUZA (orch.) by A. Urmeneta. c. Feb. 1, 1933.
2. ANGELILLO (orch.) by A. Urmeneta. c. Feb. 1, 1933.
3. CABO VERDE (orch.) by A. Urmeneta. c. Oct. 1, 1935.
4. CABO VERDE (orch.) by A. Urmeneta. c. Oct. 2, 1935.
5. CLAVELITO (orch.) by A. Urmeneta. c. Dec. 10, 1934.
6. CLAVELITO (orch.) by A. Urmeneta. c. Nov. 25, 1934.
7. CURRITO DE TRIANA (orch.) by A. Urmeneta. c. Sept. 5, 1934.
8. DEL BETIS (orch.) by A. Urmeneta. c. May 3, 1935.
9. DEL CANDIL (orch.) by A. Urmeneta. c. Sept. 5, 1934.
10. DEL CANDIL (and) CURRITO DE TRIANA (orch.) by A. Urmeneta. c. Dec. 14, 1934.
11. ESABORIO (orch.) by A. Urmeneta. c. Feb. 1, 1933.
12. ESO (orch.) by A. Urmeneta. c. Dec. 10, 1934.
13. ESO (orch.) by A. Urmeneta. c. Nov. 25, 1934.
14. FLAMENQUERIA (orch.) by A. Urmeneta. c. Nov. 16, 1934.
15. FLAMENQUERIA (orch.) by A. Urmeneta. c. Dec. 5, 1934.
16. GITANO Y BATURRO (orch.) by A. Urmeneta. c. Aug. 10, 1934.
17. GITANO Y BATURRO (orch.) by A. Urmeneta. c. Nov. 16, 1934.
18. MANDANGA (orch.) by C. Milagros. c. Aug. 1, 1936.
19. MANZANILLA (orch.) by A. Urmeneta. c. Feb. 27, 1935.
20. SOL DE IBERIA (orch.) by A. Urmeneta. c. Jan. 1, 1937.
21. TIO FAROLES (orch.) by A. Urmeneta. c. Dec. 14, 1934.
22. TIO FAROLES (orch.) by A. Urmeneta. c. Dec. 15, 1934.
23. TU MIRAR (orch.) by A. Urmeneta. c. Jan. 15, 1936.

Additional Entries Copyrighted Under the Name of Urmeneta Sesma (Amada) and Sesma (Amado Urmeneta)

Barcelona, Spain

1. BETICA (orch.) by A. Urmeneta. c. Jan. 1, 1936.
2. CIVILON (orch.) by C. Milagros. c. Aug. 1, 1936.
3. DEL BETIS (orch.) by Amado Urmeneta Sesma. c. Mar. 15, 1935.
4. GITANOS (orch.) by A. Urmeneta. c. July 1, 1936.
5. LINDO (orch.) by A. Urmeneta. c. Aug. 1, 1936.
6. MANZANILLA (orch.) by Amado Urmeneta Sesma. c. Feb. 1, 1935.
7. MARI-LUZ (orch.) by C. Milagros. c. Jan. 10, 1935.
8. MARI-LUZ (orch.) by C. Milagros. c. May 29, 1935.
9. MARITARNES (orch.) by Amado Urmeneta. c. Dec. 1, 1935.
10. OJOS NEGROS (orch.) by Amado Urmeneta Sesma. c. Nov. 1, 1935.
11. PASOS LARGOS (orch.) by Angeles Garcia (C. Milagros). c. Dec. 20, 1935.
12. PASOS LARGOS (orch.) by C. Milagros. c. Dec. 27, 1934.
13. RAYITO DE LUZ (orch.) by S. De Randa. c. July 10, 1936.
14. REPOSO (orch.) by A. Urmeneta. c. Feb. 1, 1936.
15. ROSARIYO (orch.) by A. Urmeneta. c. Feb. 1, 1936.
16. TU MANTILLA (orch.) by Angeles Garcia (C. Milagros). c. Apr. 4, 1935.
17. TU MANTILLA (orch.) by C. Milagros. c. May 3, 1935.
18. 6 DE ENERO (orch.) by A. Urmeneta. c. Feb. 1, 1936.

An examination of the assignment records of the United States Library of Congress disclosed certain assignments which were made by A. URMENETA to the SESAC. Copies of these assignments, marked Exhibits 113 to 122 inclusive, are attached to and made a part of this report.

As an aid in appraising the value of this music in building radio programs for American radio listeners, we again invite your attention to Exhibit 16.

Vincent, Howard & Preeman, Ltd.

Los Angeles, California

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following copyright entries under the name VINCENT, HOWARD & PREEMAN, LTD., Los Angeles, California, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license:

1. GOLDEN RIVER (song) by Stuart Hamblen. c. Jan. 4, 1932.
2. I'M ALWAYS RUNNING AFTER RAINBOWS BUT THEY SEEM TO HAVE FUN IN RUNNING AWAY FROM ME (song) by Fred Howard and Nat Vincent. c. Apr. 1, 1931.
3. LITTLE GIRL DRESSED IN BLUE (song) by F. N. Vinard. c. Oct. 25, 1932.
4. LITTLE OLD RAG DOLL (song) by Stuart Hamblen. c. Jan 4, 1932.
5. MELLOW ALABAMA MOON (song) by Fred Howard and Nat Vincent. c. Nov. 4, 1931.
6. OLD BLACK MOUNTAIN TRAIL (song) by Fred Howard and Nat Vincent. c. Nov. 4, 1931.
7. ON A SAPPHIRE SEA JUST YOU AND ME (song) by Fred Howard and Nat Vincent. c. Oct. 11, 1932.
8. ONE MAD NIGHT OF LOVE (song) by Desider Josef Vecsei, Fred Howard and Nat Vincent. c. May 14, 1931.
9. ROCK ME TO SLEEP IN MY ROCKY MOUNTAIN HOME (song) by George Brown, Willie Baskin, Fred Howard, and Nat Vincent. c. Feb. 2, 1931.
10. STEER'S LAMENT NEARING THE END OF THE TRAIL (song) by Fred Howard and Nat Vincent. c. Apr. 27, 1931.
11. STRAWBERRY ROAN (song) by Fred Howard and Nat Vincent. c. Mar. 16, 1931.
12. THERE'S A ROBIN SINGING IN THE OLD PINE TREE (song) by Fred Howard and Nat Vincent. c. Apr. 27, 1931.
13. WONDER VALLEY (song) by Fred Howard and Nat Vincent. c. Mar. 16, 1931.
14. WATCHING AND WAITING AT THE END OF THE TRAIL FOR YOU (song) by Raymond B. Elred and Clare S. Elred. c. June 26, 1931.
15. WE'LL SEE THE HARD TIMES THROUGH (song) by Fred Howard and Nat Vincent. c. Aug. 21, 1931.

The above examination also disclosed four copyright entries under the name VINCENT & HOWARD, LTD., Los Angeles, California, and as these entries are included in an assignment (see Exhibit 123) to the M. M. COLE PUBLISHING COMPANY, Chicago, Illinois, referred to below, they are listed as follows:

1. GAL ON THE FLYING TRAPEZE (song) by Fred Howard and Nat Vincent. c. Sept. 5, 1934.
2. IT'S HEAVEN TO ME (song) by Fred Howard and Nat Vincent. c. Jan. 6, 1933.
3. ME AND MY BURRO (song) by Fred Howard and Nat Vincent. c. Aug. 22, 1934.
4. BRING YOUR ROSES TO HER NOW (song) by John Ennis and Lem Giles. c. Feb. 2, 1931.

The above examination also disclosed fifteen copyright entries under the name MORSE M. PREEMAN, Los Angeles, California, and as certain of these entries are included in an assignment (see Exhibit 123) to the M. M. COLE PUBLISHING COMPANY, Chicago, Illinois, referred to below, they are listed as follows:

1. BY THE DREAMY TENNESSEE (song) by Fred Howard, Nat Vincent and George M. Tidd. c. Oct. 1, 1930.
2. CURLEW, CRY NO MORE (song) by Lois Mills and John Ingold. c. Sept. 16, 1930.
3. I SEE YOUR DADDY IN YOU (song) by Milton Brockman, Jules Herman and Harry Walker. c. Aug. 28, 1930.
4. ITS TIME TO SAY ALOHA (song) by Fred Howard and Nat Vincent. c. Oct. 1, 1930.
5. MAKE UP YOUR MIND TO WIND UP IN SUNNY CALIFORNIA (song) by Fred Howard and Nat Vincent. c. May 21, 1930.
6. MELLOW MOUNTAIN MOON (song) by Fred Howard and Nat Vincent. c. Aug. 14, 1930.
7. MY PRETTY QUADROON (male quartet) by Fred Howard and Nat Vincent, arr. by Freeman High. c. June 25, 1930.
8. PRETTY QUADROON (song) by Fred Howard and Nat Vincent. c. Aug. 28, 1930.
9. SKIES (song) by John Paul Ogle. c. Apr. 1, 1931.
10. SURF (song) by Myrtle Hill and Elizabeth Ellis Scantlebury. c. May 21, 1930.
11. TABLES HAVE TURNED, THE ONE WHO'S CRYING IS YOU (song) by Fred Howard and Nat Vincent. c. Oct. 1, 1930.
12. TWO TREES (male voices) by Elinor Remick Warren and Irene Maunder. c. Apr. 29, 1930.
13. WHEN IT'S AUTUMN IN THE HILLS OF CALIFORNIA (song) by Jessie Warren Dunford. c. Apr. 9, 1932.
14. WHEN THE BLOOM IS ON THE SAGE (song) by Fred Howard and Nat Vincent. c. May 6, 1930.
15. WHEN YOU THINK A WHOLE LOT ABOUT SOMEONE AND THAT SOMEONE THINKS NOTHING OF YOU (song) by Fred Howard and Nat Vincent. c. May 26, 1931.

An examination of the records of assignments in the Library of Congress disclosed the following assignment by VINCENT & HOWARD, LTD., Los Angeles, California, to M. M. COLE PUBLISHING COMPANY, Chicago, Illinois, a copy of which marked Exhibit 123 is attached to and made a part of this report. It will be observed that 34 entries are listed above and 29 titles appear in the assignment. Twenty-seven of the titles appear in one or the other of the three lists set forth above and two, namely, "Sweet Dreams, Sweetheart" and "In the Little Old Green Valley School" were subsequently copyrighted on February 12, 1935 by M. M. Cole Publishing Co.

We call attention to the fact that Nat Vincent, composer of a majority of the above compositions, is listed in the 1925, 1931 and 1936 editions of the ASCAP Directory as a member of the ASCAP. The complications arising from the fact that a composer is a member of the ASCAP are discussed in the foreword of this report.

Vitak-Elsnic Co.

Chicago, Illinois

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of VITAK-ELSNIC COMPANY, Chicago, Illinois, listed in the SESAC brochure dated June 1, 1936, as a publisher or organization included under its license.

Period 1870–1923

No copyright entries found.

Period 1924–1927

The following list:

1. AMERICAN MARCH (orch.) by Louis Vitak. c. Nov. 25, 1924.
2. AMERICAN MARCH (band) by Louis Vitak. c. Nov. 25, 1924.
3. AMERICAN MARCH. (pf.) by Louis Vitak. c. Nov. 25, 1924.
4. BARITONE-POLKA (band) arr. by Louis Vitak. c. Sept. 1, 1924.
5. BARITONE-POLKA (orch.) arr. by Louis Vitak. c. Sept. 1, 1924.
6. BEE HIVE (band) arr. by K. Echtner. c. July 3, 1926.
7. BEE HIVE (orch.) arr. by K. Echtner. c. July 31, 1926.
8. BETTY (band) arr. by Louis Vitak. c. July 31, 1926.
9. BETTY (orch.) arr. by Louis Vitak. c. July 31, 1926.
10. CARE-FREE POLKA (band) arr. by Louis Vitak. c. Dec. 28, 1925.
11. CARE-FREE POLKA (orch.) arr. by Louis Vitak. c. Dec. 28, 1925.
12. CARNIVAL (Masopustni) (band) by A. Aust, arr. by Louis Vitak. c. Dec. 27, 1924.
13. CARNIVAL (Masopustni) (orch.) arr. by Louis Vitak. c. Dec. 4, 1924.
14. CARNIVAL (Masopustni) (band) arr. by Louis Vitak. c. Dec. 4, 1924.
15. CARNIVAL (Masopustni) (orch.) by A. Aust, arr. by Louis Vitak. c. Dec. 27, 1924.
16. CIRCLING PIGEONS (band) by Karel Echtner. c. July 11, 1925.
17. CIRCLING PIGEONS (orch.) by Karel Echtner. c. July 11, 1925.
18. CZARDAS TEMESVAR (band) arr. by Paul Korkos. c. July 11, 1925.
19. CZARDAS TEMESVAR (orch.) arr. by Paul Korkos. c. July 11, 1925.
20. DEVOTION POLKA (band) arr. by Louis Vitak. c. Dec. 28, 1925.
21. DEVOTION POLKA (orch.) arr. by Louis Vitak. c. Dec. 28, 1925.
22. DREAM POLKA (band) arr. by Louis Vitak. c. May 15, 1925.
23. DREAM POLKA (orch.) arr. by Louis Vitak. c. May 15, 1925.
24. FARMERS POLKA (band) arr. by Louis Vitak. c. Aug. 6, 1926.
25. FARMERS POLKA (orch.) arr. by Louis Vitak. c. Aug. 6, 1926.
26. FORGET-ME-NOT (concertina) arr. by Louis Vitak. c. July 31, 1926.
27. G. & V. POLISH DANCE ORCH. COLLECTION NO 1 (orch.) arr. by Louis Vitak. c. July 13, 1925.
28. G. & V. POLISH DANCE ORCH. COLLECTION NO. 2 (B flat Tenor Saxophone) arr. by Louis Vitak. c. Dec. 28, 1925.
29. G. & V. POLISH DANCE ORCH. COLLECTION NO. 2 (bass) arr. by Louis Vitak. c. Dec. 28, 1925.
30. G. & V. POLISH DANCE ORCH. COLLECTION NO. 2 (clarinet in A) arr. by Louis Vitak. c. Dec. 28, 1925.
31. G. & V. POLISH DANCE ORCH. COLLECTION NO. 2 (1st violin or saxophone) arr. by Louis Vitak. c. Dec. 28, 1925.
32. G. & V. POLISH DANCE ORCH. COLLECTION NO. 2 (concertina) arr. by Louis Vitak. c. Dec. 28, 1925.
33. G. & V. POLISH DANCE ORCH. COLLECTION NO. 2 (drums) arr. by Louis Vitak. c. Dec. 28, 1925.
34. G. & V. POLISH DANCE ORCH. COLLECTION NO. 2 (E flat alto saxophone) arr. by Louis Vitak. c. Dec. 28, 1925.
35. G. & V. POLISH DANCE ORCH. COLLECTION NO 2 (flute) arr. by Louis Vitak. c. Dec. 28, 1925.
36. G. & V. POLISH DANCE ORCH. COLLECTION NO. 2 (pf. accd.) arr. by Louis Vitak. c. Dec. 28, 1925.
37. G. & V. POLISH DANCE ORCH. COLLECTION NO. 2 (violin, cello or trombone) arr. by Louis Vitak. c. Dec. 28, 1925.
38. G. & V. POLISH DANCE ORCH. COLLECTION NO. 2 (2nd violin) arr. by Louis Vitak. c. Dec. 28, 1925.
38. G. & V. POLISH DANCE ORCH. COLLECTION NO. 2 (2nd violin) arr. by Louis Vitak. c. Dec. 28, 1925.
39. G. & V. POLISH DANCE ORCH. COLLECTION NO. 2 (1st & 2nd cornet in A) arr. by Louis Vitak. c. Dec. 28, 1925.
40. HELENA (band) arr. by Louis Vitak. c. Dec. 28, 1925.
41. HELENA (orch.) arr. by Louis Vitak. c. Dec. 28, 1925.
42. HOLZAUCTION (band) arr. by Louis Vitak. c. July 31, 1926.
43. HOLZAUCTION (orch.) arr. by Louis Vitak. c. July 31, 1926.
44. HOME COMING DAY (concertina) arr. by Al. H. Vetter. c. Dec. 28, 1925.
45. HOPELESS (Beznadeje) (band) arr. by Louis Vitak. c. Dec. 27, 1924.
46. HOPELESS (concertina) arr. by Louis Vitak. c. July 31, 1926.
47. HOPELESS (Beznadeje) (orch.) arr. by Louis Vitak. c. Dec. 27, 1924.

48. HOPELESS (concertina) arr. by Louis Vitak. c. Dec. 28, 1925.
49. HUBICKA POLKA (band) arr. by K. Echtner. c. Sept. 1, 1924.
50. HUBICKA POLKA (orch.) arr. by K. Echtner. c. Sept. 1, 1924.
51. IN THE GREENWOOD SHADE (band) arr. by K. Echtner. c. July 31, 1926.
52. IN THE GREENWOOD SHADE (orch.) arr. by K. Echtner. c. July 31, 1926.
53. ISABELLA AND MARIECHEN (band) arr. by Louis Vitak. c. Sept. 1, 1924.
54. ISABELLA AND MARIECHEN (orch.) arr. by Louis Vitak. c. Sept. 1, 1924.
55. JOLLY LUMBERJACK (band) arr. by Louis Vitak. c. Dec. 28, 1925.
56. JOLLY LUMBERJACK (orch.) arr. by Louis Vitak. c. Dec. 28, 1925.
57. KISS (concertina) arr. by Louis Vitak. c. July 31, 1926.
58. KOZAK WALTZ (concertina) arr. by Louis Vitak. c. Dec. 28, 1924.
59. KUJAWIAK MUSZYNSKIEGO (concertina) arr. by S. Muszynski. c. Dec. 28, 1924.
60. LAKSTUTO POLKA (concertina) arr. by Louis Vitak. c. Dec. 28, 1925.
61. LITTLE SAZAVA POLKA (band) arr. by Louis Vitak. c. July 31, 1926.
62. LITTLE SAZAVA POLKA (orch.) arr. by Louis Vitak. c. July 31, 1926.
63. MAYFLOWER POLKA (band) arr. by Karel Echtner. c. Dec. 28, 1925.
64. MAYFLOWER POLKA (orch.) arr. by Karl Echtner. c. Dec. 28, 1925.
65. MEMORIES (band) arr. by Louis Vitak. c. May 15, 1925.
66. MEMORIES (orch.) arr. by Louis Vitak. c. May 15, 1925.
67. MY LITTLE DARLING (band) arr. by Louis Vitak. c. Dec. 4, 1924.
68. MY LITTLE DARLING (band) by J. Kasik, arr. by Louis Vitak. c. Dec. 27, 1924.
69. MY LITTLE DARLING (orch.) arr. by J. Kasik. c. Dec. 27, 1924.
70. MY LITTLE DARLING (orch.) arr. by Louis Vitak. c. Dec. 4, 1924.
71. NA-JARE (band) arr. by Josef Narovec. c. May 15, 1925.
72. NA PREJ MARCH (orch.) arr. by Louis Vitak. c. July 31, 1926.
73. NA TE LOUCE ZELENY (concertina) arr. by Louis Vitak. c. Dec. 28, 1925.
74. NATIONAL GUARD MARCH (orch.) arr. by Louis Vitak. c. July 11, 1925.
75. NATIONAL GUARD MARCH (band) arr. by Louis Vitak. c. July 11, 1925.
76. OF OLDEN DAYS (band) arr. by Louis Vitak. c. Sept. 7, 1926.
77. OF OLDEN DAYS (orch.) arr. by Louis Vitak. c. Sept. 7, 1926.
78. ON THE GREEN MEADOW (band) arr. by Louis Vitak. c. Sept. 1, 1924.
79. ON THE GREEN MEADOW (orch.) arr. by Louis Vitak. c. Sept. 1, 1924.
80. ON THE LAKE (band) arr. by K. Echtner. c. Sept. 1, 1924.
81. ON THE LAKE (orch.) arr. by K. Echtner. c. Sept. 1, 1924.
82. OUR KATY (band) arr. by Louis Vitak. c. Sept. 7, 1926.
83. OUR KATY (orch.) arr. by Louis Vitak. c. Sept. 7, 1926.
84. PAPILION (band) arr. by K. Echtner. c. Sept. 1, 1924.
85. PAPILION (orch.) arr. by K. Echtner. c. Sept. 1, 1924.
86. POLISH DANCE COLLECTION NO. 1 (piano) arr. by Louis Vitak. c. Dec. 28, 1925.
87. POLSKA DREW-KUJAWIAK (concertina) arr. by Louis Vitak. c. Dec. 28, 1925.
88. POD TYM NASIM OKENECKOM (band) arr. by Karel Echtner. c. July 11, 1925.
89. POD TYM NASIM OKENECKOM (orch.) arr. by K. Echtner. c. July 11, 1925.
90. PURE AS SNOW (band) arr. by K. Echtner. c. July 31, 1926.
91. PURE AS SNOW (orch.) arr. by K. Echtner. c. July 31, 1926.
92. ROMEO (band) arr. by K. Echtner. c. Sept. 1, 1924.
93. ROMEO (orch.) arr. by K. Echtner. c. Sept. 1, 1924.
94. RUSTLING OF THE FLOWERS (Sepot Kvetin) (band) by E. Stolc, arr. by Louis Vitak. c. Dec. 27, 1924.
95. RUSTLING OF THE FLOWERS (Sepot Kvetin) (orch.) by E. Stolc, arr. by Louis Vitak. c. Dec. 27, 1924.
94. SLAVISH MAID POLKA (concertina) arr. by Louis Vitak. c. July 31, 1926.
97. SLAVISH MAID POLKA (slovacka band) arr. by Karel Echtner. c. Dec. 28, 1925.
98. SLAVISH MAID POLKA (slovacka orch.) arr. by Karel Echtner. c. Dec. 28, 1925.
99. SOLDIERS GREETING (band) arr. by K. Echtner. c. July 31, 1926.
100. SOLDIERS GREETING (orch.) arr. by K. Echtner. c. Dec 31, 1926.
101. SPRINGTIME (concertina) arr. by Louis Vitak. c. July 31, 1926.
102. TEMESVAR (band) arr. by Louis Vitak. c. Dec. 28, 1925.
103. TEMESVAR (orch.) arr. by Louis Vitak. c. Dec. 28, 1925.
104. UNDER THE BRIDGE (band) arr. by Louis Vitak. c. July 31, 1926.
105. UNDER THE BRIDGE (orch.) arr. by Louis Vitak. c. July 31, 1926.
106. Z MODLINA OBEREK (concertina) arr. by M. A. Springer. c. Dec. 28, 1925.

1927–April 1, 1937

The following list:

1. AMAZON (orch.) arr. by K. Echtner. c. Sept. 28, 1929.
2. AMAZON (band) arr. by K. Echtner. c. Sept. 28, 1929.
3. ANDZIA s KEDEKSEM (concertina) arr. by M. Zmyslo. c. Dec. 20, 1928.
4. BALLET DANCER (band) arr. by K. Echtner. c. Sept. 28, 1929.
5. BALLET DANCER (orch.) arr. by K. Echtner. c. Sept. 28, 1929.
6. BARUSKA (orch.) arr. by Louis Vitak. c. Feb. 15, 1927.

7. BERTHA (orch.) arr. by Frank Tryner. c. Apr. 26, 1927.

8. BILY KVITECEK-POCHOD (pf.) arr. by Louis Vitak. c. June 25, 1928.

9. BOLERAZ (slovensky pochod) (band) arr. by Karel Echtner. c. Sept. 19, 1927.

10. BOLI ME HLAVICKA (concertina) arr. by J. P. Elsnic. c. Dec. 10, 1929.

11. BOLI ME HLAVICKA (orch.) arr. by Karel Echtner. c. Apr. 26, 1927.

12. BONO POLKA (band) arr. by K. Echtner. c. Sept. 28, 1929.

13. BONO POLKA (orch.) arr. by K. Echtner. c. Sept. 28, 1929.

14. BUFFALOWSKI RHEINLANDER (orch.) arr. by Louis Vitak. c. Feb. 15, 1927.

15. BUKOWINA MAZUREK (E2) (pf.) arr. by Louis Vitak. c. July 16, 1927.

16. BUKOWINA MAZUREK (concertina) arr. by Louis Vitak. c. Sept. 19, 1927.

17. BUKOWINA MAZUREK (concertina) arr. by Louis Vitak. c. Aug. 1, 1927.

18. BUSBY POLKA (orch.) arr. by Louis Vitak. c. Feb. 15, 1927.

19. CAMPTOWN RACES (concertina) arr. by Elsnic. c. Dec. 1, 1930.

20. CERNA MUSI BYT (concertina) arr. by Jos. P. Elsnic. c. June 20, 1928.

21. CERVANA MODRA FIALA (orch.) arr. by K. Echtner. c. Apr. 26, 1927.

22. CERVENY SATECEK (orch.) arr. by K. Echtner. c. Apr. 26, 1927.

23. CERVENY SATECEK (pf.) arr. by Louis Vitak. c. June 25, 1925.

24. CHILDREN'S SONGS AND GAMES (concertina) arr. by Jos. P. Elsnic. c. June 20, 1928.

25. CIRCLING PIGEONS (concertina) arr. by Jos. P. Elsnic. c. Dec. 1, 1930.

26. CLARINET POLKA (orch. with clar. solo) arr. by K. Echtner. c. June 20, 1928.

27. COME COME (band) arr. by Louis Vitak. c. Feb. 15, 1927.

28. COME COME (orch.) arr. by Louis Vitak. c. Feb. 15, 1927.

29. CUCKOO WALTZ (pf.) arr. by Louis Vitak. c. June 25, 1928.

30. CUCKOO WALTZ (band) arr. by Louis Vitak. c. Sept. 19, 1927.

31. CUCKOO WALTZ (orch.) arr. by Louis Vitak. c. Sept. 19, 1927.

32. CZTERY BRACI MAZUREK (orch.) arr. by Louis Vitak. c. Feb. 15, 1927.

33. DO UCIECHY POLSKIEGO TANCA (concertina) arr. by M. Zmyslo. c. Dec. 10, 1929.

34. EMILIA (band) arr. by Louis Vitak. c. Sept. 19, 1927.

35. EMILIA (orch.) arr. by Louis Vitak. c. Sept. 10, 1927.

36. ES-AS POLKA (band) arr. by K. Echtner. c. Dec. 10, 1929.

37. ES-AS POLKA (orch.) arr. by K. Echtner. c. Dec. 10, 1929.

38. FARMERS' POLKA (concertina) arr. by Louis Vitak. c. June 20, 1928.

39. FAVORITE POLKA (band) arr. by K. Echtner. c. Nov. 21, 1931.

40. FAVORITE POLKA (orch.) arr. by K. Echtner. c. Nov. 21, 1931.

41. FURMAN-KRAKOWIAK (orch.) arr. by Louis Vitak. c. Feb. 15, 1927.

42. GAME OF CHANCE (band) arr. by Karel Echtner. c. Feb. 15, 1927.

43. GAME OF CHANCE (orch.) arr. by Karel Echtner. c. Feb. 15, 1927.

44. GORALSKA POLKA No. 2 (concertina) arr. by Geo. Paluch. c. Dec. 20, 1928.

45. GRACEFUL POLKA (band) arr. by Karel Echtner. c. June 20, 1928.

46. GRACEFUL POLKA (orch.) arr. by Karel Echtner. c. June 20, 1928.

47. HUBATA VALCIK (orch.) arr. by K. Echtner. c. April 26, 1927.

48. ICEK REKRUT (concertina) by Frank Dulki, arr. by Louis Vitak. c. Oct. 20, 1928.

49. IN MELANCHOLY MOMENT (band) arr. by Karel Echtner. c. June 20, 1928.

50. IN MELANCHOLY MOMENT (orch.) arr. by Karel Echtner. c. June 20, 1928.

51. JETELICKU V LESE (concertina) arr. by J. Paul Elsnic. c. Dec. 10, 1929.

52. JOLLY COPPERSMITH (orch.) arr. by Karel Echtner. c. Feb. 15, 1927.

53. JOLLY COPPERSMITH (band) arr. by Karel Echtner. c. Feb. 15, 1927.

54. JOLLY TINSMITH (band) arr. by Karel Echtner. c. Dec. 1, 1930.

55. JOLLY TINSMITH (orch.) arr. by Karel Echtner. c. Dec. 1, 1930.

56. JOZEFINA-POLKA (orch.) arr. by L. Vitak. c. Feb. 15, 1927.

57. JULIA POLKA (concertina) arr. by J. P. Elsnic. c. Dec. 20, 1928.

58. JUTKA-POLKA (orch.) arr. by Louis Vitak. c. Feb. 15, 1927.

59. KAS BUS POLKA (concertina) arr. by Louis Vitak. c. Dec. 10, 1929.

60. KATARZYNA-POLKA (orch.) arr. by Louis Vitak. c. Feb. 15, 1927.

61. KISVARDA (orch.) arr. by Louis Vitak. c. June 20, 1928.

62. KOLOMYJKA UKRAINSKA (concertina) arr. by J. P. Elsnic. c. Dec. 1, 1930.

63. KOSAKEN-POLKA (orch.) arr. by L. Vitak. c. Feb. 15, 1927.

64. KU PRAZE JE CESTA DLOUHA (orch.) arr. by L. Vitak. c. Apr. 26, 1927.

65. KUKULECKA (concertina) by Frank Dukli, arr. by Louis Vitak. c. July 10, 1928.

66. KUKULECKA POLKA (E2) (concertina) by Frank Dukli, arr. by Louis Vitak. c. June 9, 1928.

67. LAMENT PIJAKA (concertina) arr. by L. Vitak. c. Dec. 10, 1929.

68. LAUTERBACH (band) arr. by L. Vitak. c. Sept. 28, 1929.

69. LAUTERBACH (orch.) arr. by L. Vitak. c. Sept. 28, 1929.

70. LIBUSE VALCIK (concertina) arr. by L. Vitak. c. Dec. 31, 1927.

71. LINDENAU-POLKA (band) arr. by L. Vitak. c. Dec. 10, 1928.

72. LINDENAU-POLKA (orch.) arr. by Louis Vitak. c. Dec. 10, 1928.

73. LITHUANIAN DANCE FOLIO (pf.) arr. by L. Vitak. c. Oct. 20, 1928.

74. LITHUANIAN ORCHESTRA DANCE FOLIO NO. 2 (orch.) arr. by L. Vitak. c. Nov. 20, 1928.

75. LITTLE BROWN JUG (concertina) arr. by J. P. Elsnic. c. Dec. 1, 1930.

76. LOUCENI, LOUCENI
(orch.) arr. by Louis Vitak. c. Apr. 26, 1927.

77. LOVELY MARY
(band) arr. by Louis Vitak. c. Dec. 10, 1928.

78. LOVELY MARY
(orch.) arr. by Louis Vitak. c. Dec. 10, 1928.

79. LUNA
(concertina) arr. by J. P. Elsnic. c. Dec. 1, 1930.

80. LUNA—CSARDAS
(orch.) arr. by Louis Vitak. c. Sept. 28, 1929.

81. MANDOLA-WALC
(orch.) arr. by Louis Vitak. c. Feb. 15, 1927.

82. MAY BELLS
(band) arr. by Louis Vitak. c. Feb. 15, 1927.

83. MAY BELLS
(orch.) arr. by Louis Vitak. c. Feb. 15, 1927.

84. MEMORIES POLKA
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85. MILITARY POLKA
(concertina) arr. by Jos. P. Elsnic. c. Dec. 20, 1928.

86. MODLINA OBEREK
(orch.) arr. by L. Vitak. c. Feb. 15, 1927.

87. NA BOISKU (E2)
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88. NA BOISKU
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89. NA NASI PUDE STRASI
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90. NA NASI PUDE STRASI
(orch.) arr. by Louis Vitak. c. June 20, 1928.

91. NA NASI PUDE STRASI
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92. NA NASI PUDE STRASI
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93. NA OKENKO TUKY, TUKY
(orch.) arr. by Karel Echtner. c. Apr. 26, 1927.

94. NA OKOLA CZARNY LAS
(concertina) arr. by Louis Vitak. c. Aug. 1, 1927.

95. NA OKOLA CZARNY LAS
(concertina) arr. by Louis Vitak. c. Sept. 19, 1927.

96. NA OKOLA CZARNY LAS
(orch.) arr. by Louis Vitak. c. Feb. 15, 1927.

97. NA ROZLOUCENOU
(orch.) arr. by Louis Vitak. c. Apr. 26, 1927.

98. NA WYKRETKE-OBEREK
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99. NA ZIELONY LACE-POLKA
(concertina) arr. by L. Vitak. c. Apr. 26, 1927.

100. NALEZENEC
(orch.) arr. by Karel Echtner. c. Apr. 26, 1927.

101. NAS MATEJ
(band) arr. by Karel Echtner. c. Feb. 15, 1927.

102. NAS MATEJ
(orch.) arr. by Karel Echtner. c. Feb. 15, 1927.

103. NEM VAGY LEGENY BERCI
(orch.) arr. by L. Vitak. c. Dec. 10, 1928.

104. NEPUJDEME SPAT AZ RANO V SEST
(band) arr. by Louis Vitak. c. Sept. 28, 1929.

105. NEPUJDEME SPAT AZ RANO V SEST
(concertina) arr. by Louis Vitak. c. Dec. 10, 1929.

106. NEPUJDEME SPAT AZ RANO V SEST
(orch.) arr. by Louis Vitak. c. Sept. 28, 1929.

107. NIE! NIE! JA ZENIC NIE CHCE SIE
(concertina) arr. by Louis Vitak. c. Feb. 15, 1927.

108. NIE! NIE! JA ZENIC NIE CHCE SIE
(orch.) arr. by Louis Vitak. c. Feb. 15, 1927.

109. NIKTO TO NAM NIEMO ZE
(concertina) by Frank Dukli, arr. by L. Vitak. c. Oct. 20, 1928.

110. O VY PTACKOVE
(orch.) arr. by Louis Vitak. c. Apr. 26, 1927.

111. OBERECK KRAKOWSKI
(orch.) arr. by Louis Vitak. c. Feb. 15, 1927.

112. OBERECK PODLASKI
(concertina) arr. by J. P. Elsnic. c. Dec. 10, 1929.

113. OBERTAS Z DUKLI
(concertina) arr. by L. Vitak. c. Aug. 1, 1927.

114. OBERTAS Z DUKLI
(concertina) arr. by L. Vitak. c. Sept. 19, 1927.

115. OJ TEN MAZUR CZYSTA BIEDA
(orch.) arr. by L. Vitak. c. Feb. 15, 1927.

116. OKLAMANE SRDCE
(orch.) by Karel Sejk, arr. by K. Echtner. c. June 10, 1936.

117. OSTATNIE MARZENIA-WALC
(orch.) arr. by L. Vitak. c. Feb. 15, 1927.

118. OVER THE OCEAN WAVES
(concertina) arr. by J. P. Elsnic. c. Dec. 1, 1930.

119. PEKNA HODINKA
(orch.) arr. by F. Tryner. c. Apr. 26, 1927.

120. PERLACHER LAENDLER
(concertina) arr. by Jos. P. Elsnic. c. June 20, 1928.

121. PIJE KUBA DO JAKUBA
(concertina) arr. by L. Vitak. c. Dec. 1, 1930.

122. PIVO CERVENE
(orch.) arr. by L. Vitak. c. Apr. 26, 1927.

123. PO NASZEMU-MAZURKA
(orch.) arr. by L. Vitak. c. Feb. 15, 1927.

124. POJD, POJD
(pf.) arr. by L. Vitak. c. Apr. 26, 1927.

125. POJD, POJD-VALCIK
(concertina) arr. by L. Vitak. c. Dec. 10, 1929.

126. POJEDZ GDZIE JA JADE-MARSZ
(orch.) arr. by L. Vitak. c. Feb. 15, 1927.

127. POLISH DANCE COLLECTION, NO. 2
(pf.) arr. by L. Vitak. c. Sept. 19, 1927.

128. POLISH DANCE COLLECTION, NO. 2
(pf. and accd.) arr. by L. Vitak. c. Dec. 11, 1930.

129. POLISH DANCE COLLECTION NO. 4
(orch.) arr. by L. Vitak. c. Dec. 11, 1930.

130. POLKA Z DEBOWCA
(concertina) by Frank Dukli, arr. by L. Vitak. c. Oct. 29, 1927.

131. POLSKA KREW-KUJAWIAK
(orch.) arr. by L. Vitak. c. Feb. 15, 1927.

132. POLUDNIOWY GALOP NO. 1
(orch.) arr. by L. Vitak. c. Feb. 15, 1927.

133. POMALUSKY NAWRACAICIE
(concertina) by Frank Dukli, arr. by Louis Vitak. c. Oct. 20, 1928.

134. RITKA BUZA-CZARDAS
(concertina) arr. by L. Vitak. c. Dec. 10, 1929.

135. RITKA BUZA-CZARDAS
(orch.) arr. by L. Vitak. c. June 20, 1928.

136. ROTWAND LAENDLER
(concertina) arr. by J. P. Elsnic. c. June 20, 1928.

137. RUSTLING OF THE FLOWERS
(orch.) arr. by J. P. Elsnic. c. Dec. 1, 1930.

138. SA NASIM SADEM
(pf.) arr. L. Vitak. c. June 25, 1928.

139. SHARPSHOOTERS.
(band) by G. Metallo, arr. by Charles Echtner. c. Dec. 31, 1927.

140. SHARPSHOOTERS
(orch.) by G. Metallo, arr. by C. Echtner. c. Dec. 31, 1927.

141. SHARPSHOOTERS (pf.) by G. Metallo, arr. by C. Echtner. c. Dec. 31, 1927.

142. SITAS SOKIS DEL VISU (concertina) arr. by Louis Vitak. c. Dec. 10, 1929.

143. SMUTNA DZIEWCZYNA (E2) (concertina) by Frank Dukli, arr. by L. Vitak. c. June 9, 1928.

144. SPORKI WOJSKOWE (concertina) arr. by L. Vitak. c. June 20, 1928.

145. SPRINGTIME POLKA (accd.) arr. by J. P. Elsnic. c. Dec. 10, 1931.

146. SPRINGTIME (concertina) arr. by L. Vitak. c. Feb. 15, 1927.

147. STARY KMIOTEK OBERTAS MAZUR (orch.) arr. by L. Vitak. c. Feb. 15, 1927.

148. STOJI HRUSKA V SIREM POLI (orch.) arr. by Karel Echtner. c. Apr. 26, 1927.

149. SUPKINJA-KOLO (and) NATALIJA-KOLO (concertina) arr. by L. Vitak. c. Sept. 19, 1927.

150. SWEET VIOLETS (band) arr. by L. Vitak. c. Sept. 19, 1927.

151. SWEET VIOLETS (orch.) arr. by L. Vitak. c. Sept. 19, 1927.

152. TA NASE KACKA POLKA (pf. accd.) arr. by J. P. Elsnic. c. Dec. 10, 1931.

153. TAM ZA TEMI KRKONOSI (orch.) arr. by L. Vitak. c. Apr. 26, 1927.

154. TINKER (band) arr. by L. Vitak. c. June 20, 1928.

155. TINKER (orch.) arr. by L. Vitak. c. Dec. 31, 1927.

156. UPARTA DZIEWCZYNA (concertina) arr. by L. Vitak. c. Aug. 1, 1927.

157. UPARTA DZIEWCZYNA (concertina) arr. by L. Vitak. c. Sept. 19, 1927.

158. UPARTA DZIEWCZYNA (pf.) arr. by L. Vitak. c. July 16, 1927.

159. UZ MOU MILOU NA ODDAVKY VEDOU (orch.) arr. by K. Echtner. c. Apr. 26, 1927.

160. V-E POLISH DANCE ORCHESTRA COLLECTION NO. 5 arr. by L. Vitak. c. Dec. 10, 1929.

161. V ZATISI (orch.) arr. by K. Echtner. c. Apr. 26, 1927.

162. VIENI SUL MARE (concertina) arr. by J. P. Elsnic c. Dec. 10, 1929.

163. VSECHNY HOLKY TANCUJOU (orch.) arr. by L. Vitak. c. Apr. 26, 1927.

164. WALTZ Z WIDNIA (E2) (concertina) arr. by L. Vitak. c. June 26, 1928.

165. WESELE U WITOSA-KRAKOWIAK (concertina) arr. by L. Vitak. c. Oct. 1, 1927.

166. WESOLA KUJAWIANKA MAZUR (concertina) arr. by M. Zmyslo. c. Dec. 31, 1927.

167. WESOLY GORAL-MAZUR (orch. arr. by L. Vitak. c. Feb. 15, 1927.

168. WESOLA KUJAWIANKS MAZUR (concertina) arr. by M. Zmyslo. c. Oct. 1, 1927.

169. WIRZBICKIEGO (E2) (concertina) by Frank Dukli, arr. by L. Vitak. c. June 9, 1928.

170. WOODLAND IDYL (band) arr. by K. Echtner. c. Sept. 28, 1929.

171. WOODLAND IDYL (orch.) arr. by K. Echtner. c. Jan. 10, 1929.

172. WSZYSTKIE SIE POLA ZAZIELENILYWAC (orch.) arr. by L. Vitak. c. Feb. 15, 1927.

173. Z KROSNA (E2) (concertina) by Frank Dukli, arr. by L. Vitak. c. June 9, 1928.

174. Z MALOPOLSKI (concertina) arr. by J. P. Elsnic. c. Dec. 10, 1929.

175. Z POD KRAKOWA (concertina) arr. by L. Vitak. c. Aug. 1, 1927.

176. Z POD KRAKOWA (concertina) arr. by L. Vitak. c. Sept. 19, 1927.

177. Z WIELKOPOLSKI (concertina) arr. by L. Vitak. c. Dec. 10, 1929.

178. ZATOU NASI STODOLICKOU (orch.) arr. by K. Echtner. c. Apr. 26, 1927.

179. ZAWZIELA DZIEWCZYNA POLKA (E2) (concertina) by Frank Dukli, arr. by L. Vitak. c. June 26, 1928.

180. ZEZULINKA KUKA-VALCIK (orch.) arr. by K. Echtner. c. Apr. 26, 1927.

It will be observed that with one exception all of the entries were made not later than 1931.

These musical compositions are made up exclusively of Polish music, and include band parts, orchestrations, dance collections, concertina arrangements, polkas, etc. VITAK-ELSNIC COMPANY is an important source for such music in the United States, and these selections probably have a certain performance value to those radio broadcasters who cannot operate in the public interest, convenience and necessity without using this type of Polish music.

Warzawskie Towarzystwo Muzycne

(Warsaw Music Society)

Warsaw, Poland

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, failed to disclose any musical copyright entries in the name of WARZAWSKIE TOWARZYSTWO MUZYCNE (WARSAW MUSIC SOCIETY), Warsaw, Poland, listed in the SESAC brochure dated June 1, 1936, as a publisher or organization included under its license.

Moreover, an examination of the assignment records in the Library of Congress failed to disclose any assignments by the WARZAWSKIE TOWARZYSTWO MUZYCNE (WARSAW MUSIC SOCIETY) to the SESAC.

Based on an investigation made in Poland, we are advised as follows:

> "The Warsaw Music Society publishes classical music almost entirely for music schools and conservatories in Poland. Music is sent free of charge to the Society of European Stage Authors and Composers, Inc., New York, in order to acquaint the American public with Polish classical music. The Society maintains an Academy of music in Poland composed of five (5) branches. The publishing section of the Society is not a commercial enterprise."

W. J. R.

Warsaw, Poland

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of W. J. R., Warsaw, Poland, listed in the SESAC brochure dated January 1, 1937, as a publisher or organization included under its license.

Period 1870–1933

No copyright entries found.

Period 1934–April 1, 1937

The following list:

1. ARGENTYNA
   z filmu "Prokurator Alicja Horn," (piesn) by W. Dan and J. Nela. c. Dec. 27, 1934.
2. GDY NACHODZI SWIT
   (piesn) by W. Lidauer and W. Jastrzebca. c. Dec. 27, 1934.
3. KAROLINO
   (piesn) by T. Kwiecinski and W. Jastrzebca. c. Dec. 30, 1935.
4. KOMPANJA MA BYC MUROWANA
   (piesn) by Z. Wiehler and W. Krystjana. c. Dec. 27, 1934.
5. NILCT NIE UMIE KOCHAC-TAK
   Tango (piesn) by M. Wroblewski and J. Nela. c. Dec. 27, 1934.
6. PANI MNIE POZNAJE
   Tango (piesn) by Juranda and W. Jastrzebca. c. Dec. 30, 1935.
7. POCALUJ MNIE
   Tango (piesn) by W. Krupinski and W. Jastrzebca. c. Dec. 27, 1934.
8. ROSJANKA
   Tango (piesn) by Igo Kranowski and W. Jastrzebca. c. Dec. 30, 1935.
9. WESOLY MARYNARZ
   (kilo seria-duszy funt) (piesn) by Z. Bialostocki and W. Krystjana. c. Dec. 30, 1935.

The above compositions contained in this catalogue probably have a certain performance value to those broadcasters who cannot operate in the public interest, convenience and necessity without using this type of Polish music.

See also "Jastrzab" and "Rudnicki."

Mariano Yanguas

Madrid, Spain

An examination of the musical copyright entries in the United States Library of Congress, as of April 1, 1937, disclosed the following entries under the name of MARIANO YANGUAS, Madrid, Spain, listed in the SESAC brochure dated June 1, 1936 as a publisher or organization included under its license.

Period 1870–1935

No copyright entries found.

Period 1936–April 1, 1937

The following list:

1. CAMINITOS
   pasodoble, (orch.) by Mariano Yanguas. c. May 1, 1936.
2. CAMINITOS
   pasodoble, (orch.) by Mariano Yanguas. c. May 20, 1936.
3. CORDOBESITA
   pasodoble, (orch.) by Mariano Yanguas. c. Apr. 10, 1936.
4. CORDOBESITA
   pasodoble, (orch.) by Mariano Yanguas. c. May 20, 1936.
5. EN SEVILLA
   (orch.) by Mariano Yanguas. c. May 20, 1936.
6. EN SEVILLA
   (orch.) by Mariano Yanguas. c. May 1, 1936.

An examination of the assignment records of the United States Library of Congress disclosed an assignment which was made by MARIANO YANGUAS to the SESAC. A copy of this assignment, marked Exhibit 124 is attached to and made a part of this report.

As an aid in appraising the value of this type of music in building radio programs for American radio listeners, we again invite your attention to Exhibit 16.

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Bro casting Performance Lic se

EXHIBIT 1.

MEMORANDUM OF AGREEMENT made this ....day of ....,

193 , between ....

....

(hereinafter called Licensee), and Society of European Stage Authors and Composers, Inc., a New York Corporation (hereinafter called Licensor), with its principal office located at 113 West 42nd Street, New York, N. Y.

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8. If at any time during the term of this agreement the power wattage, location, wave length, or allotted time be changed, or if the call signals or letters of Licensee's station(s) be changed (whether as a consequence of combination, consolidation or merger with any other broadcasting station(s) whatsoever, or otherwise) Licensee shall immediately notify Licensor thereof by United States registered mail and this license shall continue, subject to all the conditions, restrictions and limitations therein, except that the license fee shall thereafter be at the rate charged by Licensor in accordance with its Prevailing Schedule.

9. This agreement is to be and remain in full force and effect until ...., 19.... and will automatically continue in force thereafter from year to year subject to the right of either party hereto to terminate this agreement on ...., 19...., or on................................ in any year thereafter by giving written notice of its election so to terminate by United States registered mail to the other party at least ninety days prior to the date fixed for termination.

10. This license is personal to Licensee and is non-assignable, non-transferable, and non-divisible by operation of law, judicial proceedings or sale, devolution, or otherwise; this agreement shall inure to the benefit of and be binding upon Licensor, its successors and assigns.

IN WITNESS WHEREOF the parties hereto have caused this agreement to be duly executed in quadruplicate as of the day and year first above written.

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC.
Licensor

By...(L. S.)
President

....
Licensee

By...(L. S.)

EXHIBIT 1

SESAC BROADCASTING PERFORMANCE LICENSE

MEMORANDUM OF AGREEMENT made this..................day of..............
193..., between...
....
(hereinafter called LICENSEE), and SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC, a New York Corporation(hereinafter called LICENSOR), with its principal office located at 113 West 42nd Street, New York, N.Y.

Licensor has entered into various agreements whereby small and/or grand rights vested in, and controlled by, the foreign and American publishers and organizations, contained in the list herewith attached as Schedule "A", have been assigned to it.

Licensor is empowered, subject to the various terms and conditions in said agreements, and to rights assigned to it, to authorize, prohibit, supervise and control performances in the United States of America of musical compositions, musical dramatical works, and dramatic works.

Licensee is engaged in space radio broadcasting over the station(s) licensed by the Federal Communications Commission as follows:

Station(s) Wattage Location

....
....
....
....
....
....
....

The parties hereto accordingly hereby mutually agree as follows:

1. Licensor hereby grants and Licensee accepts, a non-exclusive license for the period hereof to broadcast (excluding television) from the space radio station(s) mentioned hereinabove such musical compositions as may now be, or during the period hereof shall be, owned or controlled by Licensor, and the performance of which for space radio broadcasting, Licensor may under its divers agreements authorize, prohibit, supervise and control. Such musical compositions shall be covered by this license throughout the time of Licensor's ownership or control thereof as aforesaid during the period hereof.

2. It is understood that so-called "Grand Rights" namely dramatic renditions in whole or part, of dramatico-musical and dramatic works owned or controlled by Licensor (e.g., dramas, plays, operas, operettas, revues, musical comedies, sketches and like productions), and renditions of symphonic works, cantatas, oratorios, etc., owned or controlled by Licensor, require a special permission in advance, in each instance, from Licensor, and special broadcasting performance fees and rental fees shall be arranged for in advance, in each instance, by Licensor.

3. All musical compositions broadcast by Licensee under this license shall be announced by the title and composer, and in the event that same shall be taken from a musical production or sound film, the name of the production or sound film shall also be announced in said broadcast. Licensee hereby agrees to furnish to Licensor, upon request, copies of its program records and furthermore agrees to permit Licensor, upon request, to examine at Licensee's offices, during business hours, the original program records.

4. Licensor reserves the right, at any time, from time to time, to restrict the performance by Licensee unless Licensor's written consent be first obtained, of any musical compositions covered by the license herein granted, but the total number of any compositions which may be under restriction shall at no time exceed ten percent of Licensor's repertory.

5. Licensee hereby agrees to pay to Licensor for this license an annual fee of
$...
....
which shall be payable in advance in twelve equal monthly installments of $.........
....

on the........................day of each month for a license period of Five(5) years from...................193...., to.........................19.......

6. In event that Licensee is in arrears of any monthly payment, as stipulated herein, for more than 30 days, or in event that Licensee is adjudicated bankrupt, or declared, or becomes, insolvent, Licensor has the right to demand payment at once, or file a claim for, the balance of all monthly payments due or to become due under this license, or Licensor may in the alternative cancel this license.

7. The right to broadcast any musical compositions granted under this license extends only to Licensee broadcasting from the station(s) licensed under this agreement or from any other place(s) of origin duly licensed by Licensor, and Licensee may not relay and/or transmit in any manner whatsoever for re-transmission and/or re-broadcasting or otherwise, performances of said musical compositions, to any stations in a hook-up or network, or otherwise, unless such stations have duly procured licenses from Licensor. Nothing herein contained shall be construed as permitting Licensee to grant to others the right to broadcast, televise, reproduce or perform publicly for profit or otherwise, by any means, method or process whatsoever, any of the musical compositions so broadcast, or as permitting any receiver of the broadcast of any musical compositions to publicly rebroadcast, televise, perform or reproduce the same for profit or otherwise, by any means, method or process whatsoever, without first obtaining a written license from Licensor. Licensee shall have no right to perform or otherwise utilize any musical compositions covered under this agreement except as herein specified.

8. If at any time during the term of this agreement the power wattage, location, wave length, or allotted time be changed, or if the call signals or letters of Licensee's station(s) be changed(whether as a consequence of combination, consolidation or merger with any other broadcasting station(s) whatsoever, or otherwise) Licensee shall immediately notify Licensor thereof by United States registered mail and this license shall continue, subject to all the conditions, restrictions and limitations therein, except that the license fee shall thereafter be at the rate charged by Licensor in accordance with its Prevailing Schedule.

9. This agreement is to be and remain in full force and effect until.............., 19.....and will automatically continue in force thereafter from year to year subject to the right of either party hereto to terminate this agreement on............................., 19.........., or on......................in any year thereafter by giving written notice of its election so to terminate by United States registered mail to the other party at least ninety days prior to the date fixed for termination.

10. This license is personal to Licensee and is non-assignable, non-transferable, and non-divisible by operation of law, judicial proceedings or sale, devolution, or otherwise; this agreement shall inure to the benefit of and be binding upon Licensor, its successors and assigns.

IN WITNESS WHEREOF the parties hereto have caused this agreement to be duly signed and sealed in quadruplicate as of the day and year first above written.

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC.
Licensor

By..................................(L.S.)
President

....
Licensee

By..................................(L.S.)

COPY

October 14, 1936

Society of European Stage Authors and Composers, Inc.
113 West 42nd Street
New York, New York

Attention: Mr. Paul Heinecke, President

Gentlemen:

A great many questions have arisen with reference to the Society of European Stage Authors and Composers, Inc., (hereinafter referred to as SESAC) and the license agreements which have been entered into between SESAC and members of the National Association of Broadcasters (hereinafter referred to as NAB); and it seems desirable to record some of these questions here, with the request that you furnish us with as complete information thereon as you possibly can.

You will recall that as early as last January we requested a list of the musical selections owned or controlled by the SESAC in order that member stations might have the opportunity of inspecting the package they were urged to buy under an implied threat of prosecution.

(1) Does the name of your corporation, that is "Society of European Stage Authors and Composers, Inc." correctly describe the organization? In other words, does the SESAC contain among its members (a) European Stage Authors and (b) European Composers? If so, please furnish the names of such European Stage Authors and European Composers, separately.

(2) In the second paragraph of your license agreement you state: "LICENSOR has entered into various agreements whereby small and/or grand rights vested in, and controlled by, the following foreign and American publishers and organizations have been assigned to it. EDITION ADLER, Berlin (Successor, Heinrichshofen Verlag, Magdeburg); AHN u. SIMROCK, Berlin; APOLLO MUSIC COMPANY, New York; M. ARCT, Warsaw; MAX BECK VERLAG, Leipzig; BRYANT MUSIC COMPANY, New York; M. M. COLE PUBLISHING CO., Chicago, Incl. CALUMET MUSIC CO., Chicago, and "Happy Chappies" (Vincent, Howard and Freeman, Ltd., Los Angeles); ERNST EULENBURG, Leipzig; S. FISCHER VERLAG, Berlin; ROB. FORBERG, Leipzig; GEBETHNER & WOLFF, Warsaw; CARL GEHRMANS MUSIKFORLAG, Stockholm; PAUL GORDON, Berlin; F. GRABCZEWSKI, Warsaw; HERMANN HABERER-HELASCO, Madrid-Berlin; HARMONIE-VERLAG, Berlin, incl. HERMANN SEEMAN, Nachfolger, Leipzig; LEON IDZIKOWSKI, Warsaw; INTERNATIONAL EDITION, Leipzig; RICHARD KAUN-VERLAG, Berlin; LIENAU'SCHE MUSIKVERLAGE, Berlin, incl. SCHLESINGER'SCHE B.u.M., Berlin, OTTO WERNTHAL, Berlin, CARL TOBIAS HASLINGER, Vienna, MUSIKVERLAG HASLINGER, Vienna, MUSIKVERLAG ADOLF KOESTER, Berlin, H. R. KRENTZLIN, Berlin; NOWA SCENA, Warsaw; O. PAGANI & BRO., New York; GEBRUEDER REINECKE, Leipzig, incl. JOH. FOERSTER, Pirna, GUSTAV HAUSHAHN, Magdeburg, J. LOEBEL, Zittau, RICH. NOSKE, Borna; RONDO-VERLAG, Berlin, incl. ALFRED BECKER, Berlin; ROBERT RUEHLE, Berlin; EDWARD SCHUBERTH & CO., INC., New York; SESAC PUBLICATIONS, New York; "SOLUNASTRA" MUSIK-VERLAG, Madrid-Berlin; STEINGRAEBER VERLAG, Leipzig; CHR. FRIEDRICH VIEWEG, Berlin."

(a) What period of time is covered by your agreements with these publishers and organizations?

(3) In your letter of September 10, addressed to Mr. Fitzgerald, you state that you control the performing rights in the "musical dramatical works and symphonic

orchestral works" of Gebrueder Reinecke, Leipzig, including Gustav Haushahn, Magdeburg and Joh. Foerster, Pirna; and Kaun, Richard, Verlag, Berlin. Will you answer in detail the following questions as they apply to each publisher listed in the previous sentence?

(a) In what "musical dramatical works", published or controlled by each, do you control the radio performing rights?

(b) Do you have authority to license for radio performance such "musical dramatical works" solely as complete "musical dramatical works"?

(c) Do you have authority to license for radio performance extracts from all of these "musical dramatical works" or from any of them? Please specify.

(d) In what "symphonic orchestral works", published or controlled by each, do you control the radio performing rights?

(e) Do you have authority to license for radio performance such "symphonic orchestral works" solely as complete "symphonic orchestral works"?

(f) Do you have authority to license for radio performance extracts from all of these "symphonic orchestral works" or from any of them? Please specify.

(g) Is a radio station licensee of the SESAC required, by any stipulation in his contract with you, to obtain special permission from the SESAC to perform (1) these "musical dramatical works" and (2) these "symphonic orchestral works", either as complete works or for the playing of extracts from the complete works. Please specify.

(h) Why do you say in your letter of September 10 that you control the "indicated performing rights" in the "musical dramatical works and symphonic orchestral works" of Gebrueder Reinecke, Leipzig, when in a direct communication to us, signed by Gebrueder Reinecke, we are informed that the SESAC represents "the non-dramatic performing rights of our musical publications in the United States"? Please explain fully.

(4) In the same letter of September 10 you state that you control the performing rights in the "Serious Music and Symphonic Orchestral Works and Musical Dramatical Works" of Lienau'sche Musikverlage, Berlin, including Carl Tobias Haslinger, Vienna; Musikverlag Haslinger, Vienna; Otto Wernthal, Berlin; and Schlesinger'sche Buch and Musikhdlg, Berlin. Will you answer in detail the following questions as they apply to each publisher listed in the previous sentence?

(a) In what "serious music", published or controlled by each, do you control the radio performing rights?

(b) Do you have authority to license for radio performance such "serious music" solely as complete works of serious music?

(c) Do you have authority to license for radio performance extracts from all of these works of "serious music", or from any of them? Please specify.

(d) In what "musical dramatical works", published or controlled by each, do you control the radio performing rights?

(e) Do you have authority to license for radio performance such "musical dramatical works" solely as complete musical dramatical works?

(f) Do you have authority to license for radio performance extracts from all of these "musical dramatical works" or from any of them? Please specify.

(g) In what "symphonic orchestral works", published or controlled by each, do you control the radio performing rights?

(h) Do you have authority to license for radio performance such "symphonic orchestral works" solely as complete symphonic orchestral works?

(i) Do you have authority to license for radio performance extracts from all of these "symphonic orchestral works" or from any of them? Please specify.

(j) Is a radio station licensee of the SESAC required, by any stipulation in his contract with you, to obtain special permission from the SESAC to perform these works of "serious music", "musical dramatical works", and "symphonic orchestral works"; either as complete works or for the playing of extracts from the complete works? Please specify.

(5) Proceeding further in the same letter of September 10, you state that you control the performing rights in the "Orchestral Works and Chamber Music" of Steingraeber Verlag, Leipzig.

(a) In what "orchestral works", published or controlled by Steingraeber Verlag, Leipzig, do you control the radio performing rights?

(b) In what "chamber music", published or controlled by Steingraeber Verlag, Leipzig, do you control the radio performing rights?

(c) Is a radio station licensee of the SESAC required, by any stipulation in its contract with you, to obtain special permission from the SESAC to perform any of these "orchestra works" or "chamber music"? Please specify.

(d) Does the SESAC regard all of the catalogued numbers published by Steingraeber Verlag, Leipzig, under the title "Edition Steingraeber 1933 - 1934" to be included under the indicated performing rights" stated in the letter of September 10?

(e) Does any Society, other than the SESAC, control the performing rights in any of the musical selections contained in the catalogue of Steingraeber Verlag, Leipzig?

(6) In your letter of September 10, you state that you control the performing rights in the "orchestra works, chamber music, and musical dramatical works," of Vieweg, Chr. Friedr., Berlin.

(a) In what "orchestra works", published or controlled by Vieweg, Chr. Friedr., Berlin, do you control the radio performing rights?

(b) In what "chamber music", published or controlled by Vieweg, Chr. Friedr., Berlin, do you control the radio performing rights?

(c) In what "musical dramatical works", published or controlled by Vieweg, Chr., Friedr., Berlin, do you control the radio performing rights?

(d) Do you have authority to license for radio performance such "musical dramatical works" solely as complete musical dramatical works?

(e) Do you have authority to license for radio performance extracts from all of these "musical dramatical works" or from any of them? Please specify.

(f) Is a radio station licensee of the SESAC required, by any stipulation in its contract with you, to obtain special permission from the SESAC to perform any of these musical dramatical works? Please specify.

(7) Your letter of September 10 further states that you control "all rights" in the musical works of the following publishers:

International Edition, Leipzig
Gehrmans, Carl, Musikforlag, Stockholm
Ahn and Simrock Buehnenverlag, Berlin
Alfred Thorsings Musikforlag, Copenhagen
Edition Adler, Berlin
  (Successor Heinrichshofen, Magdeburg)
Heinrichshofen's Verlag, Magdeburg

(a) Does "all rights" mean all rights for public performance of each and every musical selection published or controlled by each of the above named firms, If not,

(b) In what musical selections published or controlled by each of the above named firms do you control the radio performing rights?

(c) Why do you say in your letter of September 10 that you control "all rights" in the music controlled by Heinrichshofen's Verlag, Magdeburg, when in a direct communication to us signed "Heinrichshofen's Verlag" we are informed:

> "Auf Ihre Anfrage von. 1. 9. teilem wir hoflichst mit, dass unsere Auf Fuhrungsrechte, soweit Unterhaltungsmusik in Frage kommt, durch die Stagma der American Society of Composers, Authors and Publishers, New York, zur Verwaltung "ubertragen sind." (Our translation: "In reply to your inquiry of September 1, we are pleased to advise you that in so far as entertainment music is concerned our performing rights are represented by the American Society of Composers, Authors and Publishers, New York.")

(8) From your catalogue of June 1, 1936, and subsequent releases, we are given to understand that the following named American firms are members of the SESAC:

Braun, Hubert J. - Chicago
Braun Organization, The - Chicago
Bryant Music Company - New York
Calumet Music Company - Chicago
Cole, M. M., Publishing Co. - Chicago
(including Happy Chappies; Vincent, Howard and Preeman, Ltd. - Los Angeles)
Cross and Winge, Inc. - Portland, Ore.
Master Music Makers - Portland, Ore.
Moderne Edition - Chicago
Music Products Corp. - Chicago
Moderne Publications - Chicago
Nattrass-Schenck, Inc. - Chicago
Hearst Music Publishing Co., Ltd., of Canada

All of your communications to member stations re: "Recent additional American Repertory Acquired by the Society" state that

> "SESAC now controls exclusively, in addition to the musical catalogues already licensed for performance, the copyright and performing rights to all musical compositions and publications included in the catalogues of, and copyrighted by (name of firm); and that these compositions and publications are henceforth authorized for performance by the stations exclusively pursuant to their license with SESAC."

(a) In what musical selections owned or controlled by these music publishers or firms do you control the radio performing rights?

(b) Do any of these music publishers or firms reserve the right to grant to a radio station or stations the radio performing rights in their music whether the station holds a license with the SESAC or not. Please specify.

(c) Does the SESAC have the right to sue a radio station for infringement growing out of a radio performance of all the musical selections owned or controlled by these firms? Please explain fully.

(9) In your December 12, 1934, answer to a letter of Philip G. Loucks formerly Managing Director of the NAB, asking the question

> "In your agreement you list certain publishers with which you have agreements, and you state that you have the right subject to various terms and conditions contained in these agreements, to authorize, prohibit, supervise, and control performances in this country of certain musical compositions, dramatico-musical works and dramatic works. Do you distinguish between the works you have authority to license and those you do not. Do you have the exclusive right to these works?"

you answered:

> "All of SESAC's contracts are exclusive, and generally speaking, cover all the compositions included in the catalogues of the particular publisher, but cognizance must be taken of the universal trade practice of music publishers, who from time to time, prior to entering into such an agreement as SESAC's, have sold to others the rights to certain compositions and single numbers from their catalogues. In such instances, of course, the exceptions are usually written into the contract. However, these exceptions are proportionately negligible in the case of SESAC's contracts."

Now, let us take Gebreuder Reinecke in Leipzig as an example of the purpose of this quotation from your letter of December 13, 1934. In your letter of September 10, 1936, you state that you control the "musical dramatical works and the symphonic orchestral works" of Gebreuder Reinecke, Leipzig. Yet direct communication with Reinecke brings out his understanding that you represent "the non-dramatic rights in our (Reinecke's) musical publications in the United States." The Reinecke catalogue which you supplied to the NAB contains piano music, well known songs, vocal music, harmonium with piano music, organ music, zither music, mandolin music, wood instrument music, string solos, string orchestra music, and general instrumental music. The classified index of this catalogue lists neither "dramatico-musical works" nor "symphonic orchestral works." This example, picked at random from your catalogues, shows conflicting and misleading information. Please explain fully.

(10) According to the SESAC catalogue you control the performing rights for the United States for the following named publishing firms:

Apollo Music Co. - New York
Arct, M. - Warsaw
Beck Verlag, Max - Leipzig
Becker (Rondo-Verlag)
Culla Antonio - Barcelona
Ediciones Rodock (C. Rodriguez) - Bilboa
Ediciones A. Urmaneta - Barcelona
Edition "Jastrzab" (J. Rzepecki) - Warsaw
Editions Fermata - Warsaw, Buenos Aires
Fischer, Verlag, S. - Berlin
Forberg, Rob. - Leipzig
Gebethner and Wolff- Warsaw
Gordon, Paul - Berlin
Grabczewski, F. - Warsaw
Haberer-Helasco, Hermann - Madrid, Berlin, Lisbon
Harmonie, Verlag - Berlin
  including Hermann Seemann, Nachfolger, Leipzig
Idzikowski, Leon - Warsaw
Koester, Adolf, Musikverlag - Berlin
Krentzlin, H. R. - Berlin
Lebendiger, Henryk - Warsaw, Buenos Aires
Loebel, J. - Zittau
Mora, Jose - Barcelona
Noske, Rich. - Borna
Nowa Scena - Warsaw
Pagani, O., and Bro. - New York
Rondo Verlag - Berlin
Rudnicki, Walery - Berlin
Ruehle, Robert - Berlin
Schuberth, Edward, & Co., Inc. - New York
SESAC Publications - New York
Solunastra - Lisbon, Berlin
Vitak-Elsnic Co. - Chicago
Warsaw Music Society - Warsaw
"W. J. R." - Warsaw

(a) In what musical selections owned or controlled by each of the above publishers or firms does the SESAC control the radio performing rights? Please give separate answer for each publisher or firm named.

(b) Is a radio station licensee of the SESAC required, by any stipulation in its contract with you, to obtain special permission from the SESAC to perform any of the musical selections owned or controlled by the above named publishers or firms either as complete works, or for the playing of

EXHIBIT 3-p. 7

extracts from the complete works? Please specify, and for each publisher or firm, separately.

A separate, full and complete answer to each of the questions contained in items 3, 4, 5. 6, 7, 8, 9, and 10, including each sub-question thereunder, is necessary in order that a clear and definite understanding may be had of the meaning of the third paragraph of your license agreement which reads as follows:

> "Licensor is empowered, subject to the various terms and conditions in said agreements, and to rights assigned to it, to authorize, prohibit, supervise and control performances in the United States of America of musical compositions, musical dramatical works and dramatic works."

(11.) Section I of the License agreement reads as follows:

> "LICENSOR hereby grants and LICENSEE accepts, a non-exclusive license for the period hereof to broadcast (excluding television) from the space radio station(s), mentioned hereinabove, such musical compositions as may now be, or during the period hereof shall be, owned or controlled by LICENSOR, and the performances of which for space radio broadcasting, LICENSOR may, under its divers agreements authorize, prohibit, supervise and control. Such musical compositions shall be covered by this license throughout the time of LICENSOR's ownership or control thereof, as aforesaid, during the period hereof."

(a) What is the true meaning of the words "a non-exclusive license" appearing in line one of the section numbered one in your printed license agreement? Do these words mean that some other firm or person may have the right or is able to acquire the right to also authorize radio performances of any part or all the works of the publishers and organizations named in your contract?

(b) To what extent, if any, do you intend to qualify your powers and authority by the words "and the performance of which for space radio broadcasting, LICENSOR may under its divers agreements authorize, prohibit, supervise and control?"

(12) Why is it that the SESAC does not agree, in its license agreements with stations, to indemnify the station against damages that might be sustained as a result of a claim by another that he has the right to license the musical selections allegedly contained in the SESAC repertory; and why does not the SESAC agree in its license agreements to defend its licensees against any such suits?

(13) Now let us examine the letterhead which you use for the purpose of communicating with member stations. You have been asked, above, to justify the use of the title "Society of European Stage Authors and Composers, Inc." which appears also at the top of your letterhead. On the left hand margin of your letterhead you have a column entitled "World Famous Authors and Composers in our Repertory" and you list the following named persons:

D'Albert
Alonso
Arct
Ascher
Autry

Becce
Benatzky
Bertuch
Blech
Braine

Bruckner
Busch
Busoni
Caballero
Cadman

Chapi
Conus
Cowell
Dan (Danilowski)
Delius

Drdla
Drigo
Dvorak
Elgar
Engel-Berger

EXHIBIT 3-p. 8

Fall
Fetras
Gfaller
Gilbert
Glazounow
Gnecchi
Goedicke
Goetze
Graener
Granichstaedten
Haarklou
Hageman
Victor Herbert
Heymann
Hirsch
Hollaender
Howard
Humperdinck
Ilgenfritz
Jarno
Jessel
Jiminez
Juon
Kaun
Knopf
Kollo
Koussevitzky
Kuennecke
Lehar
Lendvai
Leoncavallo
Lewandowski
Llanos
Luna
Marbot
Marteau
Mascagni
May
Medtner
Meyer-Helmund
Morena
Mraczek
Nelson
Pahissa
Palmgren
Poldini
Prokofiew
Reger
Reinhardt
Reisfeld
Reznicek
Rheinberger
Rosen
Rupprecht
Schillings
Schoenberg
Schrecker
Schumann, G.
Scriabine
Serrano
Sibelius
Sinding
Spoliansky
Stolz
Stransky
Straus, O.
Strauss, R.
Strawinsky
Taneiew
Tommasini
Tosti
Trapp
Urmeneta
Usandizaga
Verdi
Vincent
Waldau
Weinberger
Weissmann
Wiener
Winterberg
Wolff
Wolf-Ferrari
Zepler
Ziehrer

and others

In your earlier dealings with radio stations and at a time when a large number of license agreements were entered into with radio stations, you used a letterhead which displayed a column on the left margin entitled "World Famous Authors and Composers represented in our Catalogues." And you listed the following named persons:

D'Albert
Alonso
Ascher
Becce
Benatzky
Bertuch
Blech
Braine
Bruckner
Busch, A.
Busoni
Caballero
Cadman
Chapi
Conus
Cowell
Dan (Daniloski)
Delius
Drdla
Drigo
Dvorak
Ehrlich S.
Elgar
Engel-Berger
Fall
Fetras
Gfaller
Gilbert, J.
Gilbert, R.
Glazounow
Gnecchi
Godowsky
Goedicke
Goetze, W. W.
Graener, G.
Graener, P.
Granichstaedten
Haarklou
Hageman
Herbert
Heymann
Hirsch, H.
Hollaender, F.
Hollaender, G.
Hollaender, V.
Humperdinck
Ilgenfritz
Jarno
Jessel
Jiminez
Juon
Kaun
Knopf
Kollo
Koussevitzky
Kuennecke
Lehar
Lendvai
Llanos
Luna
Marbot
Marteau
May
Medtner
Meyer-Helmund
Morena
Mraczek
Nelson
Pahissa
Palmgren
Poldini
Prokofiew
Reger
Reinhardt
Reisfeld
Reznicek
Rheinbergerr
Rosen
Rupprecht
Schillings
Schoenberg
Schrecker
Schumann, G.
Scriabine
Serrano
Sibelius
Sinding
Spoliansky
Stolz
Stransky
Straus, O.
Strauss, R.
Strawinsky
Taneiew
Tommasini
Tosti
Trapp
Usandizaga
Waldau
Weinberger
Weissmann
Wiener
Winterberg
Wolf, E. J.
Wolf-Ferrari
Zepler
Ziehrer

and others

(a) Why did you change the title of this column?

(b) In what manner did the SESAC represent these authors and composers?

(c) In what manner does the SESAC now represent these authors and composers?

(d) Specifically what radio performing rights does the SESAC control in the musical works of each of these authors and composers?

(14) Why, in the absence of the specific information herein requested, do you permit your agents, when they are endeavoring to negotiate a license agreement with a radio station, to say that you have supplied the NAB with catalogues showing the musical selections you own or control?

(15) Clear and unequivocal answers to the questions contained in this letter are necessary before radio stations can decide whether they need your music and whether the price asked is reasonable for such of your music as is available to them and which is usable in building radio programs for American radio listeners.

An early reply will be greatly appreciated.

A copy of this letter is being sent to each of our members.

Cordially yours,

NATIONAL ASSOCIATION OF BROADCASTERS

James W. Baldwin, Managing Director

EXHIBIT 4-p. 1

COPY OF SESAC LETTER IN REPLY TO NAB CIRCULAR LETTER OF OCTOBER 14th, 1936

(Copies of SESAC—NAB correspondence referred to in the instant letter will be gladly furnished by SESAC upon request.)

New York, November 19, 1936

National Association of Broadcasters
National Press Building
Washington, D. C.

Gentlemen:

Att. Mr. James W. Baldwin,
Managing Director

With reference to a circular letter of October 14th distributed by you among your members, and referring to our organization, we call to your attention that we concluded our recent letter of September 10th, 1936 on the subject matter, as follows:

> "Should you wish any further data for dissemination to your members, please communicate with us and we shall be pleased to assist you as fully as we can."

and this was reiterated in our succeeding letter prior to the receipt of your circular letter of October 14th.

As you have already, therefore, been advised, it is our desire to assist you in procuring whatever data may be necessary for the better understanding of the music problem by your members and it occurred to us that before you would wish to dispatch any writing to them, you would desire to have the benefit of referring to whatever helpful and useful information, if any, could be further supplied.

The general subject matter hereof has already been covered by the exchange of correspondence dated Dec. 8-12, 1934 between SESAC and the NAB, and published in the NAB reports. And it would appear from the foregoing that our organization has already given the members and you all the information which could be required or used with some degree of assistance and understanding.

The matter of catalogs and lists has already been explained to you. At your request some time ago, we sent sets of catalogs to you in Washington, D. C. From time to time since then we have sent you supplementary catalog material. Nevertheless, the utter lack of utility for the station in the procurement of a catalog, available from a publisher, is quite manifest. The lists of titles found therein offer no guide to the station. It is prohibitive, **as a practical matter**, to search catalog after catalog in order to determine whether a composition is performable. This is likely to mislead in checking programs. The only guiding criterion for checking musical compositions is copyright ownership. It is common knowledge that many **different** musical compositions bear the same title, and that many of the same compositions with the same title are published in **different copyrighted arrangements**, the rights to which are held by various and different owners. As you very well pointed out by way of example in your bulletin of June 18th, 1936, there are 117 different compositions of "Blue Eyes" alone. Checking by the copyright ownership of the publishers and organizations affiliated with SESAC, the musical nature and value of whose catalogs are only too well known, is the obvious practice. SESAC's program checking form, in general use among the stations, carries out this principle. A compilation would certainly saddle the industry with another useless expense. As you know the U. S. District Court in the case of Penn Broadcasting Corporation vs. American Society of Composers, Authors and Publishers, ruled, as a matter of law, that such catalogs are not required to be furnished, and that if desired, the purchaser should pay the expense of compilation.

As regards musical content of catalogs, qualified employees of radio stations whose duties appertain to music—and most all have already expressed the need for, and have endorsed the SESAC license—are thoroughly acquainted with the musical status of the SESAC catalogs and examining thousands of compositions, title by title could add nothing. That, indeed, it tends to confuse is clearly evidenced by your statement that the "classified index" of the well known Gebrueder Reinecke, Leipzig catalog which you have examined (see question 9 of your letter on page 11) lists neither "dramatico-musical works nor symphonic works." As a matter of fact this statement is clearly erroneous because such compositions are listed in said catalog. As our answer to question 9 specifically shows, a substantial number of works which are set out in the classified index, do fall within the aforesaid category, the rights in which are controlled by SESAC.

Furthermore, the contracts and assignments pursuant to which SESAC has acquired the rights in the various catalogs are now and have always been open to examination and inspection by you or your representatives.

The legal staffs of the National Broadcasting Company and the Columbia Broadcasting System, prior to advising their respective organizations, some years ago, to conclude very substantial and extensive license arrangements with SESAC, thoroughly scrutinized these contracts and satisfied themselves. If it could serve any useful purpose to have the average station examining a series of technical, and in many instances, foreign documents extensively detailing the intricacies of copyright relationship, in such event same would have been made available for consideration by each of the several hundred stations, but that, as you doubtlessly perceive, is not only unnecessary but would complicate matters tremendously.

Moreover, in view of our continued amicable and cooperative relationship with the radio stations, we resent paragraph second of your letter, which suggests that stations have been procuring their licenses "under an implied threat of prosecution." Not only do our representatives carry, for reference purposes, the catalog material which they make available for examination by the stations but moreover, we have time and again issued temporary licenses for part or all of the entire repertory without cost in order that stations might avoid infringing. And the industry, besides procuring the SESAC license, has responded by expressing its appreciation of our cooperation in numerous letters to us. Such endorsements and testimonials from the stations are in ample evidence in our files.

Notwithstanding that virtually all the information which is the subject of your repetitions inquiries does not appear to serve any practical purpose, the SESAC staff has compiled and we herewith make presentation of the details and technicalities, of necessity, elicited by your letter.

1. The "Society of European Stage Authors and Composers, Inc" (known in the trade as SESAC) represents the works of numerous such stage authors and composers. (See for example your question 13 on page 14, 15 and 16 in which you list the names of many of these composers taken from our letterhead wherein the specified names are mentioned with reference to "our repertory" or "represented in our catalog"). It is the purpose of the oranization to represent, administer and control the performance of these works, among other mediums, through radio and television. The relationship is acquired by contracts with, and assignments from, publishers and organizations controlling the works of these parties, and in some instances by direct contract where the works individually controlled by the respective party approximate a sizeable repertory or catalog in themselves) with the parties themselves. For the names of the parties and their respective works, consult the catalogs supplied to the NAB.

2. It would appear to be well understood, as a matter of business practice, that dates of termination of private contracts of a business organization are hardly matter for publicity. We will state, however, that SESAC's contracts are long term ones usually. It is sufficient that the station is licensed for the use of specified catalogs in accordance as the rights therein have been acquired for licensing by SESAC. Obviously, SESAC would not issue a license to a repertory for a period of time if it had not rights for such period. As you are aware, the stations have been constantly and regularly notified during the past, of SESAC's current acquisitions. Any change in catalogs which should be called to the attention of the station will be called to the attention of the station.

3. As we advised you in our letter of September 10, 1936, we have the performing rights in the musical dramatical works and symphonic orchestral works of Gehrueder Reinecke, Leipzig, including Gustav Haushahn, Magdeburg and Joh. Foerster, Pirna, and of Kaun, Richard, Verlag, Berlin.

PLEASE UNDERSTAND THAT SESAC CONTROLS ALL RIGHTS IN CONNECTION WITH SOME FIFTY (50) CATALOGS AND **ADDITIONALLY** CONTROLS THE SPECIFIED RIGHTS IN A FEW OTHER CATALOGS OF WHICH THIS IS ONE. THE WORKS EMBRACED BY THE ADDITIONALLY SPECIFIED RIGHTS IN THESE FEW CATALOGS ARE ALSO AVAILABLE FOR PERFORMANCE BY THE STATION SUBJECT TO THE UNIFORM TRADE CONDITION THAT "GRAND RIGHTS" REQUIRE A SPECIAL PERMIT.

(a) We have the radio performing rights as well as other rights in all musical dramatical works and symphonic orchestral works which are published and controlled by the following publishers:

Gebrueder Reinecke, Leipzig
including Gustav Haushahn, Magdeburg and Joh. Foerster, Pirna
Kaun, Richard, Verlag, Berlin

This would appear to be self evident from our letter to you of September 10th, 1936.

(b) Not only may SESAC license for radio performance complete musical dramatical works of the aforementoned publishers, but SESAC may also license dramatic renditions therefrom in whole or part. Your reference to our license contract would show this.

(c) Non-dramatic renditions of excerpts of musical dramatical works or those not amounting to "grand right" renditions from the catalogs of the aforementioned publishers are not understood to be licensed for radio performance by SESAC.

(d) We have the radio performing rights as well as other rights in all symphonic orchestral works which are published and controlled by the aforementioned publishers. This would likewise appear to be self evident from our letter to you of September 10th, 1936.

(e) Not only may SESAC license for radio performance such symphonic orchestral works when rendered in their entirety, but it may also license for radio performance their rendition in separate parts or "separate movements." So long as the rendition herein is one by "grand orchestra" as contrasted to "small" or "petit orchestra," it may be licensed by SESAC. For your information, most, if not all, of these works have been published for "grand orchestra" only and this would also appear to be true of all SESAC publishers of symphonic orchestral works.

(f) See (e).

(g) If you will consult the standard SESAC Broadcasting Performance License you will observe that paragraph 2 thereof reads as follows:

> "2. It is understood that so-called "Grand Rights," namely dramatic renditions in whole or part, of dramatico-musical and dramatic works owned or controlled by LICENSOR (e.g. dramas, plays, operas, operettas, revues, musical comedies, sketches and like productions), and renditions of symphonic works, cantatas, oratories, etc., owned or

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> controlled by LICENSOR, require a special permission in advance, in each instance, from LICENSOR, and special broadcasting performance fees and rental fees shall be arranged for in advance, in each instance, by LICENSOR."

The above is in accordance with the established trade practice governing "Grand Rights." A station or any organization desiring to produce or broadcast a "grand right" performance of the above works would require this special permission. For the performance of excerpts see 3 (a) through 3 (e) inclusive.

(h) Although we have not seen the communication to you from Gebrueder Reinecke to which you refer, and therefore cannot comment upon whether that firm correctly understood your inquiry or whether you correctly interpret its answer, we wish to reiterate most emphatically, and ask you to please note for your records, that we control the performing rights in the musical dramatical works and symphonic orchestral works of Gebrueder Reinecke, Leipzig, including Gustav Haushahn, Magdeburg and Joh. Foerster, Pirna, as to which we further refer you to our preceding answers to this question. Should Gebrueder Reinecke have in mind to have SESAC **in addition to the aforementioned rights**, control and administer in the American territory the **nondramatic performing rights**, we will take the matter up further. Should it be that such administration of these **additional** rights by SESAC for the American territory may also be brought about—as to which SESAC will be in communication with the writer—we would be glad to announce same to the radio industry upon the consummation of such an enlargement of SESAC's supervision in this catalog. In such event then, for this publisher's catalogs too, in addition to some fifty (50) others, SESAC will administer a full body of performing rights.

4. (a) We have the radio performing rights to all "serious music" published and controlled by the following publishers:

Lienau'sche Musikverlage, Berlin
  including
    Carl Tobias Haslinger, Vienna
    Musikverlag Haslinger, Vienna
    Otto Wernthal, Berlin
    Schlesinger'sche Buch und Musikhdlg, Berlin

There is, however, a series called "Kinothek" issued by Lienau'sche Musikverlage, Berlin, in which we do not control any rights. By way of information most, if not all of the music in these catalogs which is not otherwise controlled by us falls into the SESAC repertory through inclusion in the "serious music" classification.

(b) Not only may SESAC license for radio performance such "serious music" as complete works, but SESAC may also license excerpts from same in whole or part.

Of course, if the particular rendition of the serious music work were to amount to a "grand right" performance, as the term "Grand Right" is defined in our contract and in our exchange of correspondence with the NAB previously referred to, then a special permit would be required. Please note, however, that the great preponderance of "serious music" would be of the "small right" variety. For the most part the "serious music" which would not fall in the latter category would be presumably symphonic orchestral works or cantatas or oratorios.

(c) See 4 (b).

(d) We have the radio performing rights as well as other rights in all musical dramatical works which are published and controlled by each of the following publishers:

Lienau'sche Musikverlage, Berlin
  including
    Carl Tobias Haslinger, Vienna
    Musikverlag Haslinger, Vienna
    Otto Wernthal, Berlin
    Schlesinger'sche Buch und Musikhdlg, Berlin

(e) Not only may SESAC license for radio performance complete musical dramatical works of the foregoing, but SESAC may also license dramatic renditions in whole or part therefrom. Your reference to our license contract would show this.

(f) Non-dramatic renditions or excerpts of musical dramatical works or those not amounting to "grand right" renditions from the aforesaid catalogs, are not understood to be licensed for radio performance by SESAC. For such extracts, however, which constitute "serious music," see 4 (a) through (c) inclusive.

(g) We have the radio performing rights as well as other rights in all symphonic orchestral works which are published and controlled by the aforesaid publishers. This too would appear to be self evident from our letter to you of September 10th, 1936.

(h) Not only may SESAC license for radio performance such symphonic orchestral works when rendered in their entirety, but it may also license for radio performance their rendition in separate parts or "separate movements." So long as the rendition herein is one by "grand orchestra" as contrasted to "small" or "petit orchestre," it may be licensed by SESAC. For your information most, if not all of these works have been published for "grand orchestra" only and this would also appear to be true of all SESAC publishers of symphonic orchestral works.

(i) See 4 (h).

(j) If you will consult the standard SESAC broadcasting Performance License you will observe that paragraph 2 thereof reads as follows:

> "2. It is understood that so-called "Grand Rights," namely dramatic renditions in whole or part, of dramatico-musical and dramatic works owned or controlled by LICENSOR (e. g. dramas, plays, operas, operettas, revues, musical comedies, sketches and like productions), and renditions of symphonic works, cantatas, oratorios, etc., owned or controlled by LICENSOR, require a special permission in advance, in each instance, from LICENSOR, and special broadcasting performance fees and rental fees shall be arranged for in advance, in each instance, by LICENSOR."

The above is in accordance with the established trade practice governing "Grand Rights." A station or any organization desiring to produce or broadcast a "grand right" performance of the above works would require this special permission. Thus if the contemplated performance of the "serious music" or musical dramatical work or symphonic orchestral work amounted to a "Grand Right," the station would require special permission. For the performance of excerpts see 4 (a) through 4 (i) inclusive.

5. (a) We have the radio performing rights in all orchestral music published and controlled by Steingraeber Verlag, **Leipzig**. This likewise would appear to be self evident from our letter to you of September 10th, 1936.

(b) We have the radio performing rights in all chamber music published and controlled by Steingraeber Verlag, Leipzig. This too seems quite apparent from our letter to you of September 10th, 1936.

(c) See 3 (g) with reference to SESAC's standard provision and the trade practice governing "Grand Rights." If the performance is of the "grand right" rather than the "small right" variety, special permission would be required. Inasmuch as most all orchestral works and chamber music works typically fall into the "small right" category, no special permission would generally be required for the performance of such works. For "small" and "grand rights" in connection with orchestral works, see further 3 (e).

(d) Inasmuch as the rights in the Steingraeber Verlag, Leipzig, catalog, which SESAC controls, are as specified in connection with "orchestral works and chamber music," SESAC would control as aforesaid, all rights in such music in the "Edition Steingraeber 1933-1934" catalog as well as in any other catalogs of this firm. The works therein which do not fall within such classification are not understood to be licensed for radio performance by SESAC.

(e) As mentioned in 5 (d), SESAC knows and can speak only of its own rights and does not wish to surmise or guess in matters of which it has no definite or firsthand knowledge. Obviously though, whatever rights SESAC controls, others could not and would not have.

6. (a) We have the radio performing rights in all orchestral music published and controlled by Vieweg, Chr. Friedr., Berlin. This would appear to be clear from our letter to you of September 10th, 1936.

(b) We have the radio performing rights in all chamber music published and controlled by Vieweg, Chr. Friedr., Berlin. This again would appear to be self evident from our letter to you of September 10th, 1936.

(c) We have the radio performing rights in all musical dramatical works published and controlled by Vieweg, Chr. Friedr., Berlin. And this too seems plain from our letter to you of September 10th, 1936.

(d) Not only may SESAC license for radio performance complete musical dramatical works of the foregoing, but SESAC may also license dramatic renditions therefrom in whole or part. As mentioned before in a similar connection as respects other publishers, your reference to our license contract would show this.

(e) Non-dramatic renditions of excerpts of musical dramatical works or those not amounting to "grand right" renditions from the aforesaid catalog, are not understood to be licensed for radio performance by SESAC.

(f) Your consultation with the standard SESAC license provision as well as our exchange of correspondence to which you are again referred will show that when a "grand right" performance is contemplated, special permission is required. See further 3 (g) and 4 (j).

7. (a) In indicating that our "performing rights" in the catalogs of the following:

International Edition, Leipzig
Gebrmans, Carl, Musikforlag, Stockholm
Ahn u. Simrock Buehnenverlag, Berlin
Alfred Thorsings Musikforlag, Copenhagen
Edition Adler, Berlin

cover "all rights" therein, we naturally mean such rights for all publications published and controlled by each of the aforementioned firms. (See 7 (c) infra, with reference to Heinrichshofen's Verlag, Magdeburg).

(b) It is well understood that public performance rights include radio performing rights. This branch of performing rights is therefore one class of such rights among the others which we control. (Television rights are another branch likewise controlled by us.)

(c) The meaning of our letter of September 10th, 1936, with regard to Heinrichshofen's Verlag, Magdeburg and Edition Adler, Berlin, seems perfectly clear. You have apparently misread same. There is no statement that we control all rights in Heinrichshofen's Verlag, Magdeburg. But the statement is:

Edition Adler, Berlin, Successor Heinrichshofen
Magdeburg (All Rights)

This signifies quite clearly that we control all rights in the catalog of Edition Adler, Berlin, which firm has been succeeded by Heinrichshofen's Verlag, Magdeburg. The rights **therein** to which Heinrichshofen has succeeded are still controlled by SESAC. If you will consult our pamphlet listing publishers and organizations affiliated with SESAC, you will find our listing of Edition Adler, Berlin set out identically as above, and you will notice that there is no listing for Heinrichshofen's Verlag, Magdeburg.

8. (a) In respect of the following American affiliates of SESAC listed by you:

Braun, Hubert J.—Chicago
Braun Organization, The—Chicago
Bryant Music Company—New York
Calumet Music Company—Chicago
Cole, M. M., Publishing Co.—Chicago
  including
    Happy Chappies; Vincent, Howard
    and Preeman, Ltd.—Los Angeles
Cross & Winge, Inc.—Portland, Ore.
Master Music Makers—Portland, Ore.
Moderne Edition—Chicago
Music Products Corp.—Chicago
Moderne Publications—Chicago
Nattrass-Schenck, Inc.—New York
Hearst Music Publishing Co., Ltd. of Canada

we have the radio performing rights to all compositions and works published and controlled by them. As we have already pointed out, the term "performing rights" covers "radio performing rights" which is merely one subdivision thereof. The notice to which you refer clearly indicates the fact that we control all performing rights in the abovenamed.

(b) The said notice is furthermore very clear and definite to the effect that such rights are controlled by us "exclusively," and that the performance of any compositions controlled by any of the aforesaid publishers is licensable exclusively by SESAC. Obviously, therefore, there is no such reservation by any of the aforementioned firms of the right to authorize a radio station to perform music out of their catalogs. In assigning their performing rights to SESAC, the publishers completely divest themselves of same. It is immaterial whether

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or not the station holds a license with SESAC. Any authority or license to perform the copyrighted compositions of the publisher which are thus controlled by SESAC comes from SESAC only. Whatever temporary licenses were issued by publishers and organizations prior to their affiliation with SESAC continue only through authority or license from SESAC. As you know, the great bulk of radio stations throughout the country are already licensed. As regards any unlicensed stations which have not yet been contacted by our representatives, we have no intention of interrupting any such usages pursuant to such temporary permit pending the consummation of negotiations for the SESAC license. This is in accord with our policy of cooperating and extending every possible courtesy to radio stations whom we wish to consider as clients and patrons. We feel that their continuation of usage under authority granted by us, pending their acquisition of the SESAC license, performs a valuable service in enabling the station to make use of SESAC music in accordance with its untrammeled wishes without being concerned or confronted with the legal problem of copyright infringement.

(c) **Very definitely, SESAC has the right to sue a radio station for infringement growing out of a radio performance of any copyrighted musical selection published and controlled by any one of the aforesaid firms.** As you are aware, SESAC, as a matter of good will and cooperation to the stations, has quite consistently refrained from bringing infringement suits even where infringements have taken place. Rather, it has been felt that a cooperative policy will obviate the necessity for legal proceedings and bring about the entirely voluntary subscription to the SESAC license. And this policy appears to have been eminently successful. We are confident that the reciprocation by the stations will commend the continuance of this policy to us in the future.

9. With regard to the inquiry and reply in the exchange of correspondence between SESAC and the NAB which you quote as follows:

> "In your agreement you list certain publishers with which you have agreements, and you state that you have the right subject to various terms and conditions contained in these agreements, to authorize, prohibit, supervise and control performances in this country of certain musical compositions, dramatico-musical works and dramatic works. Do you distinguish between the works you have authority to license and those you do not? Do you have the exclusive right to these works?"
>
> "All of SESAC's contracts are exclusive, and generally speaking, cover all the compositions included in the catalogues of the particular publisher, but cognizance must be taken of the universal trade practice of music publishers, who from time to time, prior to entering into such an agreement as SESAC's, have sold to others the rights to certain compositions and single numbers from their catalogues. In such instances, of course, the exceptions are usually written into the contract. However, these exceptions are proportionately negligible in the case of SESAC's contracts."

and your reference to the firm of Gebrüeder Reinecke in this connection, we have already commented in the introductory part of our letter upon your failure to use the catalog material correctly and your consequent errors arising therefrom. It is surprising to us that you should make such a statement as the one that "the classified index of this catalogue lists neither 'dramatico-musical works' nor 'symphonic orchestral works'." Certainly the requisite musical background and knowledge in connection with catalogs would have indicated the character of these works in this catalog which are symphonic and orchestral. This is almost too obvious to have been the subject of error. Such listings, for example, as:

"Bd. VII. **Sinfonie F-dur.**
  Partitur
  Orchesterstimmen
Bd. VIII. **Sinfonie Es-dur.**
  Partitur
  Orchesterstimmen
Bd. XI. **Grande Sinfonia:**
  "Le carneval ou la redoute"
  (Carnevalssinfonie.....................)
  Part............................
  Orchesterstimmen

and many more clearly show the symphonic character of the work. Likewise, the use in connection with other listed works of the term "partitur," which is an international and American trade expression indicating the conductor's parts for symphonic works, and therefore designating the work as symphonic, should not have escaped your attention. Furthermore, many other words in the titles of the works, and the titles themselves, as listed in the classified and alphabetical indices to this catalog denote a substantial number of works which fall into the classification controlled by SESAC. Moreover, other catalog material of this publisher would show works falling into the symphonic orchestral and dramatico-musical classifications.

With regard to the communication to Gebrueder Reinecke to which you allude, we refer you to 3 (h).

10. (a) Referring further to 9, please be advised that we have the radio performing rights to all musical works published and controlled by the following publishers and organizations listed by you:

"Apollo Music Co.—New York
Arct, M.—Warsaw
Beck Verlag, Max—Leipzig
Becker (Rondo-Verlag)
Edition "Jastrzab" (J. Rzepecki)—Warsaw
Editions Fermata—Warsaw, Buenos Aires
Forberg, Rob.—Leipzig
Gebethner and Wolff—Warsaw
Grabczewski, F.—Warsaw
Haberer-Helasco, Hermann—Madrid, Berlin, Lisbon
Harmonie, Verlag—Berlin
  including
    Herman Seemann, Nachfolger, Leipzig
Idzikowski, Leon—Warsaw
Lebendiger, Henryk—Warsaw, Buenos Aires
Nowa Scena—Warsaw
Pagani, O., and Bro.—New York
Rondo Verlag—Berlin
Rudnicki, Walery—Warsaw (your listing erroneously indicates Berlin instead of Warsaw)
Schuberth, Edward & Co., Inc.—New York
Sesac Publications—New York
Solunastra—Lisbon, Berlin
Vitak-Elsnic Co.—Chicago
Warsaw Music Society—Warsaw
"W.J.R."—Warsaw"

In addition, we have the radio performing rights to the specified publications of the following:

"Fischer Verlag, S.—Berlin (radio plays)
Gordon, Paul—Berlin (radio plays, one act plays, sketches, scenes, skits, short stage plays and short operettas)"

In addition SESAC has such rights in the works of the following as specifically listed in notices and bulletins sent to the station of which you too have received copies. The listed works on said notices and bulletins may constitute all of the copyrighted publications of the respective firms:

"Culla, Antonio—Barcelona
Ediciones Rodoch (C. Rodriguez)—Bilbao
Ediciones A. Urmeneta—Barcelona
Mora, Jose—Barcelona"

Our pamphlet listing SESAC affiliates specifies with regard to the above "compositions as per list issued."

Regarding "Koester, Adolf, Musikverlag—Berlin Krentzlin, H. R.—Berlin." our aforesaid pamphlet indicates that these catalogs are included under Lienau'sche Musikverlage—Berlin, and we refer you to our replies to 4 (a) through 4 (e) inclusive, supra.

Similarly, regarding Rich. Noske—Borna and J. Loehel, Zittau, our aforesaid pamphlet indicates that these catalogs are included under Gebrueder Reinecke, and we refer you to our replies to 3 (a) through 3 (h) inclusive, supra. We have the same body of rights in the catalog of Robert Ruehle, Berlin as we presently have in the catalog of Gebrueder Reinecke.

Were any changes to occur with regard to the status of any compositions published or to be published by any of the aforesaid, affecting the industry in respect of our licensed subject matter, due notification of same would be made.

(b) We refer you again to the SESAC-NAB correspondence of December 8-12, 1934, with regard to the special permission requirement for "grand right" as contrasted to "small right" renditions. And again, by way of further discussion, in this connection, we refer you to 3. (c), (e), (g) (setting out our standard "grand rights" provision incorporating the usages of the trade), 4 (b), (f), (h), (i), (j), 5 (c), 6 (e), (f).

With reference to the third paragraph of the SESAC license agreement which you quote, please be advised that same is a correct statement of incorporation with respect to the rights exactly and completely as controlled by SESAC. We obviously would not license for what we do not control and which is not warranted to us by our publishers and organizations, and therefore in all cases, use as our definite, documentary and legal base, the rights procured pursuant to the contracts and assignments from said publishers and organizations. As we have already stated in the introductory part of this letter, these documents are available for your examination.

11. Here too the paragraph you question is an accurate embodiment of rights licensed by us specifically in accordance with the rights controlled. This has been thoroughly defined by us before, both by way of indicating the nature of our rights controlled in the various catalogs, or where our control relates only to specific works, by issuing lists of the specific works controlled. See, for example, 10 (a) and (b) supra.

(a) The term "a non-exclusive license" employed by us has a fixed and definite meaning, and we would presume that this is almost too clear to require discussion. The term **obviously** does **not** mean that another party may have the right or is able to acquire the right to also authorize radio performances of any part or all the works of the publishers and organizations named in this contract. It has no such connotation legally, as a business term, or otherwise. Its very precise meaning is that the particular station is not the only one in receipt of a license or, in other words, that the license is not exclusive in favor of the particular station. The contrary term "an exclusive license" signifies that only the particular station licensed is the recipient of the authority or privilege conferred. The latter occurs occasionally in connection with special licenses or contracts issued by SESAC for single works typically, of the "grand right" variety. For example, SESAC has licensed the broadcast performance of an important operetta exclusively to a particular station during a defined period of time. The purpose of such exclusive license for the operatic work during the period, is to assure the station that there will be no competitive performance of the same work by a second station (thereby detracting from the value of the first station's performance) during a short fixed time before and after its own performance. This should clearly illustrate to you the meaning of a "non-exclusive license" as contrasted to an "exclusive license" when applied to radio stations.

(b) As already explained in the forepart of 11, SESAC is licensing on the definite, documentary and legal base, fixed by its contracts and assignments with its publishers and organizations affiliated with it, and licenses are issued in full accordance with the rights assigned and conferred, no more, no less.

12. This matter of indemnity was covered in the SESAC-NAB correspondence of almost two years ago, wherein we wrote in our letter of December 12th, as follows:

> "We note that in your letter you inquire hypothetically about the possibility of a demand or claim being made on a licensee by another in connection with the rendition of a composition covered by our license. While this inquiry, we would respectfully point out, is entirely academic, inasmuch as during the five years of our existence no such claim or demand against any station or performer has been made, nevertheless, be assured that if such a contingency were to occur, both from our own standpoint in protecting our rights, as well as from the desire to cooperate with, and relieve the NAB member of the annoyance and inconvenience which would be occasioned thereby, we would, legally and otherwise, upon ten days' notice to us in writing by United States Reistered Mail, after the making of such claim or demand, personally defend and thereafter, if necessary, hold harmless and indemnify the NAB member from loss through such possible situation occurring by reason of the member's performance of musical

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compositions licensed for performance by us according to the terms
and conditions of the standard license."

(Incidentally, it is still true today that no such claim or demand has yet been made.) This indemnity is and has been in existence for almost two years and hence there is no necessity for additionally incorporating it in the license contract. You have supplied all stations with the SESAC-NAB correspondence containing same, and any stations which have written to us requesting additional copies, have been gladly supplied with same.

13. (a) Although your question 13 seems rather picayune and pointless in that you should purport to inquire why the matter on our letterhead which originally read "world famous authors and composers **represented in our catalogues**" (underscoring ours) was changed to "world famous authors and composers **in our repertory**" (underscoring ours), nevertheless if this concerns you, please be advised, that what was effected, and intended to be effcted, was merely a change in phraseology but not in meaning and for your further advice, if this is considered to be of interest to you, the purpose was to achieve a more symmetrical appearance on the letterhead.

(b) As already explained in question 1, SESAC represents and controls the original copyrighted works and arrangements of these authors and composers through indirect and direct contracts.

(c) SESAC now continues this representation and control in the same manner.

(d) In connection with the data supplied in this letter, please check and consult with the catalog material which has already been supplied you, and you will ascertain the works of these parties which are controlled by SESAC. You will appreciate that, should you wish to compile this information, you will find this to be a sizeable task and almost prohibitive from the standpoint of utility. As you are also well aware, it is not unusual that the representation and control of the performing rights in the works of various authors and composers will be found to be divided up among different organizations.

14. We have supplied the NAB with catalog material of our publishers which was collected especially for the NAB and have, as you know, supplemented this material from time to time. These catalogs are sufficient to apprise the station referring to them of their musical content. As to all the following (and this embraces some 50 repertories), we control the complete body of radio performing rights:

Ahn u. Simrock Buehnenverlag; Berlin
Apollo Music Company; New York
Arct, M.; Warsaw
Beck Verlag, Max; Leipzig
Braun Organization, The; Chicago
Bryant Music Company; New York
Calumet Music Co.; Chicago
Cole, M. M., Publishing Co.; Chicago
  including:
    "Happy Chappies"
    Vincent, Howard & Preeman, Ltd.; Los Angeles
Cross & Winge, Inc.; Portland, Ore.
Culla, Antonio; Barcelona (compositions as per list issued)
Ediciones Rodoch (C. Rodriguez); Bilbao (compositions as per list issued)
Ediciones A. Urmeneta; Barcelona (compositions as per list issued)
Edition Adler; Berlin (Succesor, Heinrichshofen's Verlag; Magdeburg)
Edition "Jastrzab" (J. Rzepecki); Warsaw
Editions Fermata; Warsaw—Buenos Aires
Forberg, Rob.; Leipzig
Gebethner & Wolff; Warsaw
Gehrmans Musikforlag, Carl; Stockholm
Grabczewski, F.: Warsaw
Haberer-Helasco, Hermann; Madrid-Berlin-Lisbon
Harmonie-Verlag; Berlin
  including:
    Hermann Seemann, Nachfolger; Leipzig
Hearst Music Publishing Co. Ltd. of Canada
Idzikowski, Leon; Warsaw
International Edition; Leipzig
Jewel Music Publishing Co.; New York
Lebendiger, Henryk; Warsaw—Buenos Aires
Master Music Makers; Portland, Ore.
Moderne Edition; Chicago
Mora, Jose; Barcelona (compositions as per list issued)
Music Products Corporation; Chicago
Nattrass-Schenck, Inc.; New York
Nowa Scena; Warsaw
Pagani O., & Bro.; New York
Radio City Guitar Studio; New York
Rialto Music Publishing Co.; New York
Rondo-Verlag; Berlin
  including:
    Alfred Becker; Berlin
Rudnicki, Walery; Warsaw
Schuberth, Edward & Co., Inc.; New York
Sesac Publications; New York
Solunastra; Lisbon—Berlin
Thorsings Musikforlag, Alfred; Copenhagen
Urgelles, J.; Barcelona (compositions as per list issued)
Vitak-Elsnic Co.; Chicago
Warsaw Music Society; Warsaw
"W.J.R."; Warsaw
Yanguas, Mariano; Madrid (compositions as per list issued)

The above list includes six (6) additional repertories acquired during the past few months.

In addition, SESAC controls the performing rights as already specified in correspondence with the NAB, of the following:

Eulenburg, Ernst; Leipzig
Fischer Verlag, S.; Berlin
Gordon, Paul; Berlin
Kaun-Verlag, Richard; Berlin
Lienau'sche Musikverlage; Berlin
  including:
    Carl Tobias Haslinger; Vienna
    H. R. Krentzlin; Berlin
    Musikverlag Haslinger; Vienna
    Schlesinger'sche Buch & Musikhdlg; Berlin
    Otto Wernthal; Berlin
Reinecke, Gebrueder; Leipzig
  including:
    Joh. Foerster; Pirna
    Gustav Haushahn; Magdeburg
    J. Loebel; Zittau
    Rich. Noske; Borna
Ruehle, Robert; Berlin
Steingraeber Verlag; Leipzig
Vieweg, Chr. Friedrich; Berlin

The data as specified and simply given heretofore in connection with the above would appear to be all that could be required. Where further inquiry has been made, stations have been correctly and expeditiously advised in accordance with our prior correspondence and thus far, there has been no lack of understanding in the matter. Through this means it has been our purpose to avoid and we believe we have avoided the distribution of data not alone destitute of usefulness, but replete with inevitably confusing technicality. We presume you are conversant with the complexity of the music situation, and the cooperation which SESAC has evidenced. Although, as we have mentioned before, the Federal Court has ruled that it is unnecessary to compile **such** listings and data unless the asking party bear the very substantial burden of costs in connection with such compilation, we have clearly endeavored to serve the NAB in behalf of its members, to obviate such unnecessary and essentially useless expense.

We reiterate that for purposes of copyright checking, the copyright owner's name must of necessity be the criterion. The musical qualities of the particular catalog are known by any qualified music man conversant with his trade. (See further the forepart of this letter.)

15. The great majority of radio stations throughout the country and virtually all stations contacted by our representatives have already shown their desire and need for the music covered by a SESAC license by procuring same at rates and fees mutually satisfactory. Furthermore, as already stated, all music covered by our license is available for performance pursuant to the license and this reservoir is constantly being augmented by the acquisition of additional catalogs. Not only is an extensive coverage thus granted but practical assistance is given to the stations, by making physically available to them, through our voluntary and cooperative efforts, a large source of music maintained in stock for such purposes. Constant shipments of this music are made to broadcasting stations who find it, together with our practical suggestions, a most valuable service. Indeed for our general cooperation and helpfulness in this and other matters, the industry has been constantly expressing its appreciation to us. Their testimonials and letters of gratification more than justify the continuance of SESAC's cooperative policy.

A copy of this letter is being simultaneously sent to all of your members.

Faithfully yours,
SOCIETY OF EUROPEAN STAGE
AUTHORS AND COMPOSERS INC.

PAUL HEINECKE
President

COPY

August 28, 1936

Mr. Paul Heinecke, Director
Society of European Stage Authors and Composers, Inc.
113 W. 42nd Street
New York, N. Y.

Dear Mr. Heinecke:

I am enclosing a list of the duplications between your catalog of June 1, 1936, and the ASCAP directory as of January 1, 1936. Please assist me in clearing up this confusing situation by letting me know if all of these duplications have become members of SESAC since January 1, 1936, and whether they were correctly listed by the ASCAP directory, at that time.

Would you tell me if the Apollo Music Company of New York is in any way connected with either the Apollo Musikforlag, or with Apollo Verlag, both of which are listed as ASCAP affiliates. If the Apollo Music Company of New York is connected with neither of these firms would you send me a catalog of their music. In addition I would like to receive lists of the music catalog by SESAC, on

CULLA, ANTONIO, Barcelona
EDICIONES RODOCH (C. RODRIGUEZ), Bilboa
EDICIONES A. URMENETA, Barcelona

Being in a requesting mood today, I wish you would have sent to me the catalogs of the Calumet Music Company, Chicago; Cross & Winge, Inc., Portland, Oregon; the Bryant Music Company of New York; the Braun Organization, Chicago; Hubert J. Braun, Chicago; and the Moderne Edition, of Chicago.

With my kindest regards,

Very truly yours,

EJF:F
Encl.

Edward J. Fitzgerald, Director
Bureau of Copyrights.

EXHIBIT 5 - p. 2

ASCAP DIRECTORY JAN 1, 1936		SESAC CATALOGUE JUNE 1, 1936
EULENBERG, ERNST	(STAGMA)	EULENBERG, ERNST, Leipzig
REINECKE, GEBRUDER	(STAGMA)	REINECKE, GEBRUEDER, Leipzig
GEHRMANS, CARL, MUSIKFORLAG ATKIEBOLAG	(STIM)	GEHRMANS MUSIKFORLAG, CARL, Stockholm
HAUSHAHN, GUSTAV	(STAGMA)	GUSTAV HAUSHAHN, Magdeburg
INTERNATIONAL EDITION MUSIKVERLAG G.m.b.H.	(STAGMA)	INTERNATIONAL EDITION, Leipzig
KAUN, RICH., VERLAG	(STAGMA)	KAUN-VERLAG, RICHARD, Berlin
HASLINGER, CARL qm. TOBIAS, Wien	(AKM)	CARL TOBIAS HASLINGER, Vienna
WERNTHAL, OTTO	(STAGMA)	OTTO WERNTHAL, Berlin
FOERSTER, J. B. Dr.	(OSA)	JOH. FOERSTER, Pirna
STEINGRAEBER VERLAG	(STAGMA)	STEINGRAEBER VERLAG, Leipzig
VIEWEG, CHR. FRIEDRICH G.m.b.H.	(STAGMA)	VIEWEG, CHR. FRIEDRICH, Berlin
SCHLESINGER'SCHE BUCH und MUSIKHANDLUNG	(STAGMA)	SCHLESINGER'SCHE BUCH & MUSIKHDLG, Berlin
AHN u. SIMROCK BUHNENVERLAG,	(STAGMA)	AHN u. SIMROCK BUHNENVERLAG, Berlin
LIENAU, ROBERT, SCHLESINGERSCHE BUCH und MUSIKHANDLUNG	(STAGMA)	LEINAU'SCHE MUSIKVERLAGE, Berlin
ALFRED THORSING	(KODA)	ALFRED THORSINGS MUSIKFORLAG, Copenhagen
EDITION ADLER, Berlin	(AKM)	EDITION ADLER, Berlin
HEINRICHSHOFEN'S VERLAG	(STAGMA)	HEINRICHSHOFEN'S VERLAG, Magdeburg

EXHIBIT 6-p. 1

COPY

September 10th, 1936

Mr. Edward J. Fitzgerald, Director
Bureau of Copyrights
National Association of Broadcasters
National Press Building
Washington, D. C.

Dear Mr. Fitzgerald:-

In reply to your letter of August 28th, please be advised that prior to January 1st, 1936, SESAC controlled and still controls the indicated performing rights of the following publishers listed by you as appearing in the ASCAP directory of January 1, 1936.

ERNST EULENBURG, Leipzig (Symphonic Orchestral Works)
GEBRUEDER REINECKE, Leipzig (Musical dramatical Works and Symphonic Orchestral Works)
GEHRMANS, CARL, MUSIKFORLAG, Stockholm (All Rights)
GUSTAV HAUSHAHN, Magdeburg (Included under GEBRUEDER REINECKE)
INTERNATIONAL EDITION, Leipzig (All Rights)
KAUN, RICHARD, VERLAG, Berlin (Musical dramatical Works and Symphonic Orchestral Works)
CARL TOBIAS HASLINGER, Vienna (Included under LIENAU'SCHE MUSIKVERLAGE)
MUSIKVERLAG HASLINGER, Vienna (Included under LIENAU'SCHE MUSIKVERLAGE)
OTTO WERNTHAL, Berlin (Included under LIENAU'SCHE MUSIKVERLAGE)
JOH. FOERSTER, Pirna (Included under GEBRUEDER REINECKE)
STEINGRAEBER VERLAG, Leipzig (Orchestra Works and Chamber Music)
VIEWEG, CHR. FRIEDR., Berlin (Orchestra Works, Chamber Music and Musical Dramatical Works,
SCHLESINGER'SCHE BUCH & MUSIKHDLG., Berlin (Included under LIENAU'SCHE MUSIKVERLAGE)
AHN & SIMROCK BUEHNENVERLAG, Berlin (All Rights)
LIENAU'SCHE MUSIKVERLAGE, Berlin (Serious Music and Symphonic Orchestral Works and Musical Dramatical Works)
ALFRED THORSINGS MUSIKFORLAG, Copenhagen (All Rights)
EDITION ADLER, Berlin, Successor Heinrichshofen, Magdeburg (All Rights)
HEINRICHSHOFEN'S VERLAG, Magdeburg (See EDITION ADLER)

Of those listed by you in your letter, only the publishing house of

ALFRED THORSINGS MUSIKFORLAG, Copenhagen, Denmark

became affiliated with SESAC since January 1st, 1936. Please note, however, that during the period between January 1st, 1936 and June 1st, 1936, SESAC acquired additional affiliations and rights in respect of the following:

CROSS & WINGE, INC., Portland, Oregon
THE BRAUN ORGANIZATION, Chicago, Ill. (Also known under the name of Hubert J. Braun Publications)
MASTER MUSIC MAKERS, Portland, Oregon
EDICIONES A. URMENETA, Barcelona, Spain
EDICIONES RODOCH, Bilbao, Spain
JOSE MORA, Barcelona, Spain
ANTONIO CULLA, Barcelona, Spain
C. RODRIGUEZ, Bilbao, Spain
NATTRASS-SCHENCK, INC., New York, N. Y.
EDITIONS FERMATA, Warsaw, Poland - Buenos Aires, Argentina
HENRYK LEBENDIGER, Warsaw, Poland - Buenos Aires, Argentina
MODERNE PUBLICATIONS, Chicago, Illinois (also known as MODERNE EDITION)
MARIANO YANGUAS, Madrid, Spain
J. URGELLES, Barcelona, Spain

Extra copies of SESAC bulletins to radio stations announcing these additional affiliations during this period are being forwarded under separate cover.

From your letter we observe that you have already noted the confusion that this incomplete and misleading ASCAP listing entails. Manifestly there is no definite indication regarding specified rights as being vested in ASCAP. The listing purports to be based on whatever information, irrespective of factual adequacy or correctness, was possessed by those issuing the directory.

(1)Conspicuously, all American publishers not affiliated with ASCAP are omitted from the listing. We refer to the following American SESAC affiliated publishers whose names are nowhere to be found therein:

APOLLO MUSIC COMPANY, New York, N. Y.
BRAUN ORGANIZATION, THE, Chicago, Illinois (Also known under the name of Hubert J. Braun Publications)
BRYANT MUSIC COMPANY, New York, N. Y.
CALUMET MUSIC CO., Chicago, Illinois
COLE, M. M., PUBLISHING CO., Chicago, Illinois, including "HAPPY CHAPPIES", VINCENT, HOWARD & PREEMAN, LTD., Los Angeles, Calif.
CROSS & WINGE, INC., Portland, Oregon
MASTER MUSIC MAKERS, Portland, Oregon
MODERNE PUBLICATIONS, Chicago, Illinois (Also known as MODERNE EDITION)
MUSIC PRODUCTS CORPORATION, Chicago, Illinois
NATTRASS-SCHENCK, INC., New York, N. Y.
PAGANI, O., & BRO., New York, N. Y.
SCHUBERTH, EDWARD, & CO., INC., New York, N. Y.
SESAC PUBLICATIONS, New York, N. Y.
VITAK-ELSNIC CO., Chicago, Illinois

(2) It is also important to note that the following foreign publishers affiliated with SESAC are nowhere listed by ASCAP:

BECK VERLAG, MAX, Leipzig
BECKER, ALFRED, Berlin (Included under RONDO-VERLAG)
CULLA, ANTONIO, Barcelona
FISCHER VERLAG, S., Berlin
FORBERG, ROB., Leipzig
GORDON, PAUL, Berlin
HABERER-HELASCO, HERMANN, Madrid - Berlin - Lisbon
KOESTER, ADOLF, MUSIKVERLAG, Berlin (Included under LIENAU'SCHE MUSIKVERLAGE)
KRENTZLIN, H. R., Berlin (Included under LIENAU'SCHE MUSIKVERLAGE)
LOEBEL, J., Zittau (Included under GEBRUEDER REINECKE)
NOSKE, RICH., Borna (Included under GEBRUEDER REINECKE)
RONDO-VERLAG, Berlin
RUEHLE, ROBERT, Berlin
SEEMANN, HERMANN, Nachfolger, Leipzig (Included under HARMONIE-VERLAG, Berlin)
SOLUNASTRA, Lisbon - Berlin
WARSAW MUSIC SOCIETY, Warsaw

(3) Furthermore, ASCAP lists the following foreign publishers and acknowledges that none of their rights are vested in it (owing to the absence of a reciprocal arrangement), but fails to indicate their affiliation with SESAC:

ARCT, M., Warsaw
EDICIONES RODOCH, Bilboa
EDICIONES A. URMENETA, Barcelona
EDITION "JASTRZAB" (J. RZEPECKI) Warsaw
EDITIONS FERMATA, Warsaw - Buenos Aires
GEBETHNER & WOLFF, Warsaw
GRABCZEWSKI, F., Warsaw

EXHIBIT 6-p. 3

IDZIKOWSKI, LEON, Warsaw
LEBENDIGER, HENRYK, Warsaw - Buenos Aires
MORA, JOSE, Barcelona
NOWA SCENA, Warsaw
RODRIGUEZ, C., Bilbao
RUDNICKI, WALERY, Warsaw
"W. J. R.", Warsaw

Indeed it is singular to observe that the directory fails to specify and classify the some sixty odd publishers which are affiliated with SESAC, but on the contrary in an obviously misleading fashion recites at the outset that the performing rights to a certain publisher named HARMONIE-VERLAG, Berlin, are controlled by SESAC.

Of course, the directory acknowledges that errors may exist and disclaims responsibility for faulty listing. As above indicated, gross error and confusion, both by omission and commission, have been created with regard to the listing of the SESAC affiliated publishers.

In answer to your further inquiry, please be advised that the APOLLO MUSIC COMPANY of New York, is affiliated exclusively with SESAC and has no relationship whatsoever to any other firms bearing similar names. This also applies with regard to the firm of EDWARD SCHUBERTH & CO., INC., of New York (publisher of numerous Victor Herbert compositions).

The additional catalog material which you request has been collected by us for your attention and is also being forwarded under the separate cover. Should you wish any further data for dissemination to your members, please communicate with us and we shall be pleased to assist you as fully as we can.

With best wishes,

Sincerely yours,
(signed) Paul Heinecke
PAUL HEINECKE
President

SOCIETY OF EUROPEAN STAGE
AUTHORS AND COMPOSERS INC

EXHIBIT 7-p. 1

PAGANI, O., & BRO.; New York
PREEMAN (See COLE, M. M., PUBLISHING CO.)

REINECKE, GEBRUEDER; Leipzig
  including:
    JOH. FOERSTER; Pirna
    GUSTAV HAUSHAHN; Magdeburg
    J. LOEBEL; Zittau
    RICH. NOSKE; Borna
RODOCH (See EDICIONES RODOCH)
RODRIGUEZ (See EDICIONES RODOCH)
RONDO-VERLAG: Berlin
  including:
    ALFRED BECKER; Berlin
RUDNICKI, WALERY; Warsaw
RUEHLE, ROBERT; Berlin
RZEPECKI (See EDITION "JASTRZAB")

SCHLESINGER'SCHE BUCH & MUSIKHDLG.
  (See LIENAU'SCHE MUSIKVERLAGE)
SCHUBERTH, EDWARD, & CO., INC.; New York
SEEMANN (See HARMONIE-VERLAG)
SESAC PUBLICATIONS: New York
SOLUNASTRA; Lisbon - Berlin
STEINGRAEBER VERLAG; Leipzig

THORSINGS MUSIKFORLAG, ALFRED
  (See GEHRMANS MUSIKFÖRLAG, CARL)

URMENETA A (See EDICIONES A. URMENETA)

VIEWEG, CHR. FRIEDRICH; Berlin
VINCENT, HOWARD & PREEMAN
  (See COLE, M. M., PUBLISHING CO.)
VITAK-ELSNIC CO.; Chicago

WARSAW MUSIC SOCIETY; Warsaw
WERNTHAL (See LIENAU'SCHE MUSIKVERLAGE)
"W.J.R."; Warsaw

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC.
113 WEST 42ND STREET NEW YORK, N. Y.

PUBLISHERS AND ORGANIZATIONS AFFILIATED WITH

SESAC

June 1st, 1936

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, Inc.
113 WEST 42ND STREET NEW YORK, N. Y.

EXHIBIT 7-p. 2

The following enumeration is the list contained in SESAC's Regular Performance Licenses as supplemented by recent acquisitions.

ADLER (See EDITION ADLER)
AHN u. SIMROCK BÜHNENVERLAG; Berlin
APOLLO MUSIC COMPANY; New York
ARCT, M.; Warsaw

BECK VERLAG, MAX; Leipzig
BECKER (See RONDO-VERLAG)
BRAUN, HUBERT J.; Chicago
BRAUN ORGANIZATION, THE; Chicago
BRYANT MUSIC COMPANY; New York

CALUMET MUSIC CO.; Chicago
COLE, M. M., PUBLISHING CO.; Chicago
  including:
    "HAPPY CHAPPIES"
    VINCENT, HOWARD & PREEMAN, LTD.; Los Angeles
CROSS & WINGE, INC.; Portland, Ore.
CULLA, ANTONIO; Barcelona (compositions as per list issued)

EDICIONES RODOCH (C. RODRIGUEZ); Bilboa
    (compositions as per list issued)
EDICIONES A. URMENETA; Barcelona
    (compositions as per list issued)
EDITION ADLER; Berlin
    (Successor, HEINRICHSHOFEN'S VERLAG; Magdeburg)
EDITION "JASTRZAB" (J. RZEPECKI); Warsaw
EDITION MODERNÉ (See MODERNÉ EDITION)
EDITIONS FERMATA; Warsaw - Buenos Aires
EULENBERG, ERNST; Leipzig

FERMATA (See EDITIONS FERMATA)
FISCHER VERLAG, S.; Berlin
FOERSTER (See REINECKE)
FORBERG, ROB.; Leipzig

GEBETHNER & WOLFF; Warsaw
GEBRUEDER REINECKE (See REINECKE)
GEHRMANS MUSIKFÖRLAG, CARL; Stockholm
  including:
    ALFRED THORSINGS MUSIKFORLAG; Copenhagen
GORDON, PAUL; Berlin
GRABCZEWSKI, F.; Warsaw

HABERER-HELASCO, HERMANN; Madrid - Berlin - Lisbon
HAPPY CHAPPIES (See COLE, M. M., PUBLISHING CO.)
HARMONIE-VERLAG; Berlin
  including:
    HERMANN SEEMANN, Nachfolger; Leipzig
HASLINGER (See LIENAU'SCHE MUSIKVERLAGE)
HAUSHAHN (See REINECKE)

IDZIKOWSKI, LEON; Warsaw
INTERNATIONAL EDITION; Leipzig

JASTRZAB (See EDITION "JASTRZAB")

KAUN-VERLAG, RICHARD; Berlin
KOESTER (See LIENAU'SCHE MUSIKVERLAGE)
KRENTZLIN (See LIENAU'SCHE MUSIKVERLAGE)

LEBENDIGER, HENRYK; Warsaw - Buenos Aires
LIENAU'SCHE MUSIKVERLAGE; Berlin
  including:
    CARL TOBIAS HASLINGER; Vienna
    H. R. KRENTZLIN; Berlin
    MUSIKVERLAG HASLINGER; Vienna
    MUSIKVERLAG ADOLF KOESTER; Berlin
    SCHLESINGER'SCHE BUCH & MUSIKHDLG.; Berlin
    OTTO WERNTHAL; Berlin
LOEBEL (See REINECKE)

MASTER MUSIC MAKERS; Portland, Ore.
MODERNÉ EDITION; Chicago
MODERNÉ PUBLICATIONS; Chicago
MORA, JOSE; Barcelona (compositions as per list issued)
MUSIC PRODUCTS CORPORATION; Chicago
MUSIKVERLAG HASLINGER
    (See LIENAU'SCHE MUSIKVERLAGE)
MUSIKVERLAG ADOLF KOESTER
    (See LIENAU'SCHE MUSIKVERLAGE)

NATTRASS-SCHENCK, INC.; New York
NOSKE (See REINECKE)
NOWA SCENA; Warsaw

EXHIBIT 8--pl

THORSINGS MUSIKFORLAG, ALFRED; Copenhagen

URGELLES, J.; Barcelona (compositions as per list issued)
URMENETA (See EDICIONES A. URMENETA)

VINCENT, HOWARD & PREEMAN
(See COLE, M. M., PUBLISHING CO.)
VITAK-ELSNIC CO.; Chicago

WARSZAWSKIE TOWARZYSTWO MUZYCNE
(WARSAW MUSIC SOCIETY); Warsaw
"W.J.R."; Warsaw

YANGUAS, MARIANO; Madrid (compositions as per list issued)

SESAC also controls all performing rights to the compositions and works as indicated, of the following:

EULENBURG, ERNST; Leipzig (Symphonic Orchestral works)

FISCHER, VERLAG, S.; Berlin (Radio plays)

GORDON, PAUL; Berlin (Radio plays, one act plays, sketches, scenes, skits, short stage plays and short operettas)

LIENAU'SCHE MUSIKVERLAGE; Berlin
including:
CARL TOBIAS HASLINGER; Vienna
H. R. KRENTZLIN; Berlin
MUSIKVERLAG HASLINGER; Vienna
MUSIKVERLAG ADOLF KOESTER; Berlin
SCHLESINGER'SCHE BUCH & MUSIKHDLG; Berlin
OTTO WERNTHAL; Berlin
(Serious Music and Symphonic Orchestral Works and Musical Dramatical Works)

REINECKE, GEBRUEDER; Leipzig
including:
JOH. FOERSTER; Pirna
GUSTAV HAUSHAHN; Magdeburg
J. LOEBEL; Zittau
RICH. NOSKE; Borna
(Symphonic Orchestral Works and Musical Dramatical Works)

STEINGRAEBER VERLAG; Leipzig (Orchestral Works and Chamber Music)

VIEWEG, CHR. FRIEDR.; Berlin (Orchestral Works, Chamber Music and Musical Dramatical Works)

EXHIBIT 8-p. 1

PUBLISHERS AND ORGANIZATIONS AFFILIATED WITH

SESAC

January 1st, 1937

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, Inc.
113 WEST 42ND STREET NEW YORK, N. Y.

EXHIBIT 8-p. 2

THE SCHEDULE BELOW COMPRISES THE LIST CONTAINED IN *SESAC'S* REGULAR PERFORMANCE LICENSES AS SUPPLEMENTED AND REVISED TO DATE HEREOF.

SESAC controls all performing rights to the compositions and works of the following:

ADLER (See EDITION ADLER)

AHN u. SIMROCK BÜHNENVERLAG; Berlin
ALTSCHULER, J.; Warsaw
APOLLO MUSIC COMPANY; New York
ARCT, M.; Warsaw

BARWICKI, K. T.; Poznan
BECKER (See RONDO-VERLAG)
BRAUN, HUBERT J.; Chicago
BRAUN ORGANIZATION, THE; Chicago
BRYANT MUSIC COMPANY; New York

CALUMET MUSIC CO.; Chicago
COLE, M. M., PUBLISHING CO.; Chicago
  including:
    "HAPPY CHAPPIES"
    VINCENT, HOWARD & PREEMAN, LTD.; Los Angeles
CROSS & WINGE, INC.; Portland, Ore.
CULLA, ANTONIO; Barcelona (compositions as per list issued)

EDICIONES RODOCH (C. RODRIGUEZ); Bilbao
  (compositions as per list issued)
EDICIONES A. URMENETA; Barcelona
  (compositions as per list issued)
EDITION ADLER; Berlin
  (Successor, HEINRICHSHOFEN'S VERLAG; Magdeburg)
EDITION "JASTRZAB" (J. RZEPECKI); Warsaw
EDITION MODERNÉ (See MODERNÉ EDITION)
EDITIONS FERMATA; Warsaw - Buenos Aires
EDITIONS PRO ARTE; Warsaw

FERMATA (See EDITIONS FERMATA)
FORBERG, ROB.; Leipzig

GEBETHNER & WOLFF; Warsaw
GEHRMANS MUSIKFÖRLAG, CARL; Stockholm
GRABCZEWSKI, F.; Warsaw

HABERER-HELASCO, HERMANN; Madrid - Berlin - Lisbon
HAPPY CHAPPIES (See COLE, M. M., PUBLISHING CO.)
HARMONIE-VERLAG; Berlin
  including:
    HERMANN SEEMANN, Nachfolger; Leipzig
HEARST MUSIC PUBLISHING CO. LTD. OF CANADA

IDZIKOWSKI, LEON; Warsaw
INTERNATIONAL EDITION; Leipzig

JASTRZAB (See EDITION "JASTRZAB")
JEWEL MUSIC PUBLISHING CO.; New York

LEBENDIGER, HENRYK; Warsaw - Buenos Aires

MASTER MUSIC MAKERS; Portland, Ore.
MODERNÉ EDITION; Chicago
MODERNÉ PUBLICATIONS; Chicago
MORA, JOSE; Barcelona (compositions as per list issued)
MUSIC PRODUCTS CORPORATION; Chicago

NATTRASS-SCHENCK, INC.; New York
NOWA SCENA; Warsaw

PAGANI, O., & BRO.; New York
POLSKIE TOWARZYSTWO MUZYKI WSPOLCZESNEJ; Warsaw
PREEMAN (See COLE, M. M., PUBLISHING CO.)
PRO ARTE; Lwow
"PWP" PRZEDSTAWICIELSTWO WYDAWNICTW POLSKICH (SOCIETY OF POLISH PUBLISHERS); Warsaw

RADIO CITY GUITAR STUDIO; New York
RIALTO MUSIC PUBLISHING CO.; New York
RODOCH (See EDICIONES RODOCH)
RODRIGUEZ (See EDICIONES RODOCH)
RONDO-VERLAG; Berlin
  including:
    ALFRED BECKER; Berlin
RUDNICKI, WALERY; Warsaw
RZEPECKI (See EDITION "JASTRZAB")

SCHUBERTH, EDWARD, & CO., INC.; New York
SEEMANN (See HARMONIE-VERLAG)
SESAC PUBLICATIONS; New York
SEYFARTH, G.; Lwow
SOLUNASTRA; Lisbon - Berlin

EXHIBIT 8 p 2

NAME OF PUBLISHER OR ORGANIZATION	PERIOD IN WHICH MUSIC WAS COPYRIGHTED 1870-1909	1909-1927	1927-1937	Total	TYPE
1. Accordion Music Publishing Co.	0	0	0	0	American*
2. Ahn and Simrock Buhnenverlag	0	80	0	80	German
3. Altschuler, J.	0	0	1	1	Polish
4. Apollo Music Company	0	0	151	151	Greek
5. Arct, M.	0	0	169	169	Polish
6. Barwicki, K. T.	0	0	0	0	Polish*
7. Beck, Max	0	0	8	8	German
8. Becker, Alfred	0	0	0	0	German*
9. Braun, H. J.	0	0	33	33	American
10. Bryant Music Company	0	39	0	39	American
11. Calumet Music Company	0	0	283	283	American
12. Cole, M. M.	0	0	104	104	American
13. Cross and Winge, Inc.	0	0	34	34	American
14. Culla, Antonio	0	0	1	1	Spanish
15. **Deiro**, Pietro	0	2	9	11	American
16. Edition Adler	0	0	27	27	German
17. Editions Fermata	0	0	37	37	Polish
18. Ediciones Rodoch	0	0	5	5	Spanish
19. **Fischer** Verlag, S.	0	0	0	0	German*
20. Forberg, Robert	0	445	30	475	German
21. Gebethner and Wolff	0	0	73	73	Polish
22. Gehrmans Musikforlag	0	37	110	147	Scandinavian
23. Gordon, Paul	0	0	0	0	German*
24. Grabzewski, F.	0	0	44	44	Polish
25. Haberer-Helasco, H.	0	0	7	7	Spanish
26. Happy Chappies	0	0	0	0	American*

NAME OF PUBLISHER OR ORGANIZATION	PERIOD IN WHICH MUSIC WAS COPYRIGHTED				TYPE
	1870-1909	1909-1927	1927-1937	Total	
27. Harmonie-Verlag	2 **	658	3	663	German
28. Hearst Music Publishing Co.Ltd.	0	62	0	62	Canadian
29. Idzikowski, Leon	0	0	48	48	Polish
30. International Edition	0	0	18	18	German
31. Jastrzab (J. Rzepecki)	0	0	21	21	Polish
32. Jewell Music Publishing Company	0	0	11	11	American
33. Lebendiger, H.	0	0	0	0	Polish*
34. Master Music Makers	0	0	8	8	American
35. Moderne Edition (Publications)	0	0	21	21	American
36. Mora, Jose	0	0	6	6	Spanish
37. Music Products Corporation	0	0	12	12	American
38. Nattress-Schenck, Inc.	0	0	43	43	American
39. Nowa Scena	0	0	163	163	Polish
40. Pagani, O., & Bro.	0	314	203	517	Italian
41. P.W.P.	0	0	0	0	Polish*
42. Polskie Towarzystwo Muzyki Wspolczesnej	0	0	0	0	Polish*
43. Pro Arte	0	0	5	5	Polish
44. Radio City Guitar Studio	0	0	8	8	American
45. Rialto Music Publishing Company	0	0	24	24	American
46. Rondo Verlag	0	221	70	291	German
47. Rudnicki, Walery	0	0	0	0	Polish*
48. Ruehle, Robert	0	26	32	58	German
49. Schuberth, Edward, & Co.	747 **	354	184	1285	American
50. SESAC Publications	0	0	7	7	American
51. Seemann, Hermann	0	0	0	0	German *
52. Seyfarth, G.	0	0	15	15	Polish

EXHIBIT 9-p. 3

NAME OF PUBLISHER OR ORGANIZATION	PERIOD IN WHICH MUSIC WAS COPYRIGHTED 1870-1909	1909-1927	192701937	Total	TYPE
53. Solunastra	0	0	0	0	Spanish*
54. Thorsings, Alfred	0	0	41	41	Scandinavian
55. Union de Compositores	0	0	2	2	Spanish
56. Urgelles, J.	0	0	5	5	Spanish
57. Urmeneta, A.	0	0	41	41	Spanish
58. Vincent, Howard & Preeman	0	0	34	34	American
59. Vitak-Elsnic Company	0	221	66	287	Polish
60. Warsaw Music Society	0	0	0	0	Polish*
61. W.J.R.	0	0	9	9	Polish
62. Yanguas, Mariano	0	0	6	6	Spanish
TOTALS	749**	2459	2230	5438	Polish -12 German - 8 Spanish - 8 Italian - 1 Greek - 1 Scandinavian- 2 *No Entries -13 American -16 Canadian - 1 TOTAL -62

** Renewals - - made by SESAC or by Edward Schuberth & Co.

EXHIBIT 10-p. 1

COPY

January 26, 1937

American Society of Composers,
Authors and Publishers
30 Rockefeller Plaza
New York, N. Y.

Attention: E. C. Mills, General Manager

Gentlemen:

In the course of an investigation we are making it has been noted that certain composers and authors listed in your 1931 and 1936 directories as members of the ASCAP have composed a number of compositions which were published in the period 1931 to 1936 inclusive by music publishers who have not been identified as members of the ASCAP. Further, it has been noted that these publishers have registered the compositions in question with the Register of Copyrights and list themselves as copyright claimants. The performing rights society of which these publishers are claimed to be members asserts that it controls the complete body of radio performing rights of these specific publishers.

Our interpretation of the contract between the ASCAP and its members is that such member (composer or author) agrees irrevocably to sell, assign, transfer and set over to the Society the entire exclusive right of public performance in each musical work which he may, during the term of the agreement, write, etc., alone, jointly, etc., or in which he may have any right, title or interest whatsoever. It is our understanding that the exclusive and irrevocable terms of ASCAP contracts with composers and authors were introduced in 1921 and were in effect in the period from January 1, 1931 to December 31, 1935.

In these circumstances it is our conclusion that only your Society (ASCAP) has the right to license for public performances the copyrighted musical selections of each and every of your author and composer members for the period January 1, 1931 to December 31, 1935.

In the interest of accuracy, I will appreciate your verification of this general conclusion and, more specifically, whether any public performance rights in compositions by the following authors and composers can be licensed by any person, firm or society other than the ASCAP:

Rondo Verlag: Berlin, publishers of compositions by -
Vincent Youmans
Irving Berlin
Rudolf Friml
Larry Spier
Ray Henderson

Nattrass Schenck, Inc.; New York, publishers of compositions by -
Joe Goodwin
Al Sherman
Al Lewis
Ray Klages
George B. MacConnell
Tom Waller
Nat Vincent
Andy Razaff
Vincent Rose
Maurice Beresford (PRS)
Louis Herscher
George Little
Charles Newman
Ben Ryan
George Whiting
Larry Shay
Jack Meskill
Nick Kenny

Rialto Music Publishing Company; New York, publishers of compositions by
Louis Herscher
Ben Gordon

Music Products Corporation; Chicago, publishers of compositions by - Geoffrey O'Hara
Jewell Music Publishing Company, New York, publishers of compositions by - A. B. Sterling

EXHIBIT 10-p. 2

M. M. Cole Publishing Company; Chicago, publishers of compositions by -- Nat Vincent

Again, in the case of "Badinage" by Victor Herbert, originally assigned to Edward J. Schuberth Company in 1895, we find the renewal was made by Victor Herbert through Nathan Burkan on September 12, 1922. This fact together with the exclusive and irrevocable contract which we understand was entered into between Herbert and the ASCAP in 1921, gives us the basis for our conclusion that the performance rights in this composition are controlled only by the ASCAP. I will appreciate also your verification of this conclusion.

Cordially yours,

NATIONAL ASSOCIATION OF BROADCASTERS

JWB-P

James W. Baldwin, Managing Director

EXHIBIT 11.

AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS
THIRTY ROCKEFELLER PLAZA
NEW YORK CITY

E. C. MILLS
GENERAL MANAGER

February 5, 1937.

National Association of Broadcasters,
National Press Building,
Washington, D. C.

Att: Mr. James W. Baldwin, Managing Director

Gentlemen:

Answering yours of the 26th stating your interpretation of the agreements between ASCAP and its members and your conclusion that under certain circumstances only this Society has the right to license their respective copyrighted compositions for public performance, and requesting us to inform you definitely as to the status of the works of certain writer-members published by non-member publishers:

I am unwilling to take a definite general position. I am entirely willing to answer the question as to any specific composition, by title, but would prefer to answer these questions upon inquiry direct from a licensee.

Yours very truly,

AMERICAN SOCIETY OF COMPOSERS,
AUTHORS AND PUBLISHERS

E. C. MILLS

ECM:DN

COPY

EXHIBIT 12

February 15, 1937

American Society of Composers,
Authors and Publishers
30 Rockefeller Plaza
New York, N. Y.

Attention: E. C. Mills, General Manager

Gentlemen:

In the course of an investigation we are making, it has been noted that certain composers and authors listed in your 1931 and 1936 directories as members of the ASCAP have composed a number of compositions which were published in the period 1931 to 1936 inclusive by music publishers who have not been identified as members of the ASCAP. Further, it has been noted that these publishers have registered the compositions in question with the Register of Copyrights and list themselves as copyright claimants. The performing rights society of which these publishers are claimed to be members asserts that it controls the complete body of radio performing rights of these specific publishers.

Our interpretation of the contract between the ASCAP and its members is that such member (composer or author) agrees irrevocably to sell, assign, transfer and set over to the Society the entire exclusive right of public performance in each musical work which he may, during the term of the agreement, write, etc., alone, jointly, etc., or in which he may have any right, title or interest whatsoever. It is our understanding that the exclusive and irrevocable terms of ASCAP contracts with composers and authors were introduced in 1921 and were in effect in the period from January 1, 1931 to December 31, 1935.

In these circumstances it is our conclusion that only your Society (ASCAP) has the right to license for public performances the copyrighted musical selections of each and every of your author and composer members for the period January 1, 1931 to December 31, 1935. In the interest of accuracy, I will appreciate your verification of this general conclusion and, more specifically, whether any public performance rights in compositions by the following authors and composers can be licensed by any person, firm or society other than the ASCAP: Rondo Verlag: Berlin, publishers of compositions by -- Vincent Youmans, Irving Berlin, Rudolf Friml, Larry Spier, and Ray Henderson; Nattrass Schenck, Inc.; New York, publishers of compositions by -- Joe Goodwin, Al Sherman, Al Lewis, Ray Klages, George B. MacConnell, Tom Waller, Andy Razaff, Vincent Rose, Charles Newman, Maurice Beresford (PRS), Louis Herscher, George Little, Ben Ryan, George Whiting, Larry Shay, Jack Meskill, and Nick Kenny; Rialto Music Publishing Company; New York, publishers of compositions by -- Louis Herscher and Ben Gordon; Music Products Corporation; Chicago, publishers of compositions by -- Geoffrey O'Hara; Jewell Music Publishing Company; New York, publishers of compositions by -- A. B. Sterling; M. M. Cole Publishing Company; Chicago, publishers of compositions by - - Nat Vincent.

Again, in the case of "Badinage" by Victor Herbert, originally assigned to Edward J. Schuberth Company in 1895, we find the renewal was made by Victor Herbert through Nathan Burkan on September 12, 1922. This fact, together with the exclusive and irrevocable contract which we understand was entered into between Herbert and the ASCAP in 1921, gives us the basis for our conclusion that the performance rights in this composition are controlled only by the ASCAP. I will appreciate also your verification of this conclusion.

Cordially yours,

HAMPTON ROADS BROADCASTING CORPORATION

James W. Baldwin
Chairman of the Board

JWB:S

EXHIBIT 12

EXHIBIT 13-p. 1

AMERICAN SOCIETY OF COMPOSERS, AUTHORS AND PUBLISHERS
THIRTY ROCKEFELLER PLAZA
NEW YORK CITY

E. C. MILLS
GENERAL MANAGER

February 16, 1937

Hampton Roads Broadcasting Corporation,
Newport News,
Virginia.

Att: Mr. James W. Baldwin

Gentlemen:

Answering yours of the 15th stating your interpretation of the agreements between ASCAP and its members, and your conclusion that under certain circumstances, only this Society has the right to license their respective compositions for public performance, and requesting us to inform you definitely as to the status of works of certain writer-members published by non-member publishers:

We are unable to state a definite general rule of practice as it might not meet a particular individual situation, and thus either claim rights that legally we may not own or subject our licensee to the hazard of infringements. In other words, title to performing rights in certain compositions cannot be cleared under any general broad rule.

I think your interpretation is entirely accurate as a generalization, but in specific instances it might not be. For instance, Jones, a lyric writer is a member of ASCAP in 1931. Smith, a composer is not a member. The two of them collaborate in writing a composition entitled "SUNSET", which is placed for publication with Brown, a non-member of ASCAP, who copyrights it in the year it was written.

Brown's contract with both the writers conveys to him all rights of whatever nature under the copyright. Obviously, Jones makes his conveyance to the publisher subject to the previous conveyance to ASCAP of the exclusive right to license non-dramatic performances. Equally obviously, Smith, not a member of ASCAP, makes a complete conveyance.

In such a situation, it seems to me that the

EXHIBIT 13-p2

only right ASCAP would have would be that of licensing the non-dramatic performance of the lyrics only. Yet this line of reasoning might very well be upset under decisions that a musical work (words and music) represents the collective effort of a partnership, and the whole goes together. For all I know, the courts might hold that Smith, the non-member was bound by Jones, the member, and the final result might be that ASCAP had an equal but non-exclusive right with the non-member publisher to license public performances of the work.

I must therefore decline to give you any general ruling on this point, but will be very glad to analyze any list of works you may send us, and inform you specifically as to which of them may be considered as included in the ASCAP repertoire and embraced by its license.

Yours very truly,

AMERICAN SOCIETY OF COMPOSERS,
AUTHORS AND PUBLISHERS

E. C. MILLS

ECM:DN

EXHIBIT 14-p. 1

COPY

March 1, 1937

American Society of Composers,
Authors and Publishers
30 Rockefeller Plaza
New York, N. Y.

Attention: Mr. E. C. Mills

Gentlemen:

Reference is made to your letter of the 16th in reply to ours of February 15th. It would be extremely unfortunate, in view of the unequivocal terms of the ASCAP agreement with authors and composers, if as an ASCAP licensee we cannot rely on collateral information contained in the ASCAP publications and thereby identify the musical selections we are permitted to use in pursuance of the license we have with you.

As stated in our letter of February 15th, it has been noted that certain composers and authors listed in your 1931 and 1936 directories as members of the ASCAP have composed a number of compositions which were published in the period 1931 to 1936 inclusive by music publishers who have not been identified as members of the ASCAP. Further, it has been noted that these publishers have registered the compositions in question with the Register of Copyrights and list themselves as copyright claimants. The performing rights society of which these publishers are claimed to be members asserts that it controls the complete body of radio performing rights of these specific publishers.

Our interpretation of the contract between the ASCAP and its members is that such member (composer or author) agrees irrevocably to sell, assign, transfer and set over to the Society the entire exclusive right of public performance in each musical work which he may, during the term of the agreement, write, etc., alone, jointly, etc., or in which he may have any right, title or interest whatsoever. It is our understanding that the exclusive and irrevocable terms of ASCAP contracts with composers and authors were introduced in 1921 and were in effect in the period from January 1, 1931 to December 31, 1935.

In these circumstances it is our conclusion that only your Society (ASCAP) has the right to license for public performances the copyrighted musical selections of each and every of your author and composer members for the period January 1, 1931 to December 31, 1935.

Now to return to your letter of the 16th - you say:

> "I think your interpretation is entirely accurate as a generalization, but in specific instances it might not be. For instance, Jones, a lyric writer is a member of ASCAP in 1931. Smith, a composer is not a member. The two of them collaborate in writing a composition entitled "SUNSET" which is placed for publication with Brown, a non-member of ASCAP, who copyrights it in the year it was written.
>
> "Brown's contract with both the writers conveys to him all rights of whatever nature under the copyright. Obviously, Jones makes his conveyance to the publisher subject to the previous conveyance to ASCAP of the exclusive right to license non-dramatic performances. Equally obviously, Smith, not a member of ASCAP, makes a complete conveyance.

"In such a situation, it seems to me that the only right ASCAP would have would be that of licensing the non-dramatic performance of the lyrics only. Yet this line of reasoning might very well be upset under decisions that a musical work (words and music) represents the collective effort of a partnership, and the whole goes together. For all I know, the courts might hold that Smith, the non-member was bound by Jones, the member, and the final result might be that ASCAP had an equal but non-exclusive right with the non-member publisher to license public performances of the work."

You then conclude by saying:

"I must therefore decline to give you any general ruling on this point, but will be very glad to analyze any list of works you may send us, and inform you specifically as to which of them may be considered as included in the ASCAP repertoire and embraced by its license."

We are accepting your offer and hereinafter indicate by publisher, composer and title the musical selections in which we are presently, particularly interested. However, in this connection we would advise that it is our belief that if we are in error in our interpretation, supra, and if your example of the composition entitled, "SUNSET", supra, typifies our error, then, it is our claim that the contract between the ASCAP and its members, at least, gives to the ASCAP a non-exclusive right to license us to perform "SUNSET". We request advice whether under such circumstances the ASCAP as licensor will protect us as licensee against claims which might be made by another.

Specifically the musical selections by publisher, composer and title in which we are presently interested are as follows: (Unless indicated by "N.M." all composers and authors are listed as members of the ASCAP in both the 1931 and 1936 ASCAP directories. It is noted that STAGMA and AKM are performing rights societies of Germany and Austria respectively, with whom ASCAP does have reciprocal agreements whereunder it represents in the United States of America such rights as their members have in this country.)

Rondo Verlag, Berlin; publishers of compositions by - -

Vincent Youmans - Otto Lindemann (STAGMA, 1936)
Hans H. Zerlett (STAGMA 1936)
Arthur Rebner (AKM 1936)

1. I Want to be Happy
2. No, No, Nannette
3. Take a Little One-Step

Vincent Youmans - Otto Lindemann (STAGMA 1936)
Arthur Rebner (STAGMA 1936)

4. Tea for Two

Rudolf Friml - Otto Lindemann (STAGMA 1936)
Arthur Rebner (AKM 1936)

5. Indian Love Call

Rudolf Friml - Otto Lindemann (STAGMA 1936)
Fritz Rotter (AKM 1936)

6. Oh, Rosemarie

Larry Spier - Con Conrad - Otto Lindemann (STAGMA 1936)
Arthur Rebner (AKM 1936)

7. Memory Lane

George Gershwin - Otto Lindemann (STAGMA 1936)
Arthur Rebner (AKM 1936)

8. Somebody Loves Me

Cecil Mack - Jimmy Johnson - Otto Lindemann (STAGMA 1936)
Arthur Rebner (AKM 1936)

9. Original Charleston

Ray Henderson - Otto Lindemann (STAGMA 1936)
Robert Gilbert (STAGMA 1936)

10. Annabelle

Nattrass Schenck, Inc., New York; publishers of compositions by -

Joe Goodwin - Larry Shay

1. Ain't You Ever Comin' Back

Joe Goodwin - Allen Sherman - Al Lewis

2. Congratulations Liberty Bell

Ray Klages - Vincent Rose - Jack Meskill

3. Downhearted

George B. McConnell - Dick Sanford (ASCAP 1936)
Tom Kennedy (N.M.)

4. By the Moss Covered Grave on the Hill
5. Corn Cob Willie
6. Down at the General Store
7. Down at the Old Red Barn
8. Fiddle Doesn't Fit His Chin
9. He Just Kept Biting His Nails
10. He Kissed Her Goodnight Until Morning
11. I'm a Runaway from a Chain Gang
12. I'm Gonna Go Back to the Mountains
13. I'm So Happy When the Sun is Shining
14. Last Night
15. Lonesome Valley Sally
16. More I Grew Tomatoes
17. 'Neath the Old Hanging Lamp in the Parlor
18. Old Bill Smith
19. Pumpkin Has No Pump
20. Radio Rubes Collection of Hill Country Ballads and Comic Songs
21. Red River Lullaby
22. There Ain't Much Good in a Woman
23. When It's Harvest Time in Old New Hampshire
24. Where the Arizona Moon is Shining

Tom Waller - Andy Razaf

25. When Gabriel Blows His Horn

Andy Razaf - James J. Johnson (N.M.) - (This may be Jimmy Johnson, ASCAP)

26. My Love Will Never Grow Old

Maurice Beresford (PRS 1936) - William E. Haines (PRS 1936)
Frank Somner (N.M.)

27. Boom, Tarara, Boom

Louis Herscher - Frank Nettrass (N.M.)

28. Chasing Flies Off the Old Gray Mare

George Little - Jack Stanley - George Little, Jr., (N.M.)

29. I'm Ready for Love

Ben Ryan - Solly Violinsky (ASCAP 1936)

30. By the Window in the Evening With You

George Whiting - Theodore Snyder - Nick Kenny

31. Under the Moon Talking to You About Me

Charles Newman - Johnny Burke (ASCAP 1936)
Harold Spinner (N.M.) - (This may be Harold Spina ASCAP, 1936)

32. Polly Wants a Cracker

Rialto Music Publishing Company, New York; publishers of compositions by -

Louis Herscher - - - - Ben Gordon (ASCAP 1931) - Clarke Van Ness (N.M.)

1. Clarke's Complete Minstrel Show

Louis Herscher - Frank Capano (N.M.) - Clarke Van Ness (N.M.)

2. Just a Waste of Tears

Louis Herscher - Billy James - Charles Seitter (N.M.)

3. Something Old, Something New, Something Gold, Something Blue

Music Products Corporation, Chicago; publishers of compositions by -

Geoffrey O'Hara - Rev. Charles E. Coughlin (N.M.)

1. Back to Christ Our King

Geoffrey O'Hara - Walter N. Thayer, Jr., (N.M.)

2. I Have a Rendezvous with Life

EXHIBIT 14-p.5

Jewell Music Publishing Company, New York; publishers of compositions by -

Andrew B. Sterling - Raymond Sterling (N.M.)
Louis Ricca (N.M.)
William Lackenbauer (N.M.)

1. Good Old Moon

M. M. Cole Publishing Company, Chicago; publishers of compositions by -

Nat Vincent - Fred Howard (N.M.)

1. In the Little Green Valley School
2. My Dear Old Arizona Home
3. On a Little Farm in Iowa
4. On the Golden Shores of Lake Louise
5. Sweet Dreams

You neglected to express any opinion in your reply with respect to "Badinage" by Victor Herbert. "Badinage" by Victor Herbert was originally assigned by him to the Edward J. Schuberth Company, August 9, 1895, for "all times". This assignment was effective only as one for 28 years from September 12, 1895, the date of the original copyright, as no assignment of copyright can anticipate or assign away the right of renewal. (Paige v. Banks, 80 U. S. 608), Accordingly, Schuberth's rights to "Badinage" expired at the termination of the 28 year period in 1923. In view of the customary exclusive and irrevocable contract which we understand was entered into between Herbert and ASCAP in 1921, we believe that the instant the second 28 year period commenced to run after renewal, the performance rights to "Badinage" automatically vested in ASCAP. This together with the fact that the renewal was made through Nathan Burkan on September 12, 1922, and that the ASCAP program listings credits the performance rights of "Badinage" to M. Witmark and Company, an ASCAP publisher, is the basis for our conclusion that the performance rights in this composition are controlled only by the ASCAP. Do you agree with this conclusion? If not, wherein do you disagree?

Thanking you in advance for the information herein requested, we are,

Cordially yours,

HAMPTON ROADS BROADCASTING CORPORATION

JWB-P

James W. Baldwin, Chairman of the Board

EXHIBIT 15-p. 1

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

PENNSYLVANIA BROADCASTING COMPANY,
Philadelphia, Pennsylvania,
Plaintiff

--against--

GENE BUCK, LOUIS BERNSTEIN, JEROME KERN, E. C. MILLS,
Defendant.

In Equity
No. E 76-273

SUPPLEMENTARY OPINION

MACK, Circuit Judge:

In the opinion filed December 19, 1934, after the reargument, I passed only on the objection of self-incrimination, because I assumed that defendant Mills would take advantage of the opportunity personally to raise that objection. He has not done so. A stenographic error in that opinion is to be corrected. I had originally over-ruled the objection to interrogatory 6 and not 5, as therein stated.

On the merits of the re-argument, I cannot concur in plaintiff's contentions as to the relevancy of defendants' other activities on the radio broadcasting situation, in which alone plaintiff is interested and in respect to which it may be able to show that it has been and will be injuriously affected unless the injunction be granted. Therefore, the original ruling is confirmed except that on further consideration I conclude that interrogatories 42 and 44 should be answered, but that the expense of gathering and compiling the information be paid by plaintiff. Defendants shall furnish plaintiff an estimate thereof within ten days, plaintiff may then pay the same or, on three days' notice to defendants, contest the reasonableness thereof, or consent that the interrogatories need not be answered.

JULIAN MACK

U. S. Circuit Judge

January 7, 1935

Pennsylvania Broadcasting Company, Philadelphia, Pennsylvania,

v.

Gene Buck, Louis Bernstein, Jerome Kern, E. C. Mills
(U.S. District Court for the Southern District of N.Y.)

In Equity No. E70-273 - December 19, 1934.

Defendant Mills filed objections to the following forty-four interrogatories propounded by plaintiff:

1. State and names of all members of the American Society of Composers, Authors and Publishers on January 1st of each of the following years, 1915, 1918, 1921, 1924, 1927, 1930, 1934.

2. State the number of licenses granted by said Society to proprietors of motion picture theatres in the United States during each of the calendar years from 1917 to 1933, inclusive.

3. State the amount of gross receipts of said Society from licenses to proprietors of motion picture theatres in the United States for each year from 1917 to 1933, inclusive.

4. State the number of licenses granted by said Society to hotels, restaurants and cabarets in the United States during each of the calendar years from 1917 to 1933, inclusive.

5. State the amount of gross receipts of said Society from licenses to proprietors of hotels, restaurants, dance halls, and cabarets in the United States for each year from 1917 to 1933, inclusive.

6. State the number of licenses granted by said Society to commercial radio broadcasting stations in the United States for each year from 1922 to 1933, inclusive.

7. State the amount of gross receipts of said Society from licenses to radio broadcasting stations for each year from 1922 to 1933, inclusive.

8. State the names of all licensees of said Society who hold an "Operator's Broadcasting License", together with:

   (a) The amount of the annual sustaining fee payable under each such license, and
   (b) The amount of percentage payments made by each such licensee for the period of one year commencing September 1, 1932, or commencing October 1, 1932, depending on the date of each such license contract.

9. State the names of all licensees of said Society who hold an "Operator's Broadcasting License for Newspaper-Owned Stations", together with the annual amount of the guaranty or fixed royalty payable by each such licensee thereunder.

10. State the gross amount of income received by said Society for the period of one year commencing October 1, 1932, from the National Broadcasting Company.

11. State the gross amount of income received by said Society for the period of one year commencing October 1, 1932, from the Columbia Broadcasting System.

12. Will you voluntarily produce, upon the trial of this cause, without being required to do so by subpoena or other judicial process, the Charter of the American Society of Composers, Authors and Publishers?

13. Will you voluntarily produce, upon the trial of this cause, without being required to do so by subpoena, or other judicial process, the By-Laws of the American Society of Composers, Authors and Publishers?

14. Will you voluntarily produce, upon the trial of this cause, without being required to do so by subpoena, or other judicial process, the form of agreement or copyright assignment between the American Society of Composers, Authors and Publishers and each of its members?

15. Will you voluntarily produce, upon the trial of this cause, without being required so to do by subpoena or other judicial process, the license agreements between the American Society of Composers, Authors and Publishers and all of their licensees?

16. Will you voluntarily produce, upon the trial of this cause, without being required to do so by subpoena or other judicial process, all contracts between the American Society of Composers, Authors and Publishers, and any association or society or copyright owners in any foreign country?

17. State the name of the President, the Secretary and the General Manager of the American Society of Composers, Authors and Publishers, and the amount of compensation or salary paid to each of said persons in the year 1927.

18. State the name of the President, the Secretary and the General Manager of said Society and the amount of compensation or salary, paid to each of said persons in the year 1928.

19. State the name of the President, the Secretary and the General Manager of said Society and the amount of compensation or salary paid to each of said persons in the year 1929.

20. State the name of the President, the Secretary and the General Manager of said Society and the amount of compensation or salary paid to each of said persons in the year 1930.

21. State the name of the President, the Secretary and the General Manager of said Society and the amount of compensation or salary paid to each of said persons in the year 1931.

22. State the name of the President, the Secretary and the General Manager of said Society and the amount of compensation or salary paid to each of said persons in the year 1932.

23. State the name of the President, the Secretary and the General Manager of said Society and the amount of compensation or salary paid to each of said persons in the year 1933.

24 State the total amount of operating expenses for said Society, during the year 1927, including the maintenance of the Society's clerical organization, and maintenance of branch offices and agents, but excluding legal expenses.

25. State the total amount of expenditures by said Society for attorney fees during the year 1927.

26. State the total amount of operating expenses for said Society, during the year 1928, including the maintenance of the Society's clerical organization, and maintenance of branch offices and agents, but excluding legal expenses.

27. State the total amount of expenditures by said Society for attorney fees during the year 1928.

28. State the total amount of operating expenses for said Society during the year 1929, including the maintenance of the Soceity's clerical organization and maintenance of branch offices and agents, but excluding legal expenses.

29. State the total amount of expenditures by said Society for attorney fees during the year 1929.

30. State the total amount of operating expenses for said Society, during the year 1930, including the maintenance of the Society's clerical organization, and maintenance of branch offices and agents, but excluding legal expenses.

31. State the total amount of expenditures by said Society for attorney fees during the year 1930.

32. State the total amount of operating expenses for said Society, during the year 1931, including the maintenance of the Society's clerical organization, and maintenance of branch offices and agents, but excluding legal expenses.

33. State the total amount of expenditures by said Society for attorney fees during the year 1931.

34. State the total amount of operating expenses for said Society, during the year 1932, including the maintenance of the Society's clerical organization, and maintenance of branch offices and agents, but excluding legal expenses.

35. State the total amount of expenditures by said Society for attorney fees during the year 1932.

36. State the total amount of operating expenses for said Society, during the year 1933, including the maintenance of the Soceity's clerical organization, and maintenance of branch offices and agents, but excluding legal expenses.

37. State the total amount of expenditures by said Society for attorney fees during the year 1933.

38. Will you voluntarily produce upon the trial of this cause, without being required to do so by subpoena or other judicial process, all contracts and agreements between said Society and any and all attorneys-at-law employed by said Society for the purpose of prosecuting copyright infringement suits in various districts throughout the United States?

39. State the gross payments made by said Society to its members for each year from 1917 to 1933, inclusive.

40. State the gross amount of payments made by said Society to its publisher members for each year from 1917 to 1933, inclusive.

41. Will you voluntarily produce upon the trial of this cause, without being required to do so by subpoena or other judicial process, all ledgers and books of account of said Society containing information relating to Interrogatories 3, 5, 7, 8, 9, 10, 11, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 39, 40.

42. State the number of musical compositions copyrighted under the laws of the United States the public performance rights to which have been acquired by said Society.

43. State the number of musical compositions, under copyrights of foreign nations, the public performance rights to which have been acquired by said Society.

44. State the title and composer's name of all copyrighted compositions, copyrighted under the laws of the United States, the public performance rights to which have been acquired by said Society during the period from January 1, 1933, to December 31, 1933.

On objection to the interrogatories, MACK, Circuit Judge, rendered the following opinion:

At the original hearing on the objections, defendants consented to answer numbers 1, 12 to 16 inclusive, 38 and 41, to furnish the names requested in 17 to 23 inclusive, and the Court directed answer to number 5 and number 43. The objections to the others of the forty-four interrogatories were sustained.

On application, re-argument was granted and subsequently briefs were filed.

Defendants urged as a general objection to answering any interrogatories that the charges in the present proceeding, a suit for an injunction, could be made the basis of criminal proceedings or of a penal action for triple damages and that as the interrogated defendant could not be called in a criminal proceeding as a witness for the prosecution, for like reasons he cannot be called to answer interrogatories in this civil suit. There is, however, no such general exemption. His privilege in this suit is only that of any witness, a privilege not to answer questions which may tend to incriminate him.

Plaintiffs, however, contend that inasmuch as a witness when called in a trial must personally claim the privilege against incrimination, so here the interrogated defendant must personally make a like claim, and that as he has not done so, the objection asserted by his attorneys should be overruled.

The only case directly in point is one in this district, In Re Knickerbocker Steamboat Co., 136 Fed. 956 (1905). The decision does not seem to have been cited in this aspect and I have found no other case in which this specific point now made appears to have been raised. There are, however, numerous cases in which demurrers and objections to answering interrogatories, apparently interposed only by counsel, have been sustained on the ground of their tendency to incriminate.

If the Knickerbocker case were in another district I should, in these circumstances, not follow it. I prefer, however, if it be feasible, to avoid deciding the point.

Leave will, therefore, be given to the interrogated defendant, Mills, personally, instead of by counsel, to file objections to such of the interrogatories the answers to which he may be advised would tend to incriminate him, such objections to be filed on or before December 24th.

If the answers to interrogatories 2 to 7 inclusive as to the number of licenses and the gross receipts from licenses to moving picture theatres, hotels, restaurants, cabarets and radio broadcasting stations for a number of years down to 1933 could be deemed at all relevant to the proof of plaintiff's case as tending to show a monopoly by defendants, they would be equally relevant as tending to show a crime and thus as tending to incriminate the interrogated defendant. This same reasoning is applicable to interrogatories 8 to 11 inclusive as to the names of all licensees holding "operators broadcasting licenses" and the income received therefrom or from certain broadcasting systems; likewise as to numbers 39 and 40 as to the gross payments made by the society to its members and publisher members for each of the years 1917 to 1933 inclusive; so too as to 42 and 43, the number of United States copyrighted and of foreign copyrighted musical compositions, the public performance rights to which have been acquired by the society; and 44, the title and composer's name of all United States copyrighted compositions, the public performance rights to which have been acquired by the society for the year 1933.

I adhere to the ruling sustaining the objections to 17 to 23 inclusive as to the compensations or salaries paid to the president, secretary, and general manager of the society for each of the years from 1927 to 1933 as in any event entirely immaterial to plaintiff's case; likewise for the same reason I sustain the objections to interrogatories 24 to 37 inclusive as to the operating expenses of the society exclusive of legal expenses, and separately as to attorneys' fees paid; all of these as to each of the years 1927 to 1933 inclusive.

JULIAN W. MACK
U. S. Circuit Judge

December 19, 1934

NAB TRANSLATION

MADRID: ESPASA CALPE, 1928

ENCICLOPEDIA UNIVERSAL ILUSTRADA EUROPEO-AMERICANA

TOMO LIX, PAGE 353

TANGO CHITO

Festival and dance of village folk in America. Society dance imported from the Republic of Argentina, in the first years of the present century.

The music for these dances: (Hond.) A musical instrument used by the natives, in the firm of a cylinder made from a hollow log, one end of which is covered with leather and which is beaten upon.

TANGO MUS.

An American dance, according to some of Mexican origin, but Cuban according to general opinion. From the point of view of rhythm, it is similar to the Habanera (viz. this word). It is in 2/4 time and its movement is increasingly rapid until the end. Adopted for the style called Flemish, and with a hundred variations of rhythm and adornments, it is one of the most characteristic dances. In the good times of the zarzuela it frequently appears to be popular in character and was often used in variety shows and cafés chantants. It finally became almost extinct. Several Spanish composers have written tangos for Solo instruments, and one of them, Fernândez Arbos, wrote one for violin with orchestra accompaniment. A few years ago, a couple of Argentine dancers and singers introduced the tangos of their country into Spain, where they are now admitted as Society dances. This dance has a somewhat slower movement than the Cuban tango, is likewise written in 2/4 time, and that being its characterstic melody, it frequently uses syncope.

However, although we have already indicated the probable origin of this dance, we consider it curious, that according to the French publication L'Intermédiaire des Chercheurs et Des Curierx, it is derived from France, and this supposition attributes its origin to La Degognade des Auvernieuses, an unbridled dance movement. In effect, in the Memoires de Fléchier, in the second half of the 17th century, there are mentioned one hundred classes of bourree and of goignade as being prohibited in Auvergne. "The goignade", writes Fléchier, "has as foundation the agility of the bourrée, and takes pleasure in delineating the most indecorous figures, so much so that it may be called the dance of the libertines. The movements of the head, of the feet, of the shoulders, and of all the parts of the body are highly improper. The dancers approach one another, touch each other, embrace each other, in a manner so indecorous, that there is no doubt that it is a matter of imitating the dance of the Bacchantes."

Mme. De Sévigné also mentions in her letters from Vichy the dances of the bourrée at which she assisted, and which she found extremely licentious.

EXHIBIT 16-p. 2

ENCYCLOPEDIA BRITTANICA - 14th EDITION

VOLUME 21, PAGE 786

Tango - A slow, graceful dance in 2/4 time. It probably originated with the African negroes; in 1911 it became popular in a modified form in America and subsequently in Europe. It has much in common with the Cuban Habanera.

THE NEW INTERNATIONAL ENCYCLOPEDIA - 2nd EDITION

VOLUME 6, PAGE 477

Even more popular (in the U. S.) proved the tango (Tango Argentina), a dance of doubtful character from the Argentine Republic, which being expurgated, created a dansomania on the Eastern and Western Continents.

Bühnenverlag
Ahn & Simrock G. m. b. H.
Berlin W. 50, Kurfürstendamm 231, I

EXHIBIT 17-p.1

We herewith transfer and assign the following copyright to:

Society of European Stage Authros & Composers, Inc.
113 West 42 nd St. New York :

Composer:	Title:	Nº:	Year:
Sternberg	Leutnantsliebchen		
	Textb.	D.XXc 24262	1911
	Reg.B.	-" "- 24257	1911
	Klav./Text	" " 18944	1911
Snaga	Der Lumpenprinz		
	Frosch-Terzett 2 hd.	EXXc.291492	1912
	Textbuch	DXXc 35720	1914
Sternberg	Die schöne Excellenz		
	Swostep & Walz.2 hd. für Klavier	EXXe 303481	1913
	Textbuch	BXXc 33643	1913
	Das gewisse Etwas	EXXc 316745	1913
	Klav./Text	DXXc 19324	1913
Blumer	Rackerchen		
	Textbuch	DXXc 37538	1914
Reznicek	Angst vor der Ehe		
	Textbuch	DXXc 37256	1914
	Klav./Text	EXXc 341080	1914
Lewin	Lustige Kakadu		
	Potpourri	EXXc 291493	1912
	Textbuch	DXXc 28026	1911
	Trude 2 hd.f.Kl.	EXXc 325012	1913
	Kakadu-Rheinländer(g.O)	EXXc 295915	1912
	do. - do.(kl.O.)	295914	1912
	Gisi-Walzer f.Kl.2hd.	277509	1912
	Kakadu-Rheinl.f.Kl.	277510	1912
	Klav./Text	DXXc 19016	1911
Blumer	Fünfuhrtee		
	Klavierauszug	DXXc 18907	1911
	Potp.f.Klav.	E 273123	1911
	Marsch	273122	1911
	Lied d.Helene	273121	1911
	Duett	273118	1911
	Frou-Frou Walzer	273119	1911
	Gavotte	273120	1911
	Ein sel. Augenblick(f.Kl.)	294151	1912
	do. do(f.Str.O)	E 291898	1912
Reznicek	Angst vor der Ehe		
	Champagnermarsch	350384	1914
	Potpourri	350381	1914
	Walzer	350380	1914
	Dem Mai entgegen	350385	1914
	Das müsst ein eig.Z.sein	350386	1914
Leutten	Meine Frau das Fräulein		
	Klavierauszug	E 545658	1922
	Textbuch	D 62548	1922
Gilbert	Die Schönste von Allen		
	Textbuch	D 62558	1922
	Klavierauszug	E 545662	1922
Lewin	Wenn im Frühling der Hollunder		
	Kl. / Text	E 545660	1922
	Textbuch	D 62551	1922
Winterberg	Graf Habenichts		
	Klav./Text	E 545661	1922
	Textbuch	D 62554	1922

b.w.

Bühnenverlag
Ahn & Simrock G. m. b. H.
Berlin W. 50, Kurfürstendamm 231. I

EXHIBIT 17-p. 2

Composer:	Title:	№:	Year:
Snaga	Frau Bärbel		
	Textbuch	D 62550	1922
	Klav./Text	E 545659	1922
Snaga	Der Leibkutscher d. Fridericus Rex		
	Klav./Text	E 572992	1923
Mattausch	Die Schusterkomtesse		
	Klav./Text	E 598844	1924
	Regie-Buch	D 69334	1924
Engel-Berger	Baby		
	Klav./Text	F 625362	1925
	Regie-Buch	D 73271	1925
Winterberg	Der letzte Kuss		
	Klav./Text	E 625358	1925
	Textbuch	D 73270	1925
Gilbert	Lene, Lotte, Liese		
	Klav./Text	E 638902	1926
	Textbuch	D 75354	1926

Berlin W 50

Date: 9. November 1932

Bühnenverlag Ahn & Simrock
G.m.b.H.
....

German Reich
Province of Brandenburg
Consulate General of the
United States of America
at Berlin } ss.

I, John F. Stone, Vice Consul of the United States of America at Berlin, German Reich, duly commissioned and qualified, do hereby certify that on this 9th. day of November 1932, before me personally appeared Mr. Gruendig - to me personally known, and known to me to be the individual described in, whose name is subscribed to, and who executed the foregoing instrument, and being informed by me of the contents of said instrument he duly acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year last above mentioned.

Vice Consul of the United States of America at Berlin, Germany.

AMERICAN FEE STAMP $2.00

SERVICE No. 06653

$ 2.- Mk.8.48

EXHIBIT 18

KNOW ALL MEN BY THESE PRESENTS, That BUEHNENVERLAG AHN & SIMROCK, G.M.B.H., of Berlin, Germany, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the dramatic composition entitled:

Draga Maschin	by Friedrich Lichtnecker	1935	D.for. 36113

duly copyrighted in the name of BUEHNENVERLAG AHN & SIMROCK, G.M.B.H., and BUEHNENVERLAG AHN & SIMROCK, G.M.B.H. hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said dramatic composition and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, BUEHNENVERLAG AHN & SIMROCK, G.M.B.H. has executed this assignment this 18th day of July, 1935.

Signed BUEHNENVERLAG AHN & SIMROCK, G.M.B.H.

by SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney.

Kurt A Jadassohn
Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS.:

On this 18th day of July, 1935, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 200, Reg. No. [illegible]
Kings Co. Clk's No. 69, Reg. No. [illegible]
Bronx Co. Clk's No. 20, Reg. No. [illegible]
Commission Expires March 30, [illegible]

EXHIBIT 18

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UNITED STATES OF AMERICA.

ASSIGNMENTS OF COPYRIGHTS.

EXHIBIT 19-p. 1

No. 629 RECEIVED FOR RECORD November 29, 1913

ASSIGNOR : Bühnenverlag Ahn & Simrock G.m.b.H.

ASSIGNEE : Nathan Burkan

Assignment of Copyright.

Whereas Max Winterfeld of Wansee, Germany [also known as "Jean Gilbert"] is the composer of the music of the production known in Germany as "Die Kino-Königin" and

Whereas Georg Okonkowski and Julius Freund both of Berlin, Germany, are the authors of the libretto of the said "Die Kino-Konigin" and

Whereas the said Max Winterfeld, Georg Okonkowski and Julius Freund by assignments in German form have duly assigned to Bühnenverlag Ahn & Simrock G.m.b.H. of No. 7a Tauentzien-Strasse, Berlin, Germany, [the same being a body corporate, organized and existing pursuant to German law] all their rights as author and composer and otherwise to the said production "Die Kino-Konigin", together with the rights of copyright and translation, in all countries of the world including the United States of America, Canada and Mexico, and their respective possessions.

And Whereas the said Bühnenverlag Ahn & Simrock G.m.b.H. has duly applied for and received a Certificate of Copyright from the United States of America and has also applied for and received Certificates of Copyright for Canada, and Mexico for the said "Die Kino-Königin".

Now Therefore Know Ye that the said undersigned Bühnenverlag Ahn & Simrock G.m.b.H. for and in consideration of the sum of One [$1.00] dollar of lawful money of the United States and other good and valuable considerations paid by the undersigned the receipt of which is hereby acknowledged does hereby grant, bargain, sell, assign, transfer and set over unto the said Nathan Burkan his heirs and assigns, all its right, title and interest in

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ASSIGNMENTS OF COPYRIGHTS.

EXHIBIT 19-p. 2

No. .... **RECEIVED FOR RECORD** ....

ASSIGNOR .

ASSIGNEE ,

and to the Copyright for the said United States of America and for Canada and Mexico and their respective possessions for the said "Die Kino-Königin", both as to the music and as to the libretto or text thereof including the rights of translation; and the said Bühnenverlag Ahn & Simrock G.m.b.H. does hereby nominate, constitute and appoint said Nathan Burkan its Attorney-in-fact for it and in his own name or in its name, place and stead, but at his own proper costs to apply for and secure such other and further copyrights and protective rights in and for the said United States of America, Canada and Mexico or either of such countries as may be necessary, and also to take all necessary steps for the protection of all and singular the rights hereby assigned in all such countries and to that end to carry on and appear in all litigation, whether as plaintiff, defendant or otherwise and to take appeals and secure final judgment therein and to make and execute all necessary agreements compromises or settlements and generally to do all acts, matters and things which the said Nathan Burkan in his discretion may deem necessary to protect and safeguard the rights hereby assigned.

In Witness Whereof the undersigned Bühnenverlag Ahn & Simrock G.m.b.H. has caused these presents to be executed by its duly appointed and registered Business Manager Richard Chrzescinski, who by German law is authorized and empowered to act for and on behalf of the said Corporation in all matters judicial and extra judicial and to bind the same as will be seen on reference to the registration of his appointment as such Business Manager on file in the local court designated "Amtsgericht Berlin-Mitte".

Thus Done this 1st day of October 1913 at Berlin

EXHIBIT 19-p.2

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ASSIGNMENTS OF COPYRIGHTS.

EXHIBIT 19-p.3

NO. .... **RECEIVED FOR RECORD** ....

ASSIGNOR ,

ASSIGNEE ,

Bühnenverlag Ahn & Simrock G.m.b.H.
R. Chrzescinski
Richard Chrzescinski

Witness to the signature of
Richard Chrzescinski
Herbert Johnson
Henry Harper.

Empire of Germany, City of Berlin
Consulate General of the United States } ss:

I, Harold B. Quarton, Deputy Consul-General of the United States of America at Berlin, Empire of Germany duly commissioned and qualified, do hereby certify that on this twenty-fifth day of October, 1913, before me personally appeared Richard Chrzescinski, to me personally known, and known to me to be the individual described in, whose name is subscribed to, and who executed the foregoing instrument and being informed by me of the contents of this instrument thereupon duly acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein contained.

In Witness Whereof I have hereunto set my hand and official seal the day and year last above mentioned.

Harold B. Quarton
Deputy Consul General of the United States of America at Berlin, Germany.

No 2182 [Fee Stamp]

EXHIBIT 20-p. 1

BÜHNENVERLAG AHN & SIMROCK
G. M. B. H.

TELEGRAMM-ADRESSE: AHNVERLAG — BERLIN
FERNSPRECHER: J. 1 BISMARCK 2462
POSTSCHECK-KONTO: BERLIN NR. 11143

BERLIN W 50
KURFÜRSTENDAMM 231

Ko.

den 22. September 1936

An die
National Association
of Broadcasters
Washington

Sehr geehrte Herren !
Wir empfingen Ihr Schreiben vom 1.d.Mts. und teilen Ihnen mit, dass bis zum 31. Dezember 1937 die Society of European Stage Authors und Composers Inc. in New York, 113, West 42 nd. Street, die nichtdramatischen Rechte unserer Musikausgaben für die Vereinigten Staaten besitzt. Nach diesem Zeitpunkt wird die Ascap in New York uns vertreten.

Mit vorzüglicher Hochachtung !
Bühnenverlag Ahn & Simrock
G.m.b.H.

EXHIBIT 20-p. 2

Bühnenverlag Ahn & Simrock

Berlin W 50, September 22, 1936
Kurfürstendamm 231

NAB TRANSLATION

The
National Association
of Broadcasters
Washington

My dear Sirs:

We are in receipt of your letter of the 1st of the month, and beg to inform you that until December 31, 1937 the Society of European Stage Authors and Composers, Inc. in New York, 113, West 42nd Street controls the non dramatic rights to the distribution of our music for the United States. After this date we will be represented by Ascap in New York.

Respectfully yours,

Buhnenverlag Ahn & Simrock

EXHIBIT 20-p.2

EXHIBIT 21-p.1

ΣΥΛΛΟΓΑΙ

ΔΙ' ΑΣΜΑ, ΜΑΝΔΟΛΙΝΟ, ΒΙΟΛΙ 'Η ΚΛΑΡΙΝΟ

ΕΚΑΣΤΟΝ ΒΙΒΛΙΟΝ ΤΙΜΑΤΑΙ $1.00

ΠΕΡΙΕΧΟΜΕΝΑ

Συλλογὴ 12η:— 'Εκατομμύρια Τοῦ 'Αρλεκίνου, Drigo Serenade.— Σινκουντέϊν, (The Golden Wedding).— 'Αργεντινὸ Ταγκὸ, (El Choclo) μὲ τὰς λέξεις.— Χαῖρε Μαρία (Παράφρασις ἐκ τοῦ "Αβε Μαρία).— Προσευχὴ Τῆς Τόσκας.— Γλυκὰ Φιλιὰ Καὶ Λόγια Τῆς 'Αγάπης.— Μποέμικο Φὸξ Τρὸτ.— Κρυφὰ Στενάζω Καὶ Πονῶ, (Μέσ' Τῆς Νυχτιᾶς Τὴ Σιγαλιά).— 'Ο "Ερωτας Καὶ Τὸ Κρασί.— Μανώλαρος.— Σὲ Καινούργια Βάρκα.— Νέα Σαμιώτισσα.— Ξενητεμένο 'Αηδόνι.— Τρέλλες Καὶ Χορό.— Πέρασαν Χρόνια.— Μόνο 'Εσὺ.— Γιὰ "Ενα Φιλί.— Γλυκό Μου 'Αγόρι, Συγκινητικὸ Τραγοῦδι.— "Ελα Μαζύ.— Μάτια Πλάνα, Μελῳδία $1.00

Συλλογὴ 11η:— Γυναῖκα Ποῦ Σκοτώνει, ('Αγόρι Μου "Ελα Ξύπνα . . .).— Καρδιὰ Π' 'Αγάπη 'Ορφανὴ.— Γλυκειὰ Ρετζίνα Ταγκό.— Θυμᾶσαι Κείνη Τὴ Βραδυά.— Καρδερίνα Καὶ ὁ Φλῶρος, ('Απὸ τὴν Ροζίτσ).— "Αχ! Γιατρέ Μου.— Κάτω Στὸ Γιαλό, Πόλκα.— Μάννα Καὶ Γυιὸς, Τραγῳδία.— Μίαν Μόνην Ποθῶ Καὶ Λατρεύω.— 'Ο Γέρος, Κωμικό.— Πεισματάρα, Συρτός.— Ψάλτη Θὰ Φέρω 'Αρχάγγελο.— Τὸ Μορτάκι.— Τὸ 'Αλανάκι.— Νὰ Γιατὶ Πίνω Καὶ Μεθῶ.— Τὰ Μπαρμπεράκια.— Τὸ Πρῶτο 'Ερωτικὸ Φιλί.— Φέρτε Μου Νὰ Πιῶ.— Ταγκὸ Τῆς 'Αγάπης.— Σκλάβα Τοῦ Τρανοῦ Πασᾶ, ('Αραβικὸ) $1.00

Συλλογὴ 10η:— 'Εσὺ 'Σαι 'Η Ζωή Μου, Πόλκα.— Σφιχτὰ Σφιχτὰ, Βὰλς.— Πᾶνε Δυὸ "Ετη, Μελῳδία.— Μιὰ Παπαδιὰ Στὸν 'Αργαλειό.— 'Αμὰν 'Ελενιὼ.— Οἱ Ψαράδες (Τὶ Βραδυὰ Μὲ Φεγγαράκι).— Θὰ τὸ Πῶ Στοὺς Πυροσβέστες, Κωμικόν.— Κελαϊδῆστε 'Ωραῖα Πουλάκια.— Τὰ Κοραλλένια Χείλη Σου.— Δὲν Σὲ Θέλω Πειά.— Γιατὶ Λυπητερὸ Τραγοῦδι.— 'Αργεντινὸ Ταγκό. 'Απὸ Ξένον Τόπον.— "Ελα Γλυκὰ Νὰ Σὲ Φιλήσω.— Καρλοβασίτισσα, Συρτός. Τώρα Βγαίνει Τὸ Φεγγάρι.— "Ηθελα Νἄβρω Μιὰ Καρδιά.— Λεμβοῦχοι Τοῦ Βόλγα.— Ψαρόβαρκα, (Βαρκαρόλα).— Τὸ Κρασάκι.— Τὸ Σιγαρέττο.— 'Η Βοσκοποῦλα.— Τὰ Κομμένα Σου Μαλλιά.— Τί Σέ Μέλει 'Εσένανε.— 'Ο Κομήτης.— Τὰ Σταφύλια. $1.00

Συλλογὴ 8η:— "Αχ! "Ελα.— Στὰ Ξένα Τρέχω.— Γιατὶ Νὰ Σ' 'Αγαπῶ.— Χωρισμοῦ Σιμών' 'Η "Ωρα.— Μ' "Ενα Φιλί Σου.— "Ω Μπαγιαντέρα.— Φεύγεις Καὶ Μ' 'Αφίνεις Φῶς Μου.— 'Αγάπης Λόγια, Βὰλς.— 'Εγὼ τὸ Πίνω.— Κυρὰ Βαγγελιώ.— Θάλασσα Λεβεντοπνίχτρα.— Παιδιά Μ' Σᾶν Θέτε Λεβεντιά.— 'Η Σμυρνιά.— 'Ανάμνησις Τῆς Σμύρνης.—Δός Μου 'Αμέτρητα Φιλιά.— 'Η Τσιγκάνα.— Τὸ Τσιγκάνικο Ταγκό.— Οἱ Γλεντζέδες.— 'Εκεῖ Κάτω Στὸ Νησί Μας.— Τί Εἶν' 'Ο "Ερως.— 'Η Φιλημένη.— "Αν Βγοῦν 'Αλήθεια.— Ναύτης Καὶ Ψαροποῦλα, Βάλς.— Νεράϊδα Τοῦ Γιαλοῦ.— 'Εμβατήριον Κρήτης, ('Απὸ Φλόγες).— Τὸ Τσομπανόπουλο.—

Συλλογὴ 6η:— 'Ελληνικὸς 'Εθνικὸς "Υμνος.— Star Spangled Banner.— Μαύρ' Εἶν' 'Η Νύχτα Στὰ Βουνὰ.— Γαλανὴ Σημαία, (25η Μαρτίου).— 'Ο Γέρω Δῆμος.— Καλαματιανός Χορός.— Πολίτικος Συρτός.— Τ' 'Αθῶά Σου Κάλλη.— Τρελλὰ Πουλιὰ, Βάλς.— Ποιὰ Εἶν' 'Εκείνη.— "Ενα Καράβι 'Πὸ Τὴ Χιό.— Τὸ Μελαχροινό.— Στὰ Σάλωνα, Τσάμικος.— Χορὸς Μαζούρκα.— Τὰ Κύματα Τοῦ Δουνάβεως.— Χορὸς Πόλκα.— Στὸ Ζάππειον Μιὰ Μέρα.— 'Ονειρῶδες Βὰλς.— Θὰ φύγω Κόρη Μου Στὰ Ξένα.— 'Η Πεθερὰ, Κωμικόν.— Πόλκα Μινέρβα.— 'Η Γυφτοποῦλα.— Τὸ Εὐζωνάκι.— Χορὸς Τοῦ Ζαλόγγου.— 'Η Λουλοῦκα.— Γλέντι Τρελλό, Φὸξ Τρότ.— Εἶχα Μιὰν 'Αγάπη.— Μπᾶτε Κορίτσια Στὸ Χορό.— Βλάχα

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668	Γλυκειὰ Ρετζίνα, Ταγκὸ
640	Γλυκό Μου 'Αγόρι
672	Γυναῖκα Ποῦ Σκοτώνει
707	Γύρισε Πίσω
704	Γυφτοποῦλα (Νίνα)
632	Δὲ Θὰ Ξεχάσω
732	Δὲν Μὲ Ξεύρεις Δὲν Σὲ Ξεύρω
611	Διαμάντω, Τσάμικο
602	Δυὸ "Αστρα 'Απόψε Λείπουνε
677	Δυὸ Ψαράκια Μελανούρια

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EXHIBIT 21-p.1

EXHIBIT 21-p. 2

623 'Εὰν Εἶχα 'Εκατὸ Χιλιάδες
718 'Εγὼ Τὸ Πίνω Καὶ Τὸ Λέω
702 'Εθνικὸς Ὕμνος
664 Εἰδύλλιον (Βοσκοποῦλα Αυγερὴ)
647 25η Μαρτίου—Γαλανὴ Σημαία
759 Εἶχα Μιὰν 'Αγάπη.—Λεμονάκι
638 Ἔλα Νὰ Πάρης Τὰ Φιλιά Μου
679 'Ελληνο-'Αμερικανικὸς Ὕμνος τῆς Νέας Γενεᾶς
692 Ἔλα Μαζὺ, Λεμβῳδία
585 Ἕνα Καράβι 'Από τὴ Χιὸ
741 'Ενθυμήσου Σκληρὰ, Βὰλς
665 'Εξομολόγησις (Παπᾶ Μιὰ Κόρη)
754 Ἔρως Χρόνια Δὲν Κυττᾶ
622 Ἔρωτας Καὶ Τὸ Κρασὶ
597 'Ερώτησα Τ' 'Αστέρια
760 Εὐζωνάκι (Ἕν! Δυὸ!) 'Εμβατήριον
706 Ἔχετε Γειὰ Βρυσοῦλες

596 Ζητῶ Νὰ Βρῶ Τὴν Εὐτυχία

695 Ἤθελα Νἄβρω Μιὰ Καρδιὰ
670 'Η Φιλημένη, Λαϊκὸ Τραγοῦδι

739 Θὰ Κόψω Ρόδα Μυρωμένα
671 Θάλασσα Λεβεντοπνίχτρα
694 Θὰ φύγω Κόρη Μου Στὰ Ξένα
717 Θέλω Σᾶν Πρῶτα, Διαβολόπαιδο
607 Θέλω Μαμᾶ Ἕν' 'Αντρούλη
725 Θέλω Νὰ Δῶ Τὸν Πάπα, Πόλκα
618 Θέλω, Ταγκὸ
651 Θυμᾶσαι, (Στὸ Σινεμὰ)
721 Θυμήσου 'Εκεῖνα Τὰ Χρόνια
727 Θυμήσου Μόνον!

620 Ἴρμα, Εἰδύλλιον

616 Κακούργα Πεθερὰ
705 Καλαματιανὸς Χορὸς (Εὔκολος Μὲ Τὰς Λέξεις)
581 Κάλανδα—Ἅγιος Βασίλης
659 Καρδιά Μου Μὴ Μαραίνεσαι
667 Καρδιὰ Π' 'Αγάπη 'Ορφανὴ
685 Καρδιὰ Τοῦ Μάγκα
761 Καρλοβασίτισσα, Συρτὸς
614 Καρμέλα, Ταγκὸ
656 Καροτσιέρης, Χορὸς Μὲ Λόγια
757 Κελαϊδῆστε 'Ωραῖά Μου Πουλάκια
724 Κέρνα—Κέρνα
748 Κίτσος.—Παιδιά Μ' Σᾶν Θέτε
606 Κοντεσσίνα, Φὸξ Τρὸτ
688 Κόρη Τῶν Κυμάτων
758 Κύματα Τοῦ Δουνάβεως, Βὰλς
707 Κύτταξε 'Η Φύσις Γύρω
745 Λάμπει Μέσ' Τὸ Γιαλὸ
715 Λὰ Παλόμα, (Περιστερὰ)

657 Λὰ Σορέλλα (Ζάππειον)
699 Λὰ Σπανιόλα, (Ἔλα, Ἔλα)
759 Λεμονάκι.—Εἶχα Μιὰν 'Αγάπη
752 Λησμόνησε, Ταγκὸ
583 Little Desert Flower,
750 Λουλοῦκα, Μελῳδία

743 Μακρὰν Κι' Ἂν Εἶσαι
630 Μάννα Καὶ Γυιὸς, ('Ελλ. 'Αγγλ.)
579 Μαρίτσα
631 Μάτια Πλάνα, Ταγκὸ
605 Μαῦρα Μάτια, Dark Eyes
703 Μαύρ' Εἶν' 'Η Νύχτα Στὰ Βουνὰ
595 Μαυροδάφνη, Φὸξ Τρὸτ
652 Μ' Ἕνα Φιλί Σου, Ταγκὸ
591 Μεσάνυχτα, Ταγκὸ
648 Μέσ' Τῆς Νυχτιᾶς Τὴ Σιγαλιὰ
743 Μὴ Λησμονήσῃς
582 Μὴ Μὲ Ρωτᾶς. Falling In Love
734 Μὴν Ξεχνᾶς, Βὰλς
662 Μίαν Μόνην Ποθῶ Καὶ Λατρεύω
726 Μιὰ Μυστικιὰ 'Ελπίδα
611 Μιὰ Παπαδιὰ Στὸν 'Αργαλειὸ
583 Μισιριώτισσα, Ζάττα 'Ελλ.—'Αγγ
764 Μισιρλοῦ, Ρουμπάνη
615 Μόλις Ξεμπαρκάρησα
688 Μοδιστροῦλα
737 Μόνο Μ' 'Εσένα, Βὰλς
645 Μουσμὲ, Φὸξ Τρὸτ
762 Μπαγιαντέρα, Φὸξ Τρὸτ
586 Μπάρμπα Γιάννης, 'Ελλ.—'Αγγλ.
674 Μπαρμπεράκια, Τὰ
758 Μπᾶτε Κορίτσια Στὸ Χορὸ
641 Μποέμικο Φὸξ Τρὸτ
726 Μπουρνουβαλιὰ
624 My Country 'Tis Of Thee

666 Νὰ Γιατὶ Πίνω Καὶ Μεθῶ
663 Νανούρισμα,
628 Νὰ Τὸ Παληὸ Μου Ὄνειρο
744 Νεράϊδα Τοῦ Γιαλοῦ
704 Νίνα ('Η Γυφτοποῦλα) Πόλκα

747 Ξελογιάτσρα
713 Ξενύχτηδες, Ταγκὸ
578 Ξέχασέ Με
598 Ξύπνα Γλυκειά Μ' 'Αγάπη
700 Ξύπνα Γλυκειά Μου Παρθένα
611 Ξύπνα Διαμάντω, Τσάμικο
589 Ξύπνα, Ταγκὸ—Σερενάτα

687 'Ο «Γέρος», Κωμικὸ Τραγοῦδι
609 Old Folks At Home 'Ελλ.—'Αγγ
590 'Ονειρῶδες Βὰλς, 'Ελλ. Λόγια
724 Ὅσον Γυρίζ' 'Η Σφαῖρα

Καὶ οἱ 'Αμερικανοὶ ἐνθουσιάζονται μὲ τὰ 'Ελληνικὰ Τραγούδια.

729 Παιγνιδιάρα, Μελῳδία
748 Παιδιά Μ' Σᾶν Θέτε Λεβεντιὰ
638 Παλάτι Τῆς 'Αγάπης
599 Παληὰ Ταβέρνα
633 Παναγιωτίτσα Αυγερὴ
678 Πᾶν' 'Η 'Ελπίδες
665 Παπᾶ Μιὰ Κόρη 'Αγάπησα
690 Πεθερὰ, ἡ, Βὰλς
676 Πεισματάρα, Συρτὸς
619 Πέρασαν Χρόνια
580 Πιες Γλυκὸ Κρασὶ
731 Πλύστρα (Ἔ! Ρέ! Πῶ! Πῶ!)
681 Πολίτικος Συρτὸς
738 Πόσο Σ' Ἔχω Συμπαθήσει
767 Προσφυγοποῦλα
634 Πρώτη 'Αγάπη, Ταγκὸ
648 Πρῶτο 'Ερωτικὸ Φιλὶ
698 Πτερὸ Στὸν Ἄνεμο
719 Πῶ! Πῶ! Πῶ!, Χασάπικος

736 Ρετσίνα Μου, Ρετσίνα Μου
698 Ριγολέττο, Πτερὸ Στὸν Ἄνεμο
626 Ριρίκα, Φὸξ Τρὸτ
587 Ρόδα Σκορπῶ Στὸ Διάβα Σας

749 Σ' 'Αγαπῶ, Σ' 'Αγαπῶ. Βὰλς
714 Σαμιώτισσα, (Νέα Ἔκδοσις)
581 Σάντα Κλὼς—Ἅγιος Βασίλης
735 Σᾶν Ὄνειρο Μαγευτικὸ
649 Σβύσαν Τὰ Ὄνειρά Μου
629 Σερενάτα, ('Ελλ.—'Αγγλ.)
693 Σερενάτα Σοῦμπερτ, 'Η 'Αηδὼν
637 Σκλάβα Τοῦ Τρανοῦ Πασσᾶ
617 Σπανιόλος, Ταγκὸ
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722 Στόμα Μὲ Στόμα, Βὰλς
609 Στοὺς Δικούς Μου
721 Σφῖξέ Με!, Βὰλς
650 Ταγκὸ Τῆς 'Αγάπης

603 Ταγκὸ Τῶν Ρόδων
601 Τ' 'Αηδόνια, Σερενάτα
689 Τ' 'Αθῶά Σου Κάλλη, Μελῳδία
646 Τὰ Κοραλλένια Χείλη Σου
610 Τὰ Μαλλιά Σου Τὰ Κομμένα
677 Τὰ Οὖλά Σου.—Δυὸ Ψαράκια
678 Τὰ Περασμένα
709 Τῆς Καρδιᾶς Τὸ Τὶκ Τὰκ, Βὰλς
723 Τῆς Κολομπίνας Τὸ Φιλὶ
610 Τί Σὲ Μέλει Σένανε
655 Τὸ 'Αλανάκι
604 Τὸ Γελεκάκι
612 Τὸ Δολλάριο,
658 Τὸ Κατινάκι
636 Τὸ Καϋμένο Τὸ Γαδουράκι
654 Τὸ Μορτάκι
685 Τὸ Σιγαρέττο.—Τὰ Σταφύλια
682 Τραγοῦδι Τῆς Λατέρνας
653 Τρέλλες καὶ Χορὸ
691 Τρελλὴ Ξανθοῦλα
746 Τσιγκάνα, (Τὸν Κόσμο Γύρω)
751 Τσιγκάνικο Ταγκὸ
710 Τσομπανόπουλο
716 Τρελλὰ Πουλιὰ, Βὰλς
728 Τρίβε, Τρίβε, Τρίβε, Οὐὰν Στὲπ

696 Volga Boatmen
686 Ὕμνος 'Ελληνικῆς Δημοκρατίας
679 Ὕμνος Τῆς Νέας Γενεᾶς

582 Falling In Love.—Μὴ Μὲ Ρωτᾶς.
742 Φεύγω Κόρη Μου Στὰ Ξένα
639 Φτώχεια Τοῦ Μποὲμ

733 Χάϊδω, Μελῳδία
661 Χαράζει 'Η Αὐγοῦλα, Μελῳδία
588 Χαρικλάκι
708 Χασάπικος Χορὸς
706 Χορὸς Τοῦ Ζαλόγγου
681 Χορὸς Συρτὸς (Πολίτικος)
603 Home Sweet Home
712 Χωρισμοῦ Σημών' 'Η Ὥρα

675 Ψάλτη Θὰ Φέρω 'Αρχάγγελο
659 Ψεύτικα Φιλιὰ, Βὰλς
697 Ὦ Μαρί! Ὦ Μαρί!, 'Ελλ. Λέξεις
762 Ὦ Μπαγιαντέρα! Φὸξ Τρὸτ

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'Εμβατήριον τῆς 'Αχέπα, (Ahepa March) $1.00

EXHIBIT 21-p.2

EXHIBIT 22-p.1

___712 Χωρισμοῦ Σιμών' 'Η "Ωρα .... Χατζηαποστόλου
___713 ΞΕΝΥΧΤΗΔΕΣ. Σερεν. ('Ελλ.-'Αγγλ.), Πόγγη
___714 Σαμιώτισσα, (Νέα "Εκδοσις) .... Μπεκατώρου
___715 Λα Παλόμα, (Περιστερά), 'Ελλ. Λέξ., 'Υράδιερ
___716 Τρελλὰ Πουλιά, Βάλς .... Σακελλαρίδου
___717 Θέλω Σἂν Πρῶτα, Διαβολόπαιδο, Σακελλαρίδου
___718 'Εγὼ Τὸ Πίνω Καὶ Τὸ Λέω .... Πόγγη
___719 Πῶ!, Πῶ!, Πῶ!, Χασάπικος .... Σακελλαρίδου
___720 'Αγάπης Λόγια, Βάλς .... Χατζηαποστόλου
___721 Σφῖξέ Με!, (Θυμήσου 'Εκεῖνα Τὰ Χρόνια) Βάλς
___722 Στόμα Μὲ Στόμα, Βάλς .... Χατζηαποστόλου
___723 Τῆς Κολομπίνας Τὸ Φιλί, Ταγκὸ .... Βώττη
___724 Κέρνα—Κέρνα, ("Οσο Γυρίζ' 'Η Σφαῖρα) Ζάττα
___725 Θέλω Νὰ Δῶ Τὸν Πάπα, Πόλκα .... Σακελλαρίδου
___726 Μιὰ Μυστικιὰ 'Ελπίδα (Μπουρνοβαλιά), Κοκκίνου
___727 Θυμήσου Μόνον!! .... Ρουμπάνη
___728 Τρίβε, Τρίβε, Τρίβε, Οὐὰν Στὲπ .... Σακελλαρίδου
___729 Παιγνιδιάρα, Μελῳδία .... Χατζηαποστόλου
___730 Γαρυφαλλιά.—'Απὸ Ξένο Τόπο .... Κοκκίνου
___731 Πλύστρα, ἤ, ("Ε! Ρέ, Πῶ!, Πῶ!) .... Λεπενιώτη
___732 Δὲν Μὲ Ξεύρεις Δὲν Σὲ Ξεύρω .... Βλυσίδου
___733 Χάϊδω, Μελῳδία .... Μπεκατώρου
___734 Μὴ Ξεχνᾷς, Βάλς .... Χατζηαποστόλου
___735 Σἂν "Ονειρο Μαγευτικὸ .... Χατζηαποστόλου
___736 Ρετσίνα, 'Απὸ Τοὺς 'Απάχηδες, Χατζηαποστόλου
___737 Μόνο Μ' 'Εσένα, Βάλς .... Χατζηαποστόλου
___738 Πόσο Σ' "Εχω Συμπαθήσει, Ταγκό, Χατζηαποστ.
___739 Θὰ Κόψω Ρόδα Μυρωμένα .... Ι. Πολέμη
___740 Βλάχα 'Η Ξακουστή, Ραψῳδία .... Τσαμπουνάρη
___741 'Ενθυμήσου Σκληρά, Βάλς .... Σορώλφ
___742 Φεύγω Κόρη Μου Στὰ Ξένα .... Κοκκίνου
___743 Μακρὰν Κι' "Αν Εἶσαι (Μὴ Λησμονῇς) .... Κάπουα
___744 Νεράϊδα Τοῦ Γιαλοῦ .... Σακελλαρίδου
___745 Λάμπει Μές Τὸ Γιαλὸ .... Χριστοδουλίδου
___746 Τσιγκάνα, (Τὸν Κόσμο Γύρα Φέρω), Οἰκονόμου
___747 Ξελογιάστρα .... Χατζηαποστόλου
___748 Κίτσος.--Παιδιά Μ' Σἂν Θέτε Λεβεντιά, Κοκκίνου
___749 Σ' 'Αγαπῶ, Σ' 'Αγαπῶ, Βὰλς .... Χατζηαποστόλου
___750 Λουλοῦκα, Μελῳδία .... Κοκκίνου
___751 Τσιγκάνικο Ταγκὸ .... Σακελλαρίδου
___752 Λησμόνησε, Ταγκὸ .... Χατζηαποστόλου
___753 Κύματα Τοῦ Δουνάβεως, Βάλς .... 'Ιβανοβίση
___754 "Ερως Χρόνια Δὲν Κυττᾷ, Φ. Τ., Κωνσταντινίδου

___755 Γλεντζέδες, Μελῳδία .... Βώττη
___756 'Στὰ Ξένα Τρέχω .... Λεονάρδου
___757 Κελαϊδῆστε 'Ωραῖά Μου Πουλάκια ('Ελλ.-'Αγγλ.)
___758 Μπᾶτε Κορίτσια Στὸ Χορό, (Παπαδιά), Κοκκίνου
___759 Λεμονάκι.—Εἶχα Μιὰν 'Αγάπη, Συρτοί, Κοκκίνου
___760 Εὔζωνάκι ("Εν! Δυό!), 'Εμβατήριον .... Μητρούση
___761 Καρλοβασίτισσα, Συρτὸς .... Βεργώνη
___762 "Ω' Μπαγιαντέρα! Φὸξ Τρὸτ .... Κάλμαν

ORCHESTRATIONS

___'Εθνικὸς "Υμνος (Greek National Anthem) $1.00
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___581 SANTA CLAUS, "Αγιος Βασίλης.
Greek and English Words .... Liapis
___582 ΜΗ ΜΕ ΡΩΤΑΣ. "Falling In Love",
Tango. Greek and English Words, Joannidis
___583 Arabian Serenade. "Little Desert Flower".
Greek and English Words .... Zattas
___584 By The Blooming Almond Tree, 'Ανθισμένη 'Αμυγδαλιά. Greek and English Words, Markianos
___585 "Ενα Καράβι 'Απὸ τὴ Χιό, Συρτός. The Boat Song.
Greek and English Words .... Politis
___586 Μπάρμπα Γιάννης. Uncle John.
Greek and English Words Epitropakis
___587 ΡΟΔΑ ΣΚΟΡΠΩ ΣΤΟ ΔΙΑΒΑ ΣΑΣ.
(Wedding Song) .... Λιάπη
___588 Χαρικλάκι .... Ζάττα
___589 ΞΥΠΝΑ, Ταγκό.—Σερενάτα .... Χρυσοχόου

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EXHIBIT 22-p.1

EXHIBIT 22-p. 2

___590 'Ονειρῶδες Βάλς, 'Ελληνικὰ Λόγια .... Στράους
___591 Μεσάνυχτα, Ταγκὸ .... Νάλτσα
___592 Στὴν Κεντημένη Σου Ποδιά, Συρτός, Σακελλαρίου
___593 Ἄχ! Γύρνα Πίσω. (Θυμᾶσαι Φῶς Μου;) Βλυσσίδη
___594 Γιατί Δὲν Θέλεις. ('Η Χρυσῆ Φωληά), Στάγκαλη
___595 Μαυροδάφνη. ('Η Νεράϊδα Τ' 'Αμπελιοῦ),
Φὸξ Τρὸτ .... Μαρκιανοῦ
___596 Ζητῶ Νὰ Βρῶ Τὴν Εὐτυχία .... Λόντου
___597 'Ερώτησα Τ' 'Αστέρια, Σερενάτα .... Λόντου
___598 Ξύπνα Γλυκειά Μ' 'Αγάπη .... Λόντου
___599 Παληὰ Ταβέρνα, Ταγκὸ .... Βιτάλη
___601 Τ' 'Αηδόνια .... Λόντου
___602 Δυὸ Ἄστρα 'Απόψε Λείπουνε .... Λόντου
___603 Ταγκὸ Τῶν Ρύδων .... Βοττέρου
___604 Τὸ Γελεκάκι .... 'Ολλανδέζου
___605 Μαῦρα Μάτια, Dark Eyes .... Μελῳδία Γύφτων
___606 'Η Κοντεσσίνα, Φὸξ Τρὸτ .... Βιτάλη
___607 Θέλω Μαμᾶ Ἕν' 'Ανδρούλη .... Κολάζου
___608 Σπίτι Μου Γλυκό, ('Ελληνο-'Αγγλιστὶ) .... Bishop
___609 Στοὺς Δικούς Μου. ('Επιστολὴ τοῦ
Ἕλληνος πρὸς τοὺς Γονεῖς του) .... 'Ελένης Λιάπη
___610 Τί Σὲ Μέλλει Σένανε,-Τὰ Μαλλιά Σου Τὰ Κομμένα
___611 Ξύπνα Διαμάντω, Τσάμικο,-Μιὰ Παπαδιά, Συρτὸς
___612 Τὸ «Δολλάριο», Ταγκὸ .... Σκίζα–Κυριακοῦ
___613 Θέλω, Ταγκὸ .... Χατζηαποστόλου
___614 Καρμέλα, Ταγκὸ .... Κομνηνοῦ
___615 Ἄν Δὲν Τὄπινα. (Μόλις Ξεμπαρκάρισα) Κυριακοῦ
___616 Κακούργα Πεθερὰ .... Μοντανάρη
___617 Σπανιόλος, Ταγκὸ .... Χατζηαποστόλου
___618 Ἄμυαλη Μικροῦλα .... Χατζηαποστόλου
___619 Πέρασαν Χρόνια .... Παναγιωτοπούλου
___620 Ἴρμα, Εἰδύλλιον .... Κατριβάνου
___621 Γιὰ Ἕνα Φιλὶ .... Λαουτάρη
___622 Ἔρωτας Καὶ Τὸ Κρασὶ .... Κωνσταντινίδου
___623 "INFLATION". If I Only Had The Money
My Darling.–'Εὰν Εἶχα 100 Χιλιάδες. ('Ελλ.-'Αγγλ.)
___624 ΑΜΕΡΙΚΑ .... Carey
___625 'Εθνικὸς 'Αμερικανικὸς Ὕμνος .... Ἄρνολντ
___626 Ριρίκα, Φὸξ Τρότ, ('Ελλ.—'Αγγλ.) ...... Μάστορα
___627 Ἄσε Νὰ Γύρω, ('Ελλ.-'Αγγλ.) .... Σακελλαρίδου

**Καὶ οἱ 'Αμερικανοὶ 'Ενθουσιάζονται .
μὲ τὰ 'Ελληνικὰ Τεμάχια.**

___628 Νὰ Τὸ Παληό Μου Ὄνειρο ...... Χατζηαποστόλου
___629 Σερενάτα, ('Ελλ.—'Αγγλ.) .... Χατζηαποστόλου
___630 Μάννα Καὶ Γυιός, ('Ελλ.—'Αγγλ.) .... Σαμάρα
___631 Μάτια Πλάνα, Ταγκὸ .... 'Ιωαννίδου
___632 Δὲ Θὰ Ξεχάσω .... Χατζηαποστόλου
___633 Στὰ Σάλωνα.--Παναγιωτίτσα Λυγερή, Σακελλαρ.
___634 Πρώτη 'Αγάπη, Ταγκό .... Χατζηαποστόλου
___635 Καρδιὰ Τοῦ Μάγκα, Λαϊκό Τραγοῦδι .... Κυριακοῦ·
___636 Τὸ Καϋμένο Τὸ Γαδουράκι .... Κατσαροῦ
___637 Ἄχ! Ξελογιάστρα, (Γιὰ Λέλι), 'Αραβ. Φ.Τ., Σακελ.
___638 Παλάτι Τῆς 'Αγάπης .... Νάλτσα
___639 ΦΤΩΧΕΙΑ, Ταγκὸ ('Ελληνο-'Αγγλιστὶ), Καραβία
___640 Γλυκό Μου 'Αγόρι, Συγκινητικὸ Τραγοῦδι, Νάλτσα
___641 Μποέμικο Φὸξ Τρὸτ (Μποέμικη 'Αγάπη), Καραβία
___642 Στὰ Μαῦρά Της Μάτια (ἐκ τοῦ 'Ιταλικοῦ), Φάλβο
___643 Μέσ' Τῆς Νυχτιᾶς Τὴ Σιγαλιὰ .... Καραβία
___644 'Αργεντινὸ Ταγκό, El Choclo .... Βιλόλδο
___645 Μουσμέ, Oriental Fox Trot .... Κωνσταντινίδου
___646 Τὰ Κοραλλένια Χείλη Σου .... Χατζηαποστόλου
___647 25η Μαρτίου—Γαλανὴ Σημαία .... Κοκκίνου
___648 Πρῶτο 'Ερωτικὸ Φιλὶ .... Παπαδημητρίου
___649 Σβῦσαν Τὰ Ὄνειρά Μου .... Φαρούγια
___650 Ταγκὸ Τῆς 'Αγάπης .... Παναγιωτοπούλου
___651 Θυμᾶσαι, (Στὸ Σινεμὰ) .... Νάλτσα
___652 Μ' Ἕνα Φιλί Σου, Ταγκὸ .... Σακελλαρίδου
___653 Τρέλλες Καὶ Χορὸ .... Χατζηαποστόλου
___654 Τὸ Μορτάκι .... Θάνου
___655 Τὸ 'Αλανάκι .... Θάνου
___656 Καροτσιέρης, Χορὸς Μὲ Λόγια .... Γ. Β.
___657 Στὸ Ζάππειον Μιὰ Μέρα, Λὰ Σορέλλα ...... Κλὲρκ
___658 Ἄχ! Γιατρέ Μου.—Τὸ Κατινάκι .... Σκίζα
___659 Καρδιά Μου Μὴ Μαραίνεσαι, Βὰλς ...... Κοκκίνου
___660 Βενιζέλος, 'Εμβατήριον .... Καλομοίρη
___661 Χαράζει 'Η Αὐγοῦλα .... Μπεκατώρου
___662 Μίαν Μόνην Ποθῶ Καὶ Λατρεύω .... Μπεκατώρου
___663 Νανούρισμα, (Greek Lullaby) .... Σαμάρα
___664 Εἰδύλλιον, (Βοσκοποῦλα Λυγερὴ) .... Σαμάρα
___665 'Εξομολόγησις, (Παπᾶ Μιὰ Κόρη 'Αγάπησα), Σαμ.
___666 Νὰ Γιατὶ Πίνω Καὶ Μεθῶ .... Κωνσταντινίδου
___667 Καρδιὰ Π' 'Αγάπη 'Ορφανὴ ...... Χατζηαποστόλου
___668 Γλυκειὰ Ρετζίνα, (Ταγκὸ) .... Κωνσταντινίδου
___669 Γλέντι Τρελλά, Φὸξ Τρὺτ .... Χατζηαποστόλου
___670 'Η Φιλημένη, Λαϊκὸ Τραγοῦδι .... Σακελλαρίδου

___671 Θάλασσα Λεβεντοπνίχτρα .... Σιδέρη
___672 Γυναῖκα Ποὺ Σκοτώνει, Ταγκὸ .... Νάλτσα
___673 Γιατὶ Νὰ Σ' 'Αγαπῶ, ('Απάχηδες), Χατζηαποστ.
___674 Μπαρμπεράκια, Τὰ .... Κωνσταντινίδου
___675 Ψάλτη Θὰ Φέρω 'Αρχάγγελο .... Ζάττα
___676 Πεισματάρα, Συρτὸς .... Ζάττα
___677 Τὰ Οὐλά Σου.—Δυὸ Ψαράκια Μελανούρια, Ζάττα
___678 Πᾶν' 'Η 'Ελπίδες, (Τὰ Περασμένα), Χατζηαπ.
___679 'Ελληνο-'Αμερ. Ὕμνος Τῆς Νέας Γενεᾶς, Βλάχου
___680 ΓΙΑΤΙ; Σερενάτα .... Ξανθοπούλου
___681 Χορὸς Συρτὸς (Πολίτικος) .... Μπεκατώρου
___682 Τραγοῦδι Τῆς Λατέρνας .... Χατζηαποστόλου
___683 Κόρη Τῶν Κυμάτων, Ρομὰνς .... Σακελλαρίδου
___684 'Αετός.—'Η Βοσκοποῦλα .... Μπεκατώρου
___685 Τὸ Σιγαρέττο.—Τὰ Σταφύλια .... Μπεκατώρου
___686 Ὕμνος 'Ελληνικῆς Δημοκρατίας .... Λαυράγκα
___687 'Ο «Γέρος», Κωμικὸ Τραγοῦδι .... Σιφνιοῦ
___688 Μοδιστροῦλα .... Χατζηαποστόλου
___689 Τ' 'Αθῶά Σου Κάλλη, Μελῳδία ...... Μπεκατώρου
___690 Πεθερά, ἡ, Βάλς .... Βουτσινᾶ
___691 Τρελλὴ Ξανθοῦλα .... Τσαλαπατάνη
___692 Ἔλα Μαζύ, Λεμβῳδία .... Μπεκατώρου
___693 Σερενάτα Σοῦμπερτ, ('Η 'Αηδών), 'Ελλ. Λέξεις
___694 Θὰ Φύγω Κόρη Μου Στὰ Ξένα .... Μπεκατώρου
___695 Ἤθελα Νἄβρω Μιὰ Καρδιὰ .... Μπεκατώρου
___696 Λεμβοῦχοι Τοῦ Βόλγα .... Μπεκατώρου
___697 Ὦ Μαρί! Ὦ Μαρί!, ('Ελληνικαὶ Λέξεις), Κάπουα
___698 Ριγολέττο (Πτερὸ Στὸν Ἄνεμο Γυναῖκα Μοιάζει)
___699 Λα Σπανιόλα, (Ἔλα, Ἔλα), 'Ελλ. Λέξεις, Κιάρα
___700 Ξύπνα Ξύπνα Γλυκειά Μου Παρθένα, 'Ασλανίδου
___701 Ἄχ! Ἔλα, (Πέτα Δῶ Στὴ Μοναξιά Μου), Χατζ.
___702 'Ελληνικὸς 'Εθνικὸς Ὕμνος .... Μαντζάρου
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___703 Μαύρ' Εἶν' 'Η Νύχτα Στὰ Βουνὰ .... Σάϊλερ
Μαύρ' Εἶν' 'Η Νύχτα, διὰ πλήρη ὀρχήστραν $1.00
___704 Νίνα ('Η Γυφτοποῦλα), Πόλκα .... Μπαλδῆ
___705 Καλαματιανὸς Χορὸς (Εὔκολος, Μὲ Τὰς Λέξεις)
___706 Χορὸς Τοῦ Ζαλόγγου .... Κωνσταντινίδου
___707 Κύτταξε 'Η Φύσις Γύρω .... Σακελλαρίδου
___708 Βαγγελιώ.—Χασάπικος Χορὸς .... Σακελλαρίδου
___709 Τῆς Καρδιᾶς Τὸ Τίκ Τάκ, Βάλς, Χατζηαποστόλου
___710 ΤΣΟΜΠΑΝΟΠΟΥΛΟ. ('Ελλ.-'Αγγλ.), Κοκκίνου
___711 Ο ΓΕΡΩ ΔΗΜΟΣ, ('Ελλ.-'Αγγλ.) .... Καρρέρη

EXHIBIT 22-p.2

EXHIBIT 23

KNOW ALL MEN BY THESE PRESENTS, That M. ARCT, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Wars, H.	Kocha.. lubi.. szanuje)	1934)	E, for. 35071)
Wars, H.	Kryzys)	1934)	E, for. 35071)
Wars, H.	Kryzys	1934	E, for. 35072
Dan, W.	Barbara	1934	E, for. 35083
Dan, W.	Barbara	1934	E, for. 35085
Dan, W.	Juz wiem	1934	E, for. 35084
Dan, W.	Juz wiem	1934	E, for. 35082
Dan, W.	Kochasz to wroc	1933	E, for. 35076
Dan, W.	Kochasz to wroc	1933	E, for. 35077
Dan, W.	Zamienmy sie ustami	1933	E, for. 35074
Dan, W.	Zamienmy sie ustami	1933	E, for. 35075
Ferszko, St.	Kobieta zawsze jest do wziecia	1933	E, for. 35064
Ferszko, St.	Kobieta zawsze jest do wziecia	1933	E, for. 35079
Front & Ferszko	Ani slowa o milosci	1934	E, for. 35069
Front & Ferszko	Ani slowa o milosci	1934	E, for. 35070
Front & Ferszko	Nie placz	1933	E, for. 35067
Front & Ferszko	Nie placz	1933	E, for. 35068
Gorzynski, Z.	Valse Fantastique	1934	E, for. 35055
Gorzynski, Z.	Valse Fantastique	1934	E, for. 35054
Jotar	Kino i zycie	1933	E, for. 35050
Jotar	Kino i zycie	1933	E, for. 35078
Karasinski, Z.	Jeszcze jeden raz	1933	E, for. 35065
Karasinski, Z.	Jeszcze jeden raz	1933	E, for. 35066
Karasinski, Z. &	Chcesz, to mnie bierz	1933	E, for. 35062
Kataszka, S.	Chcesz, to mnie bierz	1933	E, for. 35081
Kataszka, S.	Patrz na mnie i usmiechnij sie	1933	E, for. 35063
Kataszka, S.	Patrz na mnie i usmiechnij sie	1933	E, for. 35080
Kranowski, I.	Nie Przebacze ci	1934	E, for. 35061
Kranowski, I.	Nie Przebachze ci	1934	E, for. 35060
Leski & Eiger	Wystarczy tylko zebys mnie kochala)		
Front & Ferszko	Dzis lub nigdy)	1933	E, for. 35053
Leski & Eiger	Wystarczy tylko zebys mnie kochala	1933	E, for. 35052
Front & Ferszko	Dzis lub nigdy	1933	E, for. 35051
Petersburski, J.	Caluj mnie	1933	E, for. 35057
Petersburski, J.	Caluj mnie	1934	E, for. 35056
Petersburski, J.	Nie ja - nie ty	1934	E, for. 35059
Petersburski, J.	Nie ja - nie ty	1934	E, for. 35058
Wars. H.	Kocha.. lubi.. szanuje	1934	E, for. 35073
Gold, A.	Zagadka	1934	E, for. 35111
Karasinski, Z.	Nie drecz mnie	1933	E, for. 35114
Karasinski, Z.	Tys jest dla mnie tajemnica	1933	E, for. 35113
Englard, K.	Jedno z nas....	1933	E, for. 35115
Kataszka, S.	Nie mow, ze mnie kochasz	1933	E, for. 35112
Heller, L.	Ostatnie slowo	1933	E, for. 35116
Karasinski, Z.	Zapozno	1933	E, for. 35117

duly copyrighted in the name of M. ARCT. AND M. ARCT hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional und unencumbered title therein and thereto. IN WITNESS WHEREOF, M. ARCT has executed this assignment this 9" day of July 1934.

Signed M. ARCT
by SOCIETY OF EUROPEAN STAGE
AUTHORS AND COMPOSERS INC.
Attorneys
Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK,)
CITY OF NEW YORK,) SS.:
COUNTY OF NEW YORK.)

On this 9" day of July, 1934, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, New Jersey; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. C [illegible] Reg. No. 6A-287
Ki [illegible] Reg. No. 6177
Bronx Co. [illegible] Reg. No. 62A-30
Commission Expires March 30, 1936

KNOW ALL MEN BY THESE PRESENTS, That M. ARCT, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

EXHIBIT 24

Englard, K.	Jedno z nas	1933	E, for. 36109
Heller, L.	Ostatnie slowo	1933	E, for. 36110
Karasinski & Kataszka	Nie drecz mnie)	1933)	E, for. 36111)
" "	Tys jest dla mnie tajemnica)	1933)	E, for. 36111)
Kataszka, S.	Nie mow, ze mnie kochasz	1933	E, for. 36108
Dan, W.	Nigdy	1934	E, for. 36114
Dan, W.	Nigdy	1934	E, for. 36115
Dan, W.	Oj, niedobrze	1934	E, for. 36112
Gold, A.	Zagadka	1934	E, for. 36113
Gold, A.	Juz nie kocham cie	1934	E, for. 36119
Gold, H.	Dla ciebie zrobie wszysto	1934	E, for. 36118
Petersburski & Wiehler	To dzisiaj pierwszy raz	1934	E, for. 36117
" "	To dzisiaj pierwszy raz	1934	E, for. 36116

duly copyrighted in the name of M. ARCT, and M. ARCT hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, M. ARCT has executed this assignment this 22nd day of October, 1934.

Signed M. ARCT

By SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., Attorneys

Kurt A. Jadassohn

Vice-President

STATE OF NEW YORK,)
CITY OF NEW YORK,) SS.:
COUNTY OF NEW YORK.)

On this 22nd day of October, 1934, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, New Jersey; that he is the Vice-President of the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 233, Reg. No. 6A-257
Kings Co. Clk's No. 69, Reg. No. 6177
Bronx Co. Clk's No. 20, Reg. No. 62A-36
Commission Expires March 30, 1936

EXHIBIT 24

EXHIBIT 25

KNOW ALL MEN BY THESE PRESENTS, That M. ARCT, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Jotar & St. Ferszko	Zlote Wino	1934	E,for. 36945
Jotar & St. Ferszko	Zlote Wino	1934	E,for. 36950
Lewandowski	Teskno mi	1934	E,for. 36946
Lewandowski	Teskno mi	1934	E,for. 36949
St. Ferszko	Malenka	1934	E,for. 36947
St. Ferszko	Malenka	1934	E,for. 36948

duly copyrighted in the name of M. ARCT, and M. ARCT hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, M. ARCT has executed this assignment this 24th day of December, 1934.

Signed M. ARCT

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorneys

Kurt A. Jadassohn
Vice-President

State of New York) SS
County of New York)

On the 24th day of December 1934, before me personally came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say, that he resides in Woodcliff, New Jersey, that he is Vice-President of the Society of European Stage Authors and Composers, Inc., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 208, Reg. No. 6A-237
Kings Co. Clk's No. 69, Reg. No. 6177
Bronx Co. Clk's No. 20, Reg. No. 62A-36
Commission Expires March 30, 1936

EXHIBIT 26

KNOW ALL MEN BY THESE PRESENTS, That M. ARCT, of Warsaw, Poland, for and in consideration of One Dollar ($1.00) the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Gabel	Pirat milosci	1934	E,for. 37551
Gabel	Pirat milosci	1934	E,for. 37552
Gorzynski	W domu czeka moja mila	1934	E,for. 37549
Gorzynski	W domu czeka moja mila	1934	E,for. 37550
Wars	O Key	1934	E,for. 37553
Wars	O Key	1934	E,for. 37554

duly copyrighted in the name of M.ARCT, and M. ARCT hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, M. ARCT has executed this assignment this 17th day of January, 1935.

Signed M. ARCT

By SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., Attorney

Kurt A Jadassohn

Vice-President

STATE OF NEW YORK,)
CITY OF NEW YORK,) SS.:
COUNTY OF NEW YORK.)

On this 17th day of January, 1935, before me came KURT A.JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, New Jersey; that he is the Vice-President of the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 209, Reg. No. 6A-257
Kings Co. Clk's No. 69, Reg. No. 6177
Bronx Co. Clk's No. 20, Reg. No. 62A-36
Commission Expires March 30, 1936

EXHIBIT 27

KNOW ALL MEN BY THESE PRESENTS, That M.ARCT, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Kranowski	Piekna, ale zla	1934	E,for. 37779
Petersburski	Na zawsze	1935	E,for. 39207
"	Na zawsze	1935	E,for. 39206
Wars	Kto usta twe calawal	1935	E,for. 39213
"	Kto usta twe calowal	1935	E,for. 39212
Mierzejewski	Ja mam czas ja poczekam	1935	E,for. 39215
"	Ja mam czas ja poczekam	1935	E,for. 39214
Petersburski	Zakochaj sie	1935	E,for. 39211
"	Zakochaj sie	1935	E,for. 39210
Melodyst	Ja i ty	1935	E,for. 39217
"	Ja i ty	1935	E,for. 39216
Petersburski	Spleen	1934	E,for. 39209
"	Spleen	1935	E,for. 39208
Kataszka	To tango jest dla mojej matki	1935	E,for. 39218
Kranowski	Piekna, ale zla	1934	E,for. 38939
Jaworski	Tak sie bronilam	1935	E,for. 39355
"	Tak sie bronilam	1934	E,for. 38941
Wars	W hawajska noc)		
"	Dla ciebie chce byc biala)	1935	E,for. 38940
Wars	W hawajska noc	1934	E,for. 38942
"	Dla ciebie chce byc biala	1934	E,for. 38943
Kataszka	Tango dla mojej matki	1934	E,for. 38944

duly copyrighted in the name of M.ARCT, and M.ARCT hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF. M.ARCT, has executed this assignment this 22nd day of May, 1935.

Signed M. ARCT

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney

Kurt A. Jadassohn

Vice-President.

STATE OF NEW YORK,)
COUNTY OF NEW YORK.) ss.:

On this 22nd day of May, 1935, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporation seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 208, Reg. No. 6A237
Kings Co. Clk's No. 69, Reg. No. 6178
Bronx Co. Clk's No. 20, Reg. No. 62A36
Commission Expires March 30. 1936

EXHIBIT 2,

EXHIBIT 28

KNOW ALL MEN BY THESE PRESENTS, that M. ARCT, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Wars	"U-di-radi-radi-rida!"	1935	E.for. 39589
Wars	("U-di-radi-radi-rida!" ("Coz bez milosci wart jest swiat"	1935	E.for. 39588
Wars	"Coz bez milosci wart jest swiat"	1935	E.for. 39590
Lenczowski	"Dowidzenia"	1935	E.for. 39591
Lenczowski	"Dowidzenia"	1935	E.for. 39592
Petersburski	"Pocker"	1935	E.for. 39587

duly copyrighted in the name of M. ARCT, and M. ARCT hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, M. ARCT has executed this assignment this 18th day of July, 1935.

Signed M. ARCT

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney
Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 18th day of July, 1935, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 208, Reg. No. 6A-257
Kings Co. Clk's No. 69, Reg. No. 6177
Bronx Co. Clk's No. 20, Reg. No. 02A-36
Commission Expires March 30, 1936

EXHIBIT 29

KNOW ALL MEN BY THESE PRESENTS, That M. ARCT, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Krupinski	Daremnie prosisz	1935	E.for. 41168
Krupinski	Daremnie prosisz	1935	E.for. 40914
Gold	Kochaj mnie jak dawniej	1935	E.for. 40915
Gold	Kochaj mnie jak dawniej	1935	E.for. 40916
Scher	Tra-li-la-la	1935	E.for. 40918
Scher	Tra-li-la-la	1935	E.for. 40917
Szebego	Blondyneczka	1935	E.for. 40912
Szebego	Blondyneczka	1935	E.for. 40913
Horowicz	Zlaczyla nas piosenka	1935	E.for. 40920
Horowicz	Zlaczyla nas piosenka	1935	E.for. 40919

duly copyrighted in the name of M. ARCT, and M. ARCT hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS THEREOF, M. ARCT has executed this assignment this 6th day of November, 1935.

Signed M. ARCT

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney

Kurt A Jadassohn
Vice-President

STATE OF NEW YORK
COUNTY OF NEW YORK } SS:

On this 6th day of November, 1935, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E.

HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 203, Reg. No. 6A-237
Kings Co. Clk's No. 10, Reg. No. 6177
Bronx Co. Clk's No. 20, Reg. No. G2A-36
Commission Expires March 30, 1936

EXHIBIT 30

KNOW ALL MEN BY THESE PRESENTS, That M. ARCT, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Gorzynski	Piosenka fal	1936	E.for.43215
"	" "	1936	E.for.43214
Berlins	Dzis Jestes Przy Mnie	1936	E.for.43213
"	" " " "	1936	E.for.43212
Mueller	A Ja Nic, Tylko Ty	1936	E.for.43219
"	" " " " "	1936	E.for.43218
Wars	Czy To Warto	1936	E.for.43223
"	" " "	1936	E.for.43222
Wars	Milosc To Caly Swiat	1936	E.for.43227
"	" " " "	1936	E.for.43226
Gordon	Siemieczki	1936	E.for.43217
"	"	1936	E.for.43216
Mueller	Wiesz ty o tem, ze ja w nocy placze	1936	E.for.43221
"	" " " " " "	1936	E.for.43220
Wars	Swiat sie zaczal dzis	1936	E.for.43232
"	" " " "	1936	E.for.43231
Wars	Gdybz Szczescie Przyszlo Dzis	1936	E.for.43225
"	" " " "	1936	E.for.43224
Wars	Takie cos	1936	E.for.43228
Wars	To nie ty	1936	E.for.43229
Petersburski	Amour! Desirs! Folie!	1936	E.for.43584
Wars	Takie cos & To nie ty	1936	E.for.43230

duly copyrighted in the name of M. ARCT, and M. ARCT hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, M. ARCT has executed this assignment this 14th day of April, 1936.

Signed M. ARCT

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney

Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 14th day of April, 1936, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander, Notary Public
N Y Co. #48
Com. Exp. 3/30/38

EXHIBIT 31

KNOW ALL MEN BY THESE PRESENTS, That M. ARCT, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Lewandowski	Jak sen	1936	E, for. 44232
Wars	Jak za dawnych lat	1936	E, for. 44238
Wars	Jak za dawnych lat	1936	E, for. 44237
Wars	Jak trudno jest zapomniec	1936	E, for. 44240
Wars	Jak trudno jest zapomniec	1936	E, for. 44239
Wars	Taka noc i walc i my	1936	E, for. 44242
Wars	Taka noc i walc i my	1936	E, for. 44241
Mueller & Schlechter	Trudno	1936	E, for. 44234
Mueller & Schlechter	Trudno	1936	E, for. 44233
Wars	Szczescie raz sie usmiecha	1936	E, for. 44236
Wars	Szczescie raz sie usmiecha	1936	E, for. 44235

duly copyrighted in the name of M. ARCT, and M. ARCT hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, M. ARCT has executed this assignment this 27th day of May, 1936.

Signed M. ARCT

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorneys

Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK }
COUNTY OF NEW YORK } SS.:

On this 27th day of May, 1936, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

EXHIBIT 32

KNOW ALL MEN BY THESE PRESENTS, that M. ARCT, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Mierzejewski	W twoich ramionach	1936	E.for.44696
"	" " "	1936	E.for.44695
Wars	Niema silniejszego nic od milosci	1936	E.for.44698
"	" " " " "	1936	E.for.44697

duly copyrighted in the name of M. ARCT, and M. ARCT hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, M. ARCT has executed this assignment this 8th day of July, 1936.

Signed M. ARCT

By SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., Attorney

Kurt A. Jadassohn

Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss:

On this 8th day of July, 1936, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co Clk's No. 48, Reg. No. 8A-109
Bronx Co. Clk's No. 20, Reg. No. 50A-38
Commission Expires March 30, 1938

EXHIBIT 33

KNOW ALL MEN BY THESE PRESENTS, That M. ARCT, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Scher	Jakgdyby nigdy nic	1936	E.for.45455
"	" " "	1936	E.for.45454
Gold	Niezapominajki	1936	E.for.45459
"	"	1936	E.for.45458
Boczkowski	Do szczescia brak mi ciebie malenka	1936	E.for.45453
"	" " " " " "	1936	E.for.45452
Szpilman	Jesli kochaaz sie w dziewczynie	1936	E.for.45457
"	" " " " "	1936	E.for.45456

duly copyrighted in the name of M.ARCT, and M. ARCT hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, M. ARCT has executed this assignment this 18th day of September, 1936.

Signed M. ARCT

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney

Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 18th day of September, 1936, before me came KURT A. JADASSOHN, to me known, who being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co Clk's No. 48, Reg. No. 8A-109
Bronx Co. Clk's No. 20, Reg. No. 50A-38
Commission Expires March 30, 1938

EXHIBIT 33

EXHIBIT 34

KNOW ALL MEN BY THESE PRESENTS, That M. ARCT, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Lewandowski	Zabawa to zabawa	1936	E.for. 46797
Lewandowski	Zabawa to zabawa	1936	E.for. 46790
Gordon	Zludzenie	1936	E.for. 46796
Gordon	Zludzenie	1936	E.for. 46789
Gold	Przy kominku	1936	E.for. 46795
Gold	Przy kominku	1936	E.for. 46786

duly copyrighted in the name of M. ARCT, and M. ARCT hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, M. ARCT has executed this assignment this 10th day of March, 1937.

Signed M. ARCT

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS INC., Attorney
Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 10th day of March, 1937, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co Clk's No. 48, Reg. No. 8A-109
Bronx Co. Clk's No. 20, Reg. No. 50A-38
Commission Expires March 30, 1938

EXHIBIT 35-p. 1

We herewith transfer and assign the following copyrights

Composer:	Title:	No:	Year
Hans May	"Ich fang im Haus mir kein Verhältnis an "….	656164	1926
Hans May	"Sei doch nur ein kleines bischen lieb zu mir "…	656163	1926
Hans May	"In der Einzahl kann ich nicht lieben "….	656140	1926
Leon Jessel	"Die Luxuskabine "	11533	1929
Siegwart Ehrlich	"Phips,lass Dich nicht erwischen "	12917	1930
Hermann Grabner	" Die Richterin "	12918	1930
Max Spiloker	" Der Mann im gelben Mantel"	24552	1932

Authors			
Robert Overweg	" Das Duell um Frieda "	2757	1929
Robert Overweg	" Füchse im Hühnerstall "	2758	1928
E.L.Franken	" Das Moskitonetz "	6918	1927
(Hanna-Lise (Himmighoffen-Habel	" Suse Schmutzfinks Abenteuer"	16109	1929

to Society of European Stage Authors and Composers, Inc, New York

Date : Oct. 25th. 1932.

Max Beck Verlag

EXHIBIT 35-p. 2

German Reich
Province of Brandenburg
Consulate General of the United States of America at Berlin } ss.

I, R.S.Carey, Vice Consul of the United States of America at Berlin, German Reich, duly commissioned and qualified, do hereby certify that on this 25th. day of October 1932, before me personally appeared Hermann Wesly - to me personally known, and known to me to be the individual described in, whose name is subscribed to, and who executed the foregoing instrument, and being informed by me of the contents of said instrument he duly acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year last above mentioned.

Vice Consul of the United States
of America at Berlin, Germany.

AMERICAN FOREIGN SERVICE
$2.00
FEE STAMP

SERVICE No 00370
$ 2.- Mk.8.48

EXHIBIT 35-p.2

State & County of New York.

KNOW ALL MEN BY THESE PRESENTS, That BRYANT MUSIC COMPANY, of New York, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

EXHIBIT 36

Lulu Jones Downing	June	1917	E 403,887
Mortimer Wilson	In Georgia	1917	E 409,189
	Democracy Calls	1917	E 407,895
Luigi Romaniello	Di Carnivale	1917	E 395,872
" "	Pene d'Amour	1917	E 395,874
" "	Villaggio Alpestre	1917	E 395,873
G. Ferrata	The Unseen Garden	1917	E 412,782
Fay Foster	Dusk in June	1917	E 413,999
Luis G. Jorda	Amar y Sufrir	1918	E 422,484
Vicente Scaramuzza	I Love a Flower	1918	E 420,235
Arthur Gray	In Exchange	1918	E 416,925
Nicholas deVore	Love and Life	1918	E 416,924
Vicente Scaramuzza	Mazurka	1918	E 420,234
Irenee Berge	Plaintive Chanson	1918	E 416,926
Luigi Romaniello	Romance	1918	E 420,233
Giuseppe Ferrata	Seranata Romanesca	1918	E 416,923
Alex Pero	Burning Bush	1918	E 422,487
Arthur Gray	Une Fete en Ete	1918	E 422,486
" "	Les Nereides	1918	E 422,485
W. Rebikoff	The Devils Are Amused	1918	E 419,400
Irenee Berge	Slumber My Treasure	1918	E 422,877
Lulu Jones Downing	I Love My Jean	1918	E 422,878
Alfred D. Steckel	Fleur de Lys	1920	E 479,195
Antonio Bruno	Memory's Flower	1920	E 479,196
Irenee Berge	Listen to Grandmother	1920	E 482,414
" "	Gerbe de Roses	1921	E 504,435
G. Ferrata	Heart's Desire	1921	E 504,439
A. Walter Kramer	Two Song Miniatures	1921	E 504,438
Alex. Pero	The Linnett	1921	E 504,434
" "	Memories	1921	E 504,436
H.W. Loomis	The Night Wind	1921	E 504,437
Irenee Berge	Song of the Thumb	1921	E 504,440
M.N. Thomas	Always	1922	E 547,945
"	Irish Love Song	1922	E 547,947
"	Life	1922	E 547,944
"	Love's Meaning	1922	E 547,948
H.N. Bartlett	The Path to the West	1922	E 547,943
Theodore Gray	Procession of the Spectres	1922	E 547,942
M.N. Thomas	Slumber Song	1922	E 547,946
McConaughy & Fischer	Folk Songs	1927	A 1,080,120

duly copyrighted in the name of BRYANT MUSIC COMPANY. AND BRYANT MUSIC COMPANY hereby grants, sells, assigns, and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, BRYANT MUSIC COMPANY has hereunto set its seal this 22nd day of May 1934.

Signed & Sealed Bryant Music Co. (L.S.)

by Nicholas deVore, Prop.

Sworn and Subscribed to before me this 22nd day of May 1934.
A. H. Noyes.

Notary Public, Richmond Co.
New York Co. Clerk's No. 54
New York Co. Reg. No. 6-N-27
Commission Expires March 30, 1936

EXHIBIT 36

Master Music Makers
607 Studio Bldg.
Portland, Ore.

EXHIBIT 37

Poem—Songwriters

Send for free copy of booklet revealing SECRETS OF SUCCESSFUL SONGWRITING, free Rhyming Dictionary and market information. If you write poems or melodies, SEND FOR OUR OFFER TODAY. MMM Publishers, Dept. P1, Studio Bldg., Portland, Ore.

from "DETECTIVE TALES"
(January, 1937)

Song Poem Writers

SEND FOR FREE BOOKLET revealing SECRETS OF SUCCESSFUL SONG WRITING, including free copy of valuable Rhyming Dictionary and information on current market requirements. If you write poems or compose melodies, SEND FOR OUR OFFER.

M. M. M. PUBLISHERS
Dept. NS2 Studio Building Portland, Ore.

from "SHORT STORIES"
(Jan. 10, 1937)

Poem—Songwriters

Send for free copy of booklet revealing SECRETS OF SUCCESSFUL SONGWRITING, free Rhyming Dictionary and market information. If you write poems or melodies, SEND FOR OUR OFFER TODAY. MMM Publishers, Dept. P1, Studio Bldg., Portland, Ore.

from "THE SPIDER"
(November 1936)

Poem—Songwriters

Send for free copy of booklet revealing SECRETS OF SUCCESSFUL SONGWRITING, free Rhyming Dictionary and market information. If you write poems or melodies, SEND FOR OUR OFFER TODAY. MMM Publishers, Dept. P1, Studio Bldg., Portland, Ore.

from "SECRET SERVICE OPERATOR #5"
(January, 1937)

Poem—Songwriters

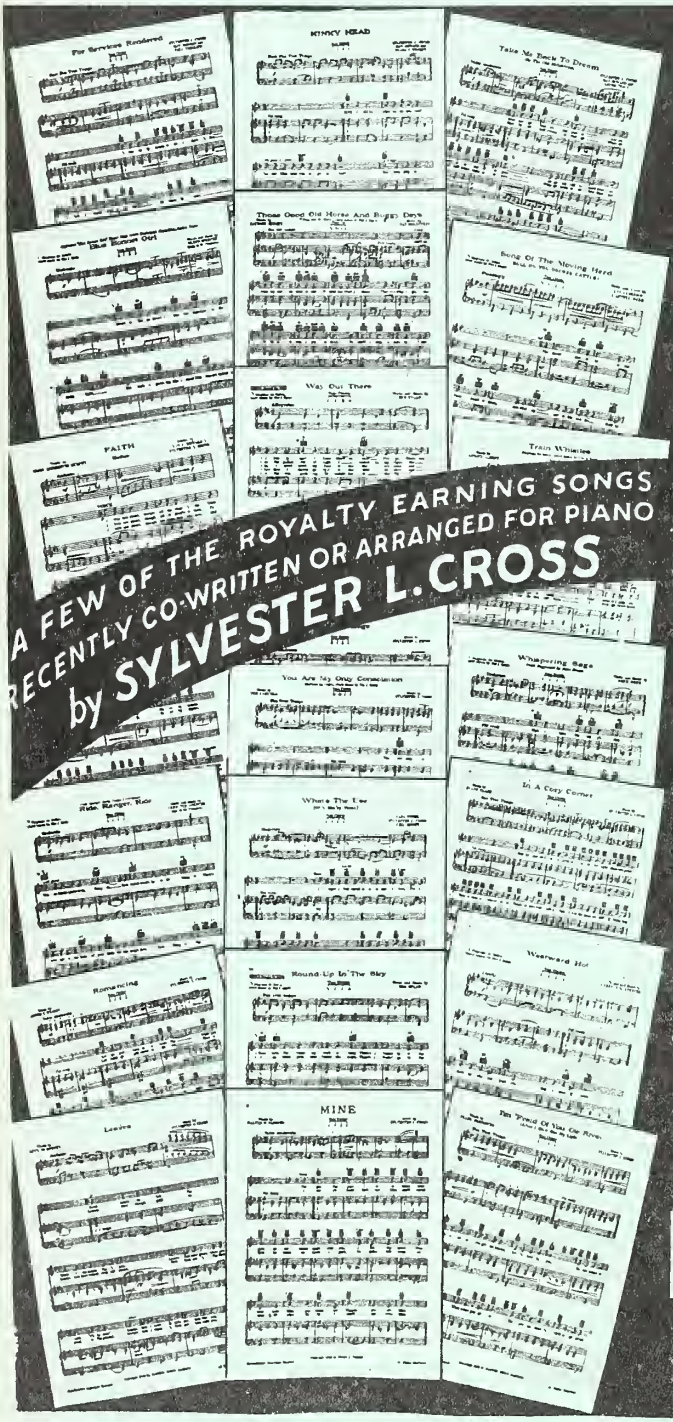
Send for free copy of booklet revealing SECRETS OF SUCCESSFUL SONGWRITING, free Rhyming Dictionary and market information. If you write poems or melodies, SEND FOR OUR OFFER TODAY. MMM Publishers, Dept. P1, Studio Bldg., Portland, Ore.

from "THE SPIDER"
(January, 1937)

EXHIBIT 37

A SERVICE BACKED BY ACHIEVEMENTS | $ONG POEM *Writers*

EXHIBIT 38-p. 1


For Services Rendered
KINKY HEAD
Take Me Back To Dream
Those Good Old Horse And Buggy Days
Blue Bonnet Girl
Song Of The Moving Herd
Way Out There
FAITH
Train Whistles
You Are My Only Consolation
Whispering Sage
Ride, Ranger, Ride
Where The Lee
In A Cozy Corner
Round-Up In The Sky
Westward Ho!
Romancing
MINE
Leaves
I'm 'Fraid Of You Ole River

A FEW OF THE ROYALTY EARNING SONGS RECENTLY CO-WRITTEN OR ARRANGED FOR PIANO by SYLVESTER L. CROSS

Make This 7 *Point Test*

Before Selecting a Collaborator

Your Success is My Success

FROM SUITE 605-6-7-7A STUDIO BLDG.
PORTLAND, ORE.

EXHIBIT 38-p. 2

Knowing that the SUCCESS OF A SONG depends in no small measure upon the catchiness and correct commercial form of the music as well as the manner in which the completed song is presented to the public, a wise writer will:

Make this Seven Point Test—Before Selecting a Collaborator

Seven Questions you have a right to ask of anyone offering collaboration services:

		Others ?
1. Has he connections with music publishers through which he can assist his co-writers secure advantageous publishing contracts on suitable songs?	Sylvester L. Cross has a substantial interest in several music publishing houses. His active contacts in the publishing field are at the disposal of each of his co-writers.	
2. Is special publishing consideration given to songs co-written or arranged by him?	Every month of the year publishers are accepting songs co-written or arranged by Sylvester L. Cross. At the present time over 200 popular songs and standard numbers serviced by him are earning royalties for their writers, with publishers steadily demanding more songs.	
3. Is he experienced in the requirements of theme songs for talking pictures?	Sylvester L. Cross is constantly arranging songs introduced on the screen. He made the commercial piano arrangements for songs featured in such current picture successes as "WESTWARD HO!", "RIDE, RANGER, RIDE", "THE BIG SHOW", "THE OLD CORRAL", etc.	
4. Are his compositions solicited and used by the radio stations and networks?	Songs composed or arranged by Sylvester L. Cross are featured daily and nightly on the air waves of the nation, reaching millions of listeners whose contact with the world of music and entertainment depends upon the family radio.	
5. Can he assist various of his co-writers in the recording of their songs?	Dozens of songs recently arranged or co-written by Sylvester L. Cross are featured on phonograph records and electrical transcriptions. If you buy records, send for descriptive list of these recordings.	
6. Has he an organization competent and prepared to present suitable completed songs to motion picture producers, recording companies, radio artists and music directors of radio stations?	Sylvester L. Cross has the benefit of an experienced organization of well-known music men, with years of success in the employ of major publishers. Offices are maintained at San Francisco and Hollywood-Los Angeles and representation at Chicago and New York.	
7. Is he a recognized figure in the song writing and music publishing field or is he (1) a "Has-Been" living on past connections or reputation or (2) an unknown operating from his home address or, as is often the case, from desk space in an office building *tenanted by legitimate publishers*, who outside of his magazine advertising and mail solicitation of amateur writers, is unheard of in the professional popular song writing and publishing field?	Sylvester L. Cross is nationally known and recognized in the legitimate song writing and popular music publishing field and offers a service based upon present achievements. It was Sylvester Cross who introduced the Golden Rule into the field of song service collaboration and TODAY HE IS THE LEADER IN THAT FIELD!	

PLEASE NOTE

In giving herewith the professional qualifications of Sylvester L. Cross, in contrast with those of "song bureaus", "services" and self-styled composers and arrangers who in times past have been the only available source of collaboration for most new writers, it is desired to make clear that Sylvester Cross is offering a **Professional Collaboration Service.** He cannot and does not guarantee publication or success for any song.

His contacts in the publishing, recording and motion picture fields, established thru years of concentrated activity, are used advantageously for suitable songs, when opportunity arises, but he cannot and does not imply or guarantee any success for any song in these connections.

Sylvester L. Cross is proud to be publicly identified with each new song he composes or arranges and his name appears as composer or arranger with that of his co-writer, on each manuscript copy.

You will find the above test both interesting and educational. In making it you will protect your pocketbook and will greatly increase your chances for success in this fascinating field. And having made this test, you will understand why *the published, royalty earning songs of the clients of Sylvester L. Cross outnumber those of the clients of all other composers, song bureaus and "services" combined,* offering a similar service.

EXHIBIT 38-p.2

(FORM No. 88—CONSULAR.)
(Corrected March, 1914.)

EXHIBIT 39-p. 1

Certificate of Acknowledgment of Execution of Document.

The Spanish Republic
Province of Barcelona (County.)
City of Barcelona
Consulate General of the
United States of America (County or other political division) ss:

(Name of consular office.)

I, --------Lynn W. Franklin------ Consul----------------- *of the United States of America at* Barcelona, Spain-------------- *duly commissioned and qualified, do hereby certify that on this* 30th *day of* August, 1935. (Date.), *before me personally appeared* ------ ----------------------ANTONIC CULLA---------------------- --

[illegible] *me personally known, and known to me to be the individual described* [illegible] *hose name* is *subscribed to, and who executed the annexed instru-*[illegible] *nd being informed by me of the contents of said instrument* he [illegible] *nowledged to me that* he *executed the same freely and volun-ta*[illegible] *the uses and purposes therein mentioned.*

In witness whereof I have hereunto set my hand and official seal the day and year last above written.

AMERICAN CONSULATE GENERAL
1935
BARCELONA, SPAIN

AMERICAN CONSULAR FEE STAMP

Lynn W. Franklin

Lynn W. Franklin
consul
of the United States of America.

Ser[illegible] .1311
FEE N[illegible]33, [illegible]O DOLLARS. U.S.CY.
Rec[illegible] Pt[illegible].14.80

[illegible]TE.—[illegible]ever practicable all signatures to a document should be included in one certificate. 1—17?

EXHIBIT 39-p.1

EXHIBIT 39-p. 2

I herewith transfer and assign all title and interest in the copyrights of the following musical compositions

to;

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS

NEW YORK.

COMPOSER	TITLE	YEAR
Antonio Culla Mora	»Manto de Armiño« Tango.	40446. 41301

Barcelona, Spain, 30 Aug, 1935.

Antonio Culla

EXHIBIT 40

We herewith transfer and assign all right, title and interest in the copyrights of the following works to:

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC.,
113 West 42nd Street,
New York, NY.

Composer	Title	Year
Gerhart von Westermann	Recitativ und Arie, op. 12, für Sopran und Orchester. Vocal score.	1932
Gerhart von Westermann	6 Stimmungsbilder für Gesang & Klavier	1932
Anton Beer-Walbrunn	Der Sturm, op. 64. Vocal score	1932
Franz Schrecker	Christophorus. Vocal score	1932
E.N.v. Reznicek	Der Gondoliere des Dogen. Vocal score	1932
E.N.v. Reznicek	Der Gondoliere des Dogen. Orch. score	1932
C.M v. Weber-Hermann Weigert	Euryanthe. Vocal score	1932
Jos. Haydn-Karl Geiringer	Amors Pfeil, für Sopran und Klavier oder Orchester. Edition for Piano	1932

Edition Adler G.m.b.H.
J. Adler

State of New York.
County of New York.
Sworn to and subscribed
before me this 21st
Day of March. 1933.
A. H. Noyes.

Notary Public, Richmond Co.
New York Co. Clerk's No. 322
New York Co. Reg. No. 4-N-190
Commission Expires March 30, 1934

EXHIBIT 41

We herewith transfer and assign all title and interest in the following copyrighted works to:

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC.,
113 West 42nd Street,
New York, N.Y.

Composer or Author	Title
Eugen d'Albert	"Mister Wu", Vocal score
Eugen d'Albert	"Mister Wu", Orchestra score
C.Ph.Em.Bach-Lud.Landshoff	"Konzert in D-dur f.Cembalo & Orch., Orchestra score
Max Brand	"Eine Nacht-Musik", Orchestra score
Henry Cowell	"Sinfonietta", Orchestra score
Henry Cowell	"Orchesterstück", Synchrony, Orchestra score
Henry Cowell	"Exultation", Orchestra score
Vittorio Gnecchi	"Chorus fr.the 3rd act of LA ROSIERA", Orch. score
Vittorio Gnecchi	"Danza Campestre" fr. LA ROSIERA, Orchestra score
Vittorio Gnecchi	"Prelude to Act 3 of LA ROSIERA", Orchestra score
Vittorio Gnecchi	"Scena delle Coefore", Orchestra score
Vittorio Gnecchi	"Ouverture Cassandra", Orchestra score
Vittorio Gnecchi	"Tempo di Sinfonia", Orchestra score
Richard Hageman	"Tragödie in Arezza", Caponsacchi, Orchestra score
Richard Hageman	"Tragödie in Arezza", Vocal score
Hans Haug	"Ouverture zu Don Juan in der Fremde", (Quasi perpetuum mobile), Orchestra score
Jos.Haydn-Mark Lothar	"Die Welt auf dem Monde", Vocal score
Jos.Haydn-Karl Geiringer	"Divertimento", Orchestra score
Jos.Haydn-Lud.Landshoff	"Nelson-Arie", Orchestra score
Jos.Haydn-Lud.Landshoff	"Nelson Arie", Vocal & Piano edition
Wilhelm Kempff	"Totentanz", Orchestra score
Livio Luzzatto	"Judith", Libretto
W.A.Mozart-Edw.Fischer	"Fantasie F-moll", Orchestra score
Hans F. Redlich	"Claudio Monteverdi" (book)
E.N. v. Reznicek	"Raskolnikoff" Ouverture-Phantasie, Orchestra score
E.N. v. Reznicek	"Der Gondoliere des Dogen", Vocal score
Vincenzo Tommasini	"Napule", Orchestra score
Ernst Viebig	"Das gelobte Land", Vocal score
Gerhard v. Westermann	"Streichquartett No. 2", score
Karl Wiener	"Kammerstück", Orchestra score

Edition Adler G.m.b.H.
F. Adler

STATE OF NEW YORK)
COUNTY OF NEW YORK)
SWORN AND SUBSCRIBED TO BEFORE
ME THIS 23rd DAY OF FEBRUARY, 1933.

Notary Public, Richmond Co.
New York Co. Clerk's No. 322
New York Co. Reg. No. 4-N-190
Commission Expires March 30, 1934

EXHIBIT 41

EXHIBIT 42-p. 1

OPERN

FRANZ SCHREKER

„Christophorus" oder *„Die Vision einer Oper". In 2 Akten (3 Szenen, einem Vorspiel u. Nachspiel)*

E. N. VON REZNICEK

„Der Gondoliere des Dogen"

Oper in 1 Akt

ERNST VIEBIG

„Das gelobte Land" *Oper in 2 Akten*

RICHARD HAGEMAN

„Tragödie in Arezzo"

Oper in 3 Akten

ANTON BEER-WALBRUNN

„Der Sturm" (Shakespeare)

Märchenoper in 3 Akten

LIVIO LUZZATTO

„Judith" . . . . *Oper in 3 Akten*

SMETANA-ORLIK

„Der Wunderdoktor"

Singspiel in 3 Akten

WERKE MIT ORCHESTER

I. WERKE FUR GROSSES ORCHESTER

VIKTOR BABIN, Suite für großes Orchester. *(Preludio – Marcia – Intermezzo [Cavatina für Fagott] – Scherzo alla Burlesca – Madrigale – Danza)* . . **25 Min.**
3, 3, 3, Sax., 3 – 4, 3, 3, 1 – Pk., Schl., Klav., Cel., Hf., Str.

J. S. BACH-GUSTAV MAHLER, Suite *aus den Orchesterwerken von J. S. Bach* . . . . **15 Min.**
1 Fl., 2 Ob. – 3 Trp. – Pk., Cembalo, Orgel, Str.

CHARLES T. GRIFFES, The Pleasure-Dome of Kubla Khan, *Symphonic Poem for Grand Orchestra* **20 Min.**
3, 2 u. Engl. H., 2 u. Baßkl., 3 – 4, 3, 3, 1 – Schl., Klav., Cel., 2 Hf., Str.

RICHARD HAGEMAN, Karnevalsmusik *aus „Tragödie in Arezzo"* . . . . **16 Min.**
3, 2 u. Engl. H., 2 u. Baßkl., 2 u. Kontrafag. - 4, 3, 3, 1 - Schl., Hf., Cel., Str.

CHARLES E. IVES, Ein symphonischer Satz *(The fourth Symphony)* . . . . **25 Min.**
3, 0, 3, Sax., 2 – 2, 4, 3, 1 – Schl., Cel., 2 Klav. u. Soloklavier, Str.

LIVIO LUZZATTO, Vorspiel zu der Oper „Judith"
3 Fassungen: a) für großes Orchester, Sopran- und Tenorsolo, gemischten und Knabenchor; b) für großes Orchester; c) eingezogene Fassung (mit oder ohne Chor) . . . **9 Min.**
(Für a und b): 4, 2 und Engl. H., 3 und Baßkl., 3 und Kontrafag. – 6, 3, Baßtr., 3, 3 – Hf., Klav., Cel., Schl., Str.

MOZART-BUSONI, Ouvertüre zu „Don Giovanni"
(Konzertfassung) 2, 2, 2, 2 – 2, 2, 3 – Pk., Str. **10 Min.**

JOSEPH GUSTAV MRACZEK, Eva. *Symphonische Dichtung* . . . . **20 Min.**
4, 2 und Engl. H., 2 und Baßkl., 2 und Kontrafag. — 4, 4, 3, 1 — Hf., Cel. (ad lib.) Schl., Str.

E. N. v. REZNICEK, Raskolnikoff - Ouvertüre III
3, 3, 3, 3 – 4, 3, 3, 1 – Schl., Hf., Orgel (ad lib.), Str. **18 Min.**

CARL RUGGLES, Men and Mountains. *Symphonic Ensemble* . . . . **8 Min.**
2, 1 und Engl. H., 1, 1 – 2, 2, 1 – Klav., Schl., Str.

PAUL SCHEINPFLUG, op. 15. Ouvertüre zu einem Lustspiel von Shakespeare *(mit Benutzung einer altenglischen Melodie aus dem 16. Jahrhundert)* . . . **15 Min.**
3, 2 und Engl. H., 3, 2 und Kontrafag. – 4, 3, 3, 1 – Schl., Str.

MAX VON SCHILLINGS, Tanz der Blumen **6 Min.**
2, 2, 2, 2 – 3 Hr. – Hf., Str.

I. WERKE FÜR GROSSES ORCHESTER

FRANZ SCHREKER, Vier kleine Stücke *für großes Orchester* . . . . **15 Min.**
3, 2 und Engl. H., 2 und Baßkl., Altsax., 3 und Kontrafag. – 4, 3, 3, 1 – Schl., 2 Hf., Klav., Str.

RICHARD STRAUSS, Kampf und Sieg . . . . **8 Min.**
3, 2, 2, 2 – 4, 3, 3, 1 – Schl., Str.

IGOR STRAWINSKY, Symphonie Nr. I, Es dur *für großes Orchester* . . . . **35 Min.**
3, 2, 3, 2 – 4, 3, 3, 1 – Schl., Str.

VINCENZO TOMMASINI, Nápule (Napoli). *Fantasia per Orchestra* . . . . **20 Min.**
3, 2 und Engl. H., 3 und Baßkl., 2 und Kontrafg., – 6, 4, 3, 1 – Pk., Schl., Hf., Str.

II. WERKE FUR KLEINES ORCHESTER

MAX BRAND, op. 5. Eine Nachtmusik *(3 Sätze)* **12 Min.**
1, 1, 1, 1 – 1, 1 – Schl., Hf., Streichquintett (eventuell mehrfach)

BERTHOLD GOLDSCHMIDT, op. 16. Kurmusik *für kleines Orchester (Promenade — Leichte Bewölkung — Marsch der Ängstlichen — Nach der Kur)* . . . . **15 Min.**
2, 1, 1, 1 — 2, 2, 1, 1 — Schl., Klav., Str.

JOSEPH GUSTAV MRACZEK, Orientalische Tanz-Rhapsodie *für kleines Orchester* . . . . **12 Min.**
1, 0, 1, Altsax., 1 — 0, 2, 2 — Schl., Klav., Str.

ARNOLD SCHÖNBERG, op. 24. Serenade *für Klar., Baßklar., Mandoline, Gitarre, Geige, Bratsche, Violoncell und eine tiefe Männerstimme (IV. Satz: Sonett von Petrarca)* **20 Min.**

ARNOLD SCHÖNBERG, op. 34. Begleitmusik zu einer Lichtspielszene *(Drohende Gefahr, Angst, Katastrophe)* **10 Min.**
1, 1, 2, 1 – 2, 2, 1 – Klav., Schl., Str.

KARL WIENER, op. 7. Kammerstück *für 12 Soloinstrumente* . . . . **10 Min.**
0, 1, Baßkl., 1 — 2 Hr. — Pk., Hf., Str. (1, 1, 1, 1, 1)

III. WERKE FÜR STREICHORCHESTER

MOZART-EDWIN FISCHER, Fantasie in F moll *für eine Orgelwalze. K.V. 608* . . . . **8 Min.**
Streichorchester

CARL RUGGLES, Portals *für Streichorchester* . . **8 Min.**

EXHIBIT 42-p.1

EXHIBIT 42-p. 2

IV. INSTRUMENTALKONZERTE

VIKTOR BABIN, Klavierkonzert *in einem Satz* . . . 20 Min.
2, 2, 2 und Baßkl., 2 — 4, 3, 3, 1 — Schl., Hf., Str.

PH. E. BACH-LANDSHOFF, Konzert in D *für Cembalo oder Klavier und Orchester* . . . . 16 Min.
2, 2, 0, 0 — 2 Hr. — Str.

WILHELM KEMPFF, op. 37. Ein Totentanz. *Konzert in Suitenform für Klavier, Streicher, Schlagzeug und kleinen gem. Chor (auch in eingezog. Fassung ohne Chor lieferbar)* . . . . 28 Min.
Schl. — Str. — (gem. Chor)

COLIN McPHEE, Concerto for Piano *with wind octet.* 20 Min.
2, 1, 1, 1 — 1, 1, 1 — 0

V. GESANGSWERKE

HAYDN-LANDSHOFF, Nelson-Arie. *(Gesang von der Schlacht am Nil) für mittlere Stimme und Orchester (auch englisch)* . 12 Min.
2, 2, 2, 2 — 2, 2 — Pk., Str.

LISZT-BUSONI, Sonetto 104 di Petrarca *für Tenor und Orchester* . . . . 8 Min.
2, 2, 2, 2 — 2, 0, 3 — Pk., Hf., Str.

PAUL A. PISK, op. 21. Drei Psalmen (82, 13, 70) *für Baritonstimme und Orchester* . . . . 20 Min.
2, 2, 2, 2 — 4, 2, 3 — Pk., Schl., Hf., Str.

ARNOLD SCHÖNBERG, op. 24. Serenade *für Klar., Baßklar., Mandoline, Gitarre, Geige, Bratsche, Violoncell und eine tiefe Männerstimme (IV. Satz: Sonett von Petrarca)* . . . . . . 20 Min.

VI. CHORWERKE

FRIEDRICH KLOSE, Messe in D moll *für Soli, Chor, Orchester und Orgel* . . . . 50 Min.
2, 2, 2, 2 — 4, 3, 3, 1 — Pk., Orgel, Str.

LIVIO LUZZATTO, Vorspiel zu der Oper „Judith". *3 Fassungen: a) für großes Orchester, Sopran- und Tenorsolo, gemischten und Knabenchor; b) für großes Orchester; c) eingezogene Fassung (mit oder ohne Chor)* . . . . 9 Min.
(Für a und b): 4, 2 und Engl. H., 3 und Baßkl., 3 und Kontrafag. — 6, 3, Baßtr., 3, 3 — Hf., Klav., Cel., Schl., Str.

HUGO RÖHR, Ekkehard. *Oratorium für Soli, Chor und Orchester* . . . . 2½ Std.
3, 2, 2, 2 — 4, 3, 3 — Pk., Hf., Org., Str.

GEORG SCHULER, „Max und Moritz", *ein burleskes Oratorium in 6 Streichen für Soli, gem. Chor und Orchester.* 40 Min.
2, 2, 1 und Sax., 2 — 2, 2, 1 — Pk., Schl., Hf., Klav. (oder Cemb.), Str.

BÜCHER

SOCIETY OF EUROPEAN STAGE
AUTHORS and COMPOSERS, Inc.
113 WEST 42nd STREET
NEW YORK

EXHIBIT 42-p.2

HANS DIESTEL, *Über das Dirigieren. Mit einem Vorwort von Richard Strauß*

H. F. REDLICH, *Das Problem des Stilwandels in Monteverdis Madrigalwerk*

IN VORBEREITUNG

EUGEN D'ALBERT, *„Mister Wu" (Oper in 3 Akten)*

HENRY COWELL, *2 Orchesterwerke*

EDWIN FISCHER, *Improvisation über den Kaiserwalzer von Strauß*

EGON WELLESZ, *Geistliches Chorwerk (mit Orchest.)*

G. v. WESTERMAN, *Rezitativ und Arie für Sopran und Orchester*

EXHI

~~We~~ I. herewith transfer and assign all title and interest in the following copyrighted works to:

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC.
113 West 42nd Street
New York, NY

Composer	Title	Entry No.	Year
Vittorio Gnecchi	~~Adagio for Cello & Piano~~ Valzer (dall' Opera VIRTU D'AMORE)	~~E (for) 8840~~ E 28867	~~1929~~ 1932
"	Cassandra	C 108145	1905
	"	D 18705	1910
"	La Rosiera	D 18813	1910
"	Invocazione Italica	E 367043	1915

Vittorio Gnecchi

Kingdom of Italy
City of Milan
Consulate of the United
States of America.

Subscribed and sworn to before me this 6th day of March, 1933.

Frank C. Nicoll
Frank C. Nicoll,
Vice Consul.

AMERICAN FOREIGN SERVICE
$2.00
FEE STAMP

Fee No. 304
Tariff No. 33

EXHIBIT 43

PYRIGHT OFFICE OF THE
ED STATES OF AMERICA.

ASSIGNMENTS OF COPYRIGHTS.

EXHIBIT 44-p. 1

RECEIVED FOR RECORD December 2, 1913

A: Vittorio Gnecchi

ASSIC G. Ricordi & Co.

Milano li 12 Novembre 1913

il presente atto il Sig. Vittorio Gnecchi per sè e suoi eredi, ra di aver ceduto, venduto e trasferito ai Sigg. G. Ricordi di Milano e 14 East 43rd Street, New-York, la proprieta e intera assoluta ed esclusiva per tutti i paesi, eccezion della Germania, Austria-Ungheria e Russia tedesca, della opera

Cassandra

su libretto a igi Illica.

Il Vittorio Gnecchi dichiara di comprendere in tale cessione i diritti di pubblicazione, esecuzione rappresentazione luzione e riproduzione in tutti i modi e sotto tutte le fo presenti e futuri, intendendose la Ditta G. Ricordi & C. in nente al Signor Vittorio Gnecchi.

Il Sig. rio Gnecchi dichiara di non aver più nulla a pretendere Sigg. G. Ricordi & C. in dipendenza della sua cessione dell'op Cassandra

Il Sig. Vitt Gnecchi dichiara inoltre di avere regolarmente depositato ra Cassandra al Register of Copyrights di Washington, come se : - nel 1905 l'edizione della riduzione per canto e pianoforte;

- nel 1910 una va edizione della riduzione per canto e pianoforte;

- nel 1911 la pa ra d'orchestra del prologo dell'opera

Il detto Sig Vitto Gnecchi autorizza pertanto la Ditta G. Ricordi & C. a fare domana al Register of Copyrights di Washington affinchè le registrazi dell'opera Cassandra ivi attualmente esistenti sotto il nome l Sig. Vittorio Gnecchi, vengano invece inscritte sotto il nome lla Ditta G. Ricordi & C. quale

The foregoing assignment of copyright is this ...... da , 191 ,
recorded in the Copyright Office of the United States, book , , in conformity with
the laws of the United States respecting copyright.

Written ....

Revised ....

EXHIBIT 44-p.1

EXHIBIT 44-p. 2

NO. .... RECEIVED FOR RECORD ....

ASSIGNOR ,

ASSIGNEE ,

proprietaria dell' opera detta a termini del presente atto.

In fede

Vittorio Gnecchi

Yo sottoscritto Dottor Federico Antonio Fenini su Cesare Notaio alla Residenza di Tiottello inscritto presso il Collegio Notarile di Milano certifico vera ed autentico la premesse firma del Signor Maestro Vittorio Gnecchi del vivo Commdre? Francesco. di Milano persona a me cognita e che ha firmato in presenza mia.

Milano li 13 Novembre 1913
D.M: Federico Antonio Fenini Ngr.?
Visto per la Legalizzazione della firma
del Notajo Dr. Federico Antonio Fenini
Milano li 13 Novembre 1913
J Manf. V.C. p Il Presidente.
Granato

American Consulate

Milan, Italy, Nov. 13, 1913.

I Nathanael B. Stewart, Consul of the United States of America at Milan, Italy, hereby certify that the signature and seal of the President of the Civil and Penal Tribunal of Milan, Italy herein before subscribed, are true and genuine and as such are entitled to full faith and credit.

Given under my hand and the seal of this Consulate this thirteenth day of November 1913.

Nathaniel B. Stewart
Consul of the United States of
America, Milan, Italy.

[Fee Stamp]
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N. T. no. 352

The foregoing assignment of copyright is this ninth *day of* December *, 1913, recorded in the Copyright Office of the United States, book* 53*, pages* 378-379*, in conformity with the laws of the United States respecting copyright.*

Written E.D.B.
Revised J.H.C.

EXHIBIT 44-p.2

(NAB TRANSLATION)

"With the present act, Mr. Vittorio Gnecchi, for himself and his heirs, declares that he has ceded, sold, and transferred to the Messrs. G. Ricordi & Company of Milan, Italy and 14 East 43rd Street, New York, the full and entire, absolute and exclusive rights for all countries, with the exception of Germany, Austria-Hungary and Russia Tedesca, in his opera "Cassandra" and the libretto of Luigi Illica.

Mr. Vittorio Gnecchi declares that he understands in this secession, that all the rights of publication, public performance, translation and reproduction by all forms and in any methods, of the present and of the future, are surrendered in their entirety to the Messrs. G. Ricordi & Company by Vittorio Gnecchi.

Mr.. Vittorio Gnecchi declares that he holds no additional rights in the opera "Cassandra" in disposing of it to Messrs. G. Ricordi & Company at the time of this deed.

Mr. Vittorio Gnecchi declares also that he has registered the opera "Cassandra" with the Register of Copyrights in Washington as follows:

In the year 1905 - The edition which has been arranged for voice and piano.

In the year 1910 - A new edition which has been arranged for voice and piano.

In the year 1911 - The orchestra score of the prologue of the opera.

The said Vittorio Gnecchi authorizes G. Ricordi & Company to inquire of the Register of Copyrights in Washington regarding the registration of the opera "Cassandra", actually existing there under the name of Mr. Vittorio Gnecchi and which is now entered under the name of G. Ricordi & Company, who is the proprietor (owner) of the opera under the terms of the present act.

In faith,

(Signed) Vittorio Gnecchi"

EXHIBIT 45-p. 1

KNOW ALL MEN BY THESE PRESENTS, That EDITIONS FERMATA (H. LEBENDIGER) of Warsaw, Poland, for and in consideration of One Dollar ($1.00) the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Hulimka	Under The Moscow Moon	1936	E.for.44379
Scher	The Barrel Organ	1936	E.for.44380
Ferszko & Front	Before We're Through	1936	E.for.44391
Scher	Corsican Serenade	1936	E.for.44382
"	" "	1936	E.for.44381
Scher	Wojskowa Parada	1936	E.for. 44385
"	Piosenka moja lec	1936	E.for.44384
Gold	Jak zakochac sie-to w niedziele	1936	E.for.44387
"	" " " " " "	1936	E.for.44386
Mucman	Panna andzia ma wychodne	1936	E.for.44390
"	" " " "	1936	E.for. 44389
Scher	Tango Meksykanskie	1936	E.for.45249
"	" "	1936	E.for.36284
Mekler	Coz winne serce me	1936	E.for.44377
Scher	Katarynka	1936	E.for.44383
Ferszko & Front	Nim zamkne drzwi	1936	E.for.44392
Hulimka	Chce przy tobie byc	1936	E.for.44378
Gold	Miedzy nami juz romans skonczony	1936	E.for.44388
Haber	Tango Lyczakowskie	1936	E.for.44678
Kwiecinski	To byl tylko flirt	1936	E.for.44679
Frank i Gert	Wegierska Piosenka	1936	E.for.44680
Rosner	Zagrajcie mi	1936	E.for.44681

duly copyrighted in the name of EDITIONS FERMATA (H. LEBENDIGER) and EDITIONS FERMATA (H.LEBENDIGER) hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, EDITIONS FERMATA (H. LEBENDIGER) has executed this assignment this 24th day of August, 1936.

Signed EDITIONS FERMATA (H. LEBENDIGER)

By SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., Attorney

Kurt A Jadassohn

Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 24th day of August, 1936, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Morris H Bloomberg

MORRIS H BLOOMBERG, Notary Public
Kings Co Clk's No 152, Reg No. 8159
N Y Co. Clk's No [illegible] Reg. No. 8-B-177
Bronx Co Clk's No 56
Commission expires March 30, 1938

EXHIBIT 45-p.2

KNOW ALL MEN BY THESE PRESENTS, That EDITIONS FERMATA (H. LEBENDIGER), of Warsaw, Poland and Buenos Aires, Argentina, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Haber	Suburban Tango	46085	1936
Scher	Scarlet Song	46086	1936
Scher	Czerwone Tango	46087	1936
(Roma	Pebeta		
(Pecci	Cafe Concierto	46083	1936
Gorzynski	A Day Will Come	45719	1936
Cobian	Nostalgias	45793	1936

duly copyrighted in the name of EDITIONS FERMATA (H. LEBENDIGER), and EDITIONS FERMATA (H. LEBENDIGER) hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, EDITIONS FERMATA (H. LEBENDIGER) has executed this assignment this 5th day of November, 1936.

Signed EDITIONS FERMATA (H. LEBENDIGER)

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney

Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 5th day of November, 1936, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co Clk's No. 48, Reg. No. 8A-109
Bronx Co. Clk's No. 20, Reg. No. 504-38
Commission Expires March 30, 1939

EXHIBIT 46

KNOW ALL MEN BY THESE PRESENTS, That EDITIONS FERMATA (H. LEBENDIGER), of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Frank & Gert	Wegierska Piosenka	E.for. 46785	1936
Bollo-Ilnicki	Jeden Dzien.. Jedna Noc	E.for. 46788	1936
Gold	Jasminy	E.for. 46787	1936
Gold	Miedzy nami juz romans skonczony	E.for. 46784	1936
Bollo	Jeden Dzien.. Jedna Noc	E.for. 46793	1936
Gold	Jasminy	E.for. 46792	1936
Kwiecinski	It Was A Mere Flirtation	E.for. 46227	1936
Rosner	Play, Gipsy, Play	E.for. 46228	1936
Buffini	Tak musi byc	E.for. 46794	1936
Buzek & Holctreger	Nikt inny tylko ty	E.for. 46791	1936

duly copyrighted in the name of EDITIONS FERMATA (H. LEBENDIGER) and EDITIONS FERMATA (H. LEBENDIGER) hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, EDITIONS FERMATA (H. LEBENDIGER) has executed this assignment this 4th day of March, 1937.

Signed EDITIONS FERMATA (H. LEBENDIGER)

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney

Kurt A. Jadassohn

Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 4th day of March, 1937, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 43, Reg. No. 8A-109
Bronx Co. Clk's No. 20, Reg. No. 50A-38
Commission Expires March 30, 1938

EXHIBIT 46

REPUBLIC OF SPAIN,)
PROVINCE OF VIZCAYA,)
CITY OF BILBAO,)
CONSULATE OF THE UNITED) ss:
STATES OF AMERICA.)

We hereby transfer and assign all title and interest in the Copyrights of the following musical compositions, to:

"SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS,
NEW YORK.

COMPOSERS	TITLE
Celedonio Rodríguez (Rodoch) Jesús Aceves (Asune)	"ECHATE JUERA" Pasodoble
Celedonio Rodríguez (Rodoch)	"HEMBRAS Y CAÑAS" Pasodoble.

Celedonio Rodriguez (Rodoch)

Jesús Aceves
Asune

Bilbao, Spain, September 9, 1935.

Certificate of Acknowledgment of Execution of Document.

EXHIBIT 47-p. 2

REPUBLIC OF SPAIN,
PROVINCE OF VIZCAYA,
CITY OF BILBAO,
CONSULATE OF THE UNITED STATES
OF AMERICA. } ss:
(Name of consular office.)

I, Owen W. Gaines Vice Consul *of the United States of America at* Bilbao, Spain *duly commissioned and qualified, do hereby certify that on this* ninth *day of* September, 1935, (Date.) *, before me personally appeared* ------ --- CELEDONIO RODRÍGUEZ (RODOCH) and JESUS ACEVES (ASUNE) -- --

*to me personally known, and known to me to be the individual*s *described in, whose name*s are *subscribed to, and who executed the annexed instrument, and being informed by me of the contents of said instrument* they *duly acknowledged to me that* they *executed the same freely and voluntarily for the uses and purposes therein mentioned.*

In witness whereof I have hereunto set my hand and official seal the day and year last above written.

Owen W. Gaines,
Vice Consul *of the United States of America.*

FEE **TWO DOLLARS.**

NOTE.—Wherever practicable all signatures to a document should be included in one certificate. 1—177

Servicio Nº 507

EXHIBIT 47-p.2

REPUBLIC OF SPAIN)
PROVINCE OF VIZCAYA)
CITY OF BILBAO,) ss:
CONSULATE OF THE UNITED)
STATES OF AMERICA.

EXHIBIT 47-p.3

I Herewith transfer and assign all title and interest in the copyrights of the following musical composition to:

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS NEW YORK

COMPOSER,	TITLE,
Celedonio Rodríguez (Rodoch).	CAFE CON LECHE/ Danzón cubano

Bilbao, Spain, November, 1935.

Celedonio Rodriguez Rodoch

Sworn to before me this the 5th day of November, 1935.

William E. Chapman,
Consul of the United States of America
at Bilbao, Spain.

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EXHIBIT 48-p.1

VOL. 342 PAGE 202

We herewith transfer and assign the copyrights to the following musical publications to Mr. PAUL HEINECKE, 113 West 42nd Street, New York, N.Y.

TITLE	COMPOSER	ENTRY NO.	YEAR
Mondnacht am Rhein	R. Vollstedt, op. 53		1935
Menschen habt euch gern	Werner Schmidt-Boelcke	Efor.32130	1933
Ritornell und Rondo-capriccio	Joseph Gustav Mraczek	Efor.29131	1933
Stettiner Kreuz Polka	G. Schlichting	Efor.18468	1931
Aimant la rose, le rossignol	Rimski Korsakoff, op.2 #2, arr. Oskar Hoffer	Efor. 1335	1928
Concert D-dur, No. 17	Joh.Joach.Quantz,rev.Osk.Fischer	E 684623	1927
Eins ist not	Hans Stieber	E 639898	1928
Jugend Album	Franz Behr,bearb.v.Rich.Krentzlin Vol. 1-3	E 689197-689199	1928
" "	Vol. 4 & 5	E 689804, 689805	1928
Komm o Komm Geselle mein	de la Hale	E for. 309	1928
Allmächtiger o höre, Aria	G.Meyerbeer,bearb.v.Mich.Zadora	E 662230	1926
Drei Sätze für Streich Quartett	J.G. Mraczek	E 662177	1927
Herrn Dürers Bild	J.G. Mraczek	E 662229	1926
Idyll	Wilh. Rinkens, op. 40 #2	E 662176	1927
König Sommer	Wilh. Rinkens, op. 40 #1	E 662175	1927
Schwiegermutter Preis - Lied	Heinr.Platzbecker, op.96	E 659400	1927
Der Trommelgraf	Wilh. Rinkens, op. 40 #3	E 662174	1927
Sängersprüche	Joh. Henkel	E 656131	1926
Aschenputtel, Suite	Eugen d'Albert, op.33	E 625090, 625091	1925
Gevatter Tod	Wilh. Rinkens, op. 39 #2	E 638895	1926
Der Schelm von Bergen	Wilh. Rinkens, op. 39 #3	E 638896	1926
Schöne Agnete	Wilh. Rinkens, op. 39 #1	E 638894	1926
Concerto für Oboe in C minor	Benedetto Marcello	E 625088	1925
Drei Sätze	J.G. Mraczek	E 625408	1925
Trio in C. Minor	Geo. Phil. Tellman, arr.by Rich. Lauschmann	E 625409	1925
24 melodische Etuden für Flöte	O. Fischer	E 625093	1925
Symphonie Pathétique	P. Tschaikowski, op.74 #6 arr. by Otto Singer	E 582291	1924

EXHIBIT 48-p.1

EXHIBIT 48-p.2

TITLE	COMPOSER	ENTRY NO.
1914		
Abendlied und Sehnsucht	R. Schumann, arr. Wilh. Barge	E 327833
Abendstimmung	Heinr. Zöllner, op. 127 #1	E 344643
Ach moder ich will en Ding	Carl Hirsch	E 344343
Adagio Lamentoso from Symph. Pathetique	P. Tschaikowski, arr. Paul Klengel	E 341196
Allegro Con Gracia from Symph. Pathetique	P. Tschaikowski, arr. Paul Klengel	E 341197
An die Mutter	Heinr. Zöllner, op. 127 #3	E 344644
Auf der Suche nach dem Nibelungenlied	Heinr. Zöllner, op. 122 #2	E 344641
Bismarck's Wiederkehr	Ernst Heuser, op. 81	E 344646-344647
Erholungsstunden	Franz Wohlfahrt, op. 50	E 341195
Fasching	Adolf Menzel, op. 52	E 344345
Frisch auf mein liebes Töchterlein	Carl Hirsch	E 344344
Die Linde im Tal	Carl Hirsch	E 344342
Der Ritt in den Tod	Heinr. Zöllner, op. 122 #1	E 344642
Die vertauschten Frauen	Heinr. Zöllner, op. 127 #5	E 344645
Acht Special Etüden	C.H. Döring, op. 73	E 336021
Allegretto	A. von Sponer, op. 24 #2	E 344215
Altes Liebeslied	Fr. W. Kücken, op. 25 #5 arr. Carl Hirsch	E 337330
Am Heiligen Abend	Arnold Mendelssohn, op. 59 #2	E 340710
Andante	A. von Sponer, op. 24 #1	E 344214
Berceuse d'enfant	Jos. Berr, op. 68	E 332931
Canzona	M. Gulbins, op. 71 #2	E 344077
Capriccio	Joh. Merkel, op. 21	E 332531
Drei Postludien	H. Kretschmar, op. 4	E 333512
Die Elfen sangen	Karl Weigl, op. 8	E 327768
Familien Festklänge	Franz Wohlfahrt, op. 52, Books 1-3	E 337921-337923
Fantasie	M. Gulbins, op. 71 #1	E 344076
Scherzo	M. Gulbins, op. 71 #3	E 344078
Fughetto	M. Gulbins, op. 71 #5	E 344080
Gode Nacht	Karl Weigl, op. 8 #3	E 327766
Hektors Bestattung	Botho Sigwart, op. 15	E 332628) 332629)
" "	" " op. 15	E 337804
Herbstabend	Walter Dahms, op. 5	E 340916
Intermezzo Cromatica	M. Gulbins, op. 71 #4	E 344079
Juli	K. Weigl, op. 8	E 327767
Jungens heraus	E. H. Darras	E 344216
Die Legende v. Tannenbaum	F. Hummel, op. 131	E 337321
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Mendelssohn Album	R. Sch a ab, Bk.1 & 2	E 340178) 340179)
Marienlied	K. Weigl, op. 8 #4	E 327765
Neue Skizzen a.d. Kinderleben	J. Merkel, op. 20	E 327630
Orgel Album	J. Rheinberger, edited by K. Heynsen, Vols. 1 & 2	E 340161-340162
Schlummerliedchen	K. Weigl, op. 8	E 327764
X ~~Resignation~~	~~M. Reger, op. 26 #5, arr. R. Lange~~	~~E 336788~~
34 Choral Vorspiele	R. Pappernitz, op.15, Bks.1&2	E 333514 E333515
Zehn Improvisationen	C. Putti, op. 15	E 336572
Zum Ausgang	H. Kretzschmar, op.10	E 333513

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18 Melodische Elementar Etüden	C. H. Döring, op.55	E 336022
Technische Etüden	H. Kretzschmar, op. 8	E 336031
Violinschule	F. Wohlfahrt, H. Schröder & A. v. Sponer, op.88, Pts.2 & 3	E 332971 332972
Zwei Sätze aus Parsival	R. Wagner, arr. E. Poder	E 340443
Zur Trauung	A. Mendelssohn, op. 59	E 340709
Weihnachtsandacht	Aug. Nölck, op. 184	E 337924
Vierundzwanzig kleine Studien	C. Reinecke, op. 137	E 340711-340712
Der Totengräber	Jos. Weber, op. 17	E 340577
Sexten-Etude in Walzerform	M. Wurm, op. 52	E 344178
Schwalbensiziliane	W. Dahms, op. 5 #2	E 340015
Der Ritt in den Tod	H. Zöllner, op. 122 #1	E 344042
Recordare	J. Renner, jr.	E 3400[illegible]
Pastoral-Sonate	J. Rheinberger, op.88 arr. K. Hoyer	E 344171
Melodienschatz	F. Wohlfahrt, op. 47	E 340576
Die Linde im Tal	C. Hirsch	E 344342
Andante	A. v.Sponer, op. 24 #1	E 344214
Soir Pluvieux	J. Berr, op. 66	E 332932
Tägliche technische Studien	F. Krieger	E 336018
Variatonen über ein Originaltheme	J. Merkel, op. 21 #2	E 332563
1913		
Allgemeines Wandern	G. Hablitze, op. 1 #1	E 306550
Almée	G. Zuccoli, op. 20	E 303033
Au claire de Lune	L. Leman, op. 27 #3	E 303020
Das Auge	L. Peters, op. 62 #2	E 303087
Bal au chateau	A. Nölck, op. 137 #1	E 306317
Barcarolle	E. Sauret, op 29 #8	E 307810
Ballade	M. v.Schillings, op. 30 #1	E 313012
Canzonetta	G. Zuccoli, op. 20 #1	E 303324
Carmen, Petite Fantasie	G. Bizet, arr. F.Seitz, op.41	E 302749
Chamounix, Ascension du Mt.Blanc	P. Ertel, op. 27 #4	E 303019
Colloque	G. Zuccoli, op. 20 #3	E 303035
Les Contes d'Hoffmann	J. Offenbach, arr.F.Seitz, op.41	E 302750
Dafür wird gebüsst	Chr. Sinding	E 307807
Deutscher Tanz	C. Hirsch	E 312391
Les Diablerets	P. Ertel, op. 27	E 303021
Drei Jugendtrios	F. Seitz, op. 42	E 312736-312768
Einsamkeit	C. v.Werschinger, op. 16 #1	E 334005
Erhebung	G. Hoblitzel, op. 1 #2	E 306560
Es wollt ein Jäger jagen	C. Hirsch	E 312383
Etudes de Concert	R. Schumann, arr. E.d'Albert op. 3 & op. 10	E 316879 E 313880
Ewig	Chr. Sindig	E 317809
Föhn	P. Marini, op. 24	E 306558

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1913		
Fundamental Studien	G. Holländer, op. 68 Bk 1 & 2	E 312898 E 312899
Gavotte	H. Ailbout	E 312499
Gelübde	M. v.Schillings, op. 29 #2	E 316013
Gradus ad Parnassum	E. Sauret, op. 36, Pts. 1 & 2	E 306600) 306601)
Grand Valse brillante	Chopin, op. 18,arr.E.d'Albert	E 316871
Grobschmidt Variationen	G. F. Händel, arr. E.d'Albert	E 312515
Huldigung d.Schlesischen Stände	F. Hummel, op. 115 #2	E 307750
Hymne	H. Zoellner, op. 116	E 306616
Ich weiss mir ein Maidlein	C. Hirsch	E 312380
Im Serail	Chr. Sinding	E 307808
In goldner Rosenzeit	A. Oehl, op. 29	E 306481
Jubel-Ouverture	A. Rosenauer, op. 34	E 316016
Kein Wort von Dir	P. Tschaikowski, op. 28 #5	E 303341
Klavierschule	F.Wohlfahrt & G.Lazarus,op.36	E 317131
Landsknechts-Ständchen	C. Hirsch	E 312383
Legende du Nord	A.Nölck, op. 167 #6	E 306618
Die Leipziger Schlacht	H. Zöllner, op. 125	E 303342 E 303710
Der Liebestraum	P. Fehrmann, op. 21 #2	E 306532
Liederseelen	P. Fehrmann, op. 21 #1	E 306531
Liedesweihe	H. Jüngst, op. 106	E 313772
Lindenlaub	C. Hirsch	E 312388
Luarin	R. Gasteiner, op. 121	E 306623
Marche Fantastique	P. Ertel, op. 27	E 308655
Mein Dörfchen	E. Walter, op. 58 #2	E 307878
Mélodie	A. Nölck, op. 167 #3	E 306619
Menuett	H. Ailbout	E 312500
Mondnacht	C. Werschinger, op. 16 #2	E 324066
Nacht	K. Klauert, op. 36 #1	E 306482
Nicht Worte Geliebter	P. Tschaikowski, op. 6 #2	E 303336
Nocturne	Fr.Chopin,op.9#2,arr.E.d'Albert	E312514
Nocturne in Des-Dur	Fr.Chopin,op.27 #2 arr. E. d'Albert	E 316872
Nur wer die Sehnsucht kennt	P. Tschaikowski, op. 6 #6	E 303340
O geh nicht von mir mein Freund	P. Tschaikowski, op. 27 #3	E 303337
Pastorale in G-Dur	D. Scarlatti, arr. E. d'Albert	E 312516
Pironette Valse	A. Nölck, op. 167 #5	E 306620
Polonaise in A-dur	Fr.Chopin, op. 40 #1 arr. E. d'Albert	E 316876
Polonaise in Cis-Moll	Fr.Chopin, op. 26 #1 arr. E. d'Albert	E 316873
Der Regenbogen	M. Peters, op. 62 #1	E 303288
Reve Fantasque	G. Zuccoli, op. 20 #2	E 303026
Romance	A. Nölck, op. 167 #2	E 306621
Scheiden und Meiden	C. Hirsch	E 312387
Die schöne Müllerin	E. Walter, op. 58 #1	E 307877
Seestück	Chr. Sinding	E 307806
Sérénade	H. Ailbout	E 312497

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Sieben Variationen	L. v.Beethoven,arr.E.d'Albert	E 313501
Sommerabend	H. Zöllner, op. 129 #2	E 312357
Sonate No. IX	H. Fährmann, op. 53	E 302739
Sonate No. 10 in D-moll	H. Fährmann, op. 54	E 312360
Sonnenaufgang	J. A.Mayer, op. 20	E 302891
Sonnenaufgang	J. A.Mayer, op. 20	E 306480
Steh'n hohe Bäume um d. Hütte	P. Tschaikowski, op. 37 #4	E 303338
Sternennacht	L. v.Schillings, op. 30#2	E 316015
Tarantelle	A. Nölck, op. 167 #4	E 306622
Türkischer Marsch	H. Ailbout	E 312498
Und wenn der Tag sein schweres Leid	Chr. Sinding	E 307805
Valse in Des-Dur	Fr. Chopin, op. 64 #1, arr. E. d'Albert	E 316877
Valse in Cis-moll	Fr. Chopin, op. 64 #2, arr. E. d'Albert	E 316878
Valse brillante	Fr. Chopin, op. 34 #1 arr. E. d'Albert	E 316874
Valse brillante	Fr. Chopin, op. 34 #2 arr. E. d'Albert	E 316875
Das Vaterland	M. v.Schillings, op. 29	E 316014
Von Dir scheiden	K. Klauert, op. 36 #2	E 306483
Der Wanderer	G. Haeser	E 306557
Warum	P. Tschaikowski, op. 6 #5	E 303339
Weihe der Nacht	J. Weismann, op. 43	E 316460
Weihnachts-Wiegenlied	V. Novak	E 306938
Zu Pferd, zu Pferd	H. Zoellner, op. 129	E 312359
Zwoelf Menuette	L. v.Beethoven	E 302892) E 302893)
1912		
Abmarsch	H. Jochimsen, op. 33 #4	E 280182
Ach Gott wie manches Herzeleid	J. S.Bach, arr. M.v.Schillings	E 280194
Allein bist Mutter du	Chr. Sinding, op. 37 #4	E 286108
Alter Spruch	E. Heuser, op. 76 #2	E 287488
An die Morgenröte	H. Joachimsen, op. 33 #2,	E 280183
Belehnung des Burggrafen	F. Hummel, op. 115 #1	E 277364
Die Campbells	H. Joachimson, op. 33 #6	E 280184
Chromatische Phantasie und Fuge	J. S.Bach, arr. E. d'Albert	E 287842
Danse Slave	H. G.Noren	E 277365
Eccossaises	L. v.Beethoven,arr.E.d'Albert	E 286387
Elvershöh	H. Jochimsen, op. 33 #1	E 280185
Etudes	Fr.Chopin, op.10 #1,2,4,7,8,10,12	E 276963-276969
Fantasie in F-moll	Fr.Chopin,op.49 arr.E.d'Albert	E 287841
X ~~Fantasie und Fuge~~	~~M. Reger,op.29,arr.R.Lange~~	~~E 281809~~
Frühlingsjauchzen	C. H.Döring, op. 317	E 276975
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Gradus ad Parnassum	E. Sauret, op. 36	E 287649- 287651
Hab' mein Wage voll gelade	W. Herrmann, op. 99 #1	E 287631
Das harte Wort	Chr. Sinding, op.37 #1	E 286105
Heckenröslein	K. Dreyer, op. 3	E 281808
Herbstblätter	G. Riemenschneider, op. 64	E 280191
Horch was kommt von draussen rein	W. Herrmann, op.99 #3	E 287633
Hymne	H. Zöllner, op. 116	E 290180
Jung Olaf	M. v.Schillings, op.28	E 290763- 290765
Intermezzo	E. Heuser, op. 79	E 291656
Lebens Seligkeit	Chr. Sinding, op. 37 #3	E 286109
Legende	H.G. Noren, op. 39	E 277358
Magst Du mich	H. Jochimsen, op. 33 #8	E 280136
Nächtliche Jagd	E. Heuser, op. 61 #1	E 277859
Neue Methode	W. H.Feltzer, op. 5	E 280729- 280732
Neue Methode	W. H.Feltzer, op. 5	E 290181
Nicht Gedanken die trägen	Chr. Sinding, op. 37 #6	E 286106
Der Nix und die Jungfrau	H. Jochimsen, op. 33 #5	E 280187
Polonaise in C-Dur	L. v.Beethoven, op. 89, arr. E. d'Albert	E 287526
Präludium und Fuge	J. S.Bach, arr. E. d'Albert	E 286369
Reve d'un Moment	Ch.Godard, op. 171	E 277133
Romanze	E. Heuser, op. 61 #2	E 277330
Rondo in C-Dur	L. v.Beethoven, op. 51 #1 arr. E. d'Albert	E 287525
S'ist schlimm	Chr. Sinding, op. 37 #5	E 286107
Schiffer's Abfahrt	H. Jochimsen, op. 33 #3	E 280188
Schlemmerlied	W. Herrmann, op. 99 #2	E 287832
Der schöne Tambour	W. Herrmann, op. 99 #4	E 287834
Sechs Variationen	L. v.Beethoven, arr. E.d'Albert	E 287523
Seh ich dich	H. Jochimsen, op. 33 #7	E 280133
Siciliano	J. S.Bach, arr. E. d'Albert	E 286388
Siebzig melodische Etuden	F. Wohlfahrt & A.v.Sponer,op.74	E 280566 E 280733- 280735
Silvester-Gesang	P. Fehrmann, op. 20	E 290413
Sinfonisches Konzert	H. Fährmann, op.52 in B-moll	E 286429 286648
Sonate in B-moll	Fr.Chopin,op.35,arr.E.d'Albert	E 276974
Tal und Stadt im Abendschatten	E. Heuser, op.76 #1	E 287489
Toccata in E-moll	J.S. Bach, arr.E.d'Albert	E 287524
Treue Schwur ans Vaterland	J. Berr, op.60	E 280.1[illegible]2
Von der edlen Musik	W. Herrmann, op. 99	E 287835
Warum zum Liede willst du	Chr. Sinding, op. 37 #2	E 286110
Weihe des Gesanges	M. Peters, op. 58	E 290193
Der Zwölf-Elf	Fuhrmeister, op. 13	E 277825
105 Etuden für Violine	Fr. Wohlfahrt und H. Benda op. 45	E 286091) 286092)
Etudes	Fr. Chopin,op.25 #1,2,3,4, arr. E. d'Albert	E 276970- 276973

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1911		
Abendandacht	H. Fährmann, op. 48 #3	E 250802
Acht Choral Vorspiele (Eight Choral Preludes)	E. Schnorr v.Carolsfeld, op.2	E 254332
An die Heimat (My Home)	Chr. Sinding	E 247873) E 247871) E 247872)
Arrivèe des Cosaquos	A. Rosenauer, op.29 #2	E 252671
Auf einem Kirchhof	H. Zöllner, op.106 #5	E 254445
Bettelprinzess	H. Zöllner, op.106 #4	E 254444
Das Blatt der Frühlingsweide	A. Hegeler, op. 2#2	E 270035
Camarinsca	A. Rosenauer, op. 29 #3	E 252672
Caprice	H. Fährmann, op. 48 #2	E 250803
Carmen	G. Bizet, arr. A.Rosenauer, op.33 #1	E 263769
Concert pour la Contrabasse	Fr.Cerny, op. 20	E 256579
Les Contes d'Hoffmann	J. Offenbach, arr.A.Rosenauer op.33 #2	E 263770
Dir wie mir	P. Thamm, op. 11	E 250874
Duftet leiser	H. G.Noren, op. 37 #2	E 263912
Die Einsame	F. Lubrich, jr., op.17 #2	E 263482
Elègie	H. Fährmann, op. 48 #6	E 249955
Epilog	B. Sekles, op. 18 #4	E 253931
Es blüht ein Blümlein rosenrot	F. Lubrich, jr. op. 16 #1	E 264070
Etudes	Fr.Chopin, op. 10, arr. by E. d'Albert	E 259542- E 259546
Frühlings-Scherzo	H. Zöllner, op. 106 #1	E 254441
Gavotte variée	G. F.Händel, arr. E.d'Albert	E 254333
Haralds Tod	H. Zöllner, op. 106 #6	E 254446
Heil'ge Nacht nun kehrst du wieder	Fr.Seitz, op.40	E 267202
Herbstgedanken (Autumn Thoughts)	H. Fährmann, op. 48 #5	E 250805
Ich war mit Dir	H. G.Noren, op.37 #1	E 263913
Idylle	M. Wurm, op. 51 #3	E 255668
Im Rosengarten	F. Hummel, op.112 #3	E 249976
In der Lüfte blau	B. Sekles, op.18 #3	E 253932
In Erwartung des Freundes	A. Hegeler, op. 2 #3	E 270036
In Meeres Mitten	B. Sekles, op.18 #1	E 253933
Introduction et chant ancien Russe	A. Rosenauer, op.29 #1	E 252673
Jung Olaf	M. Schillings, op.28	E 267201
Jung Olaf	M. Schillings, op.28	E 270396
Jung Olaf	M. Schillings, op.28	E 270397
Kadenzen-Sammlung	J. Fleischer-Alt	E 254335
Katzenfuge (Cat's fugue)	D. Scarlatti, arr. E. d'Albert	E 254449
Der Konkurrent	P. Thamm, op. 10	E 251658
Leuchtende Tage	H. G.Noren, op. 37 #3	E 263914
Lied ohne Worte (Song without words)	M. Wurm, op. 51 #2	E 255667
Die Mette von Marienburg	F. Hummel, op.114	E 253357
Moselweinlied	M. Gulbins, op.69 #2	E 267779

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Nocturne Es-dur	Fr. Chopin, op.9 #2, arr. by M. Wurm op. 51 #5	E 255365
Nun wird es Nacht	Th. Hagedorn, op. 26 #2	E 252581
Der Pavillon aus Porzellan	A. Hegeler, op. 2 #1	E 270037
Phantasie ueber den Wanderer	Fr. Schubert, op. 15, arr. E. d'Albert	E 254450
Reiterlied	Th. Hagedorn, op. 26 #1	E 252580
Der Rittmeister	H. Zöllner, op. 108	E 267780
Robespierre	H. Zöllner, op. 107	E 253934
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Rosenzeit	F. Hummel, op. 112 #1	E 249977
Schlummerlied	M. Gulbins, op. 69 #3	E 267781
Schnelle Blüte	F. Hummel, op. 112 #2	E 249978
Sechzig Elementar Etuden	F. Wohlfahrt & A.Sponer, op.54 book 1	E 254336
" " "	F. Wohlfahrt & A.Sponer, op. 54 book 2	E 254337
Sêrênade mêlanancolique	P. Tschaikowski, op.26 arr. C. Hermann	E 264312
Sommer	H. G.Noren, op. 37 #4	E 263915
Sonate, A-dur	D. Scarlatti, arr. S. Menter	E 250875
Le Tambourin	J. P. Rameau, arr. E. d'Albert	E 254334
Die Teurung	J. Piber, op. 85	E 249979
Titania	Ch.Godard, op. 170	E 250876
Der Totentanz	H. Zöllner, op. 113	E 253356
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" "	" " " "	E 256578
Träumerei (Dreaming)	H. Fahrmann, op. 48 #1	E 250806
Trällerliedchen (Little Song)	M. Wurm, op. 51 #4	E 255669
Trois esquisses	A. Ashton, op. 143	E 252183
Unbegehrt	F. Lubrich, jr. op. 17 #1	E 263413
Unter Rosen	H. Zöllner, op. 106 #2	E 254442
Unterwegs	H. Zöllner, op. 106 #3	E 254443
Der Unwürdige	A. Hegeler, op. 2 #4	E 270038
Vagantenlied	M. Gulbins, op. 69 #1	E 267782
Valet	M. Filke, op. 105 #1	E 251249
Vierzig tägliche Studien (40 daily exercises)	Mary Wurm, op.51 #1	E 255366
Waldesfrieden (Stillness of the Forest)	H. Fahrmann, op. 48 #4	E 250807
Wenn ich zu Walde geh'	B. Seckles, op. 18 #2	E 253935
Wiegenlied (Cradle Song)	E. d'Albert, op. 25 #2, arr. C. Hirsch	E 253936
" " "	E. d'Albert, op. 35 #2, arr. C. Hirsch	E 254465
Wo sind die Stunden	F. Lubrich, jr. op.16 #2	E 264071
Zwölf Weihnachtslieder (12 Christmas Songs)	A. Nölck	E 267200
Zwölf Weihnachtslieder (12 Christmas Songs)	A. Sponer	E 267196-267199

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Zehn Charakterstücke (10 characteristic pieces)	L. Gulbins, op. 58, Book I	E 254039
Zehn Charakterstücke (10 characteristic pieces)	" " " " " II	E 254040
75 Etuden für Violine (75 etudes for violin)	F. Wohlfahrt & H.Benda, Book I	E 254138
75 Etuden für Violine (75 etudes for violin)	" " " " " II	E 254139
1910		
Air	P. Ertel, op. 26 #2	E 225491
Auf der Wacht (on Guard)	A. Ruthardt, op. 60 #2	E 225486
Archimedes	C. A. Lorenz, op. 82 #3	E 218896
Au pays des Reves	Ch.Godard, op. 137	E 232990
Alaska	H. Zöllner, op. 105	E 239526
Aufforderung zum Tanz	C. M.v.Weber, arr. E. Parlow	E 226767
Ausmarsch (Departure)	A. Ruthard, op. 60 #1	E 225485
Consolation	S. Menter, op. 10	E 338139
Da oben auf dem Berge (Behold upon the mountain)	Chr. Sinding, op. 26 #5	E 225479
Wanderlust; Des Maien liebster Aufenthalt & Sankt Michael	Eigenberger O. Kernstock,/op. 25 #1-3	E 233253
Djanina	E. Meyer Helmund	E 232777
Drei heitere Gesänge	M. Burger, op. 75	E 233514
Drei volkstümliche Lieder: 1) Frühling, 2) Grüss Dich Gott, 3) Sonntagsmorgen	F. Nagler, op. 47	E 225233
Du kannst ja doch nicht singen (No song can tell the sorrow)	Chr. Sinding, op. 26 #10	E 225484
Niggerlied	H. Jüngst, op. 87 #54	E 242349
Elf neue Bagatellen	L. v.Beethoven, op.119, arr. E. d'Albert	E 225471
Erinnerung	R. Schumann, arr. W. Barge	E 231946
Erst verlor um eine Braune (A brunette my heart was stealing)	Chr.Sinding, op. 26 #9	E 225483
Die ersten Etuden (The first studies)	G. Lazarus, op. 125	E 235820
Es sitzen drei Weiber (Three women are sitting)	Chr.Sinding, op. 26 #8	E 225482
Es war im sonnigen Monat März (It was in the sonny month of May)	Chr.Sinding, op. 26 #7	E 225481
Etude en la bêmol maj.	S. Menter, op. 9	E 233358
Etude in G sharp minor	F. Chopin, op. 25 #6 arr.E.d'Albert	E235.145
" " F major	", " #3 " "	E 235146
Etudes en sixtes	S. Menter, op. 8	E 233359

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1910.		
Etuden für Violine (Studies for the Violin)	F. Wohlfahrt & H. Benda, Books 1 & 2	E 227983
Fantasie zu Weihnachten	G. Lange, op.172#5,arr. F.Seitz	E 238398
Flirt	Ch.Godard, op. 139	E 231643
Fritz und Berta	Jos. Piber, op. 84	E 235973
Früher Frost	H. Zöllner, op. 104 #2	E 239524
Gondoletta	E. Meyer-Helmund	E 232776
Heimkehr (The return)	A. Ruthard, op.60 #4	E 225488
Heiraten	L. Neumann, op. 72 #1	E 225460
Heller Morgen	P. Fassbaender, op. 59 #2	E 226764
Ich bin ein Drach' gewesen (I was a fearsome dragon)	Chr. Sinding, op. 26 #2	E 225476
Ich liege Dir zu Füssen (Here at thy feet I'm lying)	Chr. Sinding, op. 26 #4	E 225478
Ich neide nicht die goldnen Säle (I covet not the rich man's treasure)	Chr. Sinding, op. 26 #6	E 225480
Ich war schon so klug (So learned was I)	Chr. Sinding, op. 26 #3	E 225477
Im Wald	W. Arndt, op. 53	E 233357
In Eis erstarrt mein Herze lag (In ice benumbed my heart did lie)	Chr. Sinding, op. 26 #1	E 225475
In Lust und Schmerzen (In joy, in sorrow)	A. Ritter, op. 7 #3	E 232991
Jugend Concertinos	A. Nölck, op. 131 #2	E 231488
Jugend Trios (Student's trios)	F. Wohlfahrt & F.Seitz, op.66 #7	E 226768
Kinderlieder: 1)Wintermorgen; 2)Armes Bäumchen; 3)Soldatenlied; 4)Ringelreihen; 5)Walt Gott	J. B.Zerlett, op. 249	E 231642
Komm (Come)	E. Meyer-Helmund	E 225473
Liebesnacht (Ardent lover)	E. Meyer-Helmund	E 225474
Luftschloss (Castle in the air)	C. Reinecke, op. 185 #12	E 233254
Morgens send ich Dir die Veilchen	E. Meyer-Helmund, op. 61 #2	E 236073) E 236074)
Notturno in B major	F. Chopin, op. 62#1,arr.E.d'Albert	E 235147
Passacaglia	A. Brandt, op. 16	E 224399
Präludium	P. Ertel, op. 26 #1	E 225490
Requiem	P. Fassbaender, op. 59 #1	E 226765
Rosenzeit	M. Silberstein	E 225462
Wanderlust; Des Maien liebster Aufenthalt; & Sankt Michael	J. Eizenberger, op. 25 #1-3	E 233253
Scherzo Fantastique	P. Ertel, op. 26 #3	E 225492
Schön, schöner, am Schönsten	H. Zöllner, op. 104 #1	E 337567.
Sehet welche Liebe (See what tender love)	J. Rheinberger, op. 157 #1	E 233360
Sieben Bagatellen	L. v.Beethoven, op. 35 arr. E. d'Albert	E 225470
Sonate in Es-moll	H. Fährmann, op. 46	E 225489
Ein Spielmann	M. Neumann, op. 72 #3	E 225461

EXHIBIT 48-p.11

TITLE	COMPOSER	ENTRY NO.
1910		
Sport d'Hiver	Ch.Godard, op. 168	E 233255
Steyrische Lieder: #1) I sitz gern beim Bacherl, #2) S'Diandl vom Lahnagrab'n	F. Blümel, op. 112	E 233681
Der Überfall (La surprise)	A. Ruthardt, op. 60 #3	E 225487
Wanderlust: des Maien liebster Aufenthalt; Sankt Michael	J. Eizenberger, op. 25 #1-3	E 233253
Die Weihe der Nacht	P. Fassbaender, op. 59 #3	E 226763
Weihnachtslieder fuer die jugendliche Welt	F. Seitz, op. 39	E 239683
Wiegenlied (Cradle Song)	E. d'Albert, op.25 #2	E 235972
Zehn Vortragsstücke	F. Seitz, op. 34, Books 1-5	E 225815- E 225819
Zweiunddreissig Variationen	L. v. Beethoven, arr. E. d'Albert	E 225469
Zu Weihnachten	G. Lange, op.172 #5 Edition B	E 239340
" "	" " " " " Edition C	E 239341
" "	" " " " "	E 238260
3me Ballade, A flat major	Fr.Chopin, op.47, arr. E. d'Albert	E 235281
60 Elementar Etuden	F. Wohlfahrt & A. v.Sponer, op.54	E 231489
60 Elementar Etuden	F. Wohlfahrt & A. v.Sponer, op.54	E 226766
75 Studies for the Violin	F. Wohlfahrt & H. Benda, op. 45	E 238553
1909		
Alaska	J. Renner, jr. op.66 #2	C 208349
Andante con Variazioni	F. J. Haydn, arr. E. d'Albert	C 207100
Bernstein (Amber)	Chr. Sinding	C 204540
Cadenz zum Konzert von Paganini	A. Hilf, op.6 #1	C 208681
Concert Fantasie	F. Gernsheim, op. 81	C 206477
Die Passen Zusammen	R. Heyne, op. 26 #2	C 210190
Drei Cadenzen zu Beethoven's Violin-Konzert	A. Hilf, op. 61	C 208680
Elfenglocken im Wald	R. Heyne, op. 26 #1	C 210189
Es ist halt Winter	J. Berr, op. 41	C 207686
Der Fremde	K. Krobath, op. 11	C 208892
Gebet	F. Mikorey	E 211924
Das Geläut zu Speier	Schmeltzl, arr. C. Hirsch	C 208354
Ein Hennlein weiss	A. Scandellus, arr. C. Hirsch	C 208353
Ich hatte wohl einen Herzenschatz (I had in sooth a sweetheart once)	Chr. Sinding	C 204542
Ich und Du	N. Rosthius, arr. C. Hirsch	C 208352
Jung Diethelm	J. Renner, op. 66 #1	C 208348
Kinder-Klavierschule	F. Wohlfahrt, op. 36	C 204855
Kochschul-Polka	J. Piber, op. 80	C 207688
A Kümmelbriaf	K. Krobath, op. 9	C 208890
Kunde bringt der Glocken Klang (Chiming Bells)	Chr. Sinding	C 204543
Leichtester Anfang im Violinspiel	F. Wohlfahrt, H. Schröder & A. v. Sponer	E 216657

TITLE	COMPOSER	ENTRY NO.
1909		
Mazurka	S. Menter, op. 6	C 207689
Mischka an der Marosch	J. Pembaur, op.33	C 201012
Missa Brevis	J. Rheinberger, op. 83	C 201821
Missa Sanktissimae Trinitatis	J. Rheinberger, op. 117	C 201822
Morgengruss	A. Scandello, arr. C. Hirsch	C 208350
Notturno, H-Dur	F. Chopin, op.9 #3, arr. E. d'Albert	E 215082
O schön und zart	L. Seufl, arr. C. Hirsch	C 208351
Petite Valse	S. Menter, op.7	C 207690
Polonaise in Fis-Moll	F. Chopin, op.44, arr. E. d'Albert	C 204150
Der Postillon	K. Krobath, op.8	C 208889
Scherzo	L. Rée, op.32	C 200993
Scherzo No. 1 in H-Moll	F. Chopin, op.20, arr. E. d'Albert	E 211025
Schülerkonzertino	A. Mölck, op.131	C 198303
Sonate in H-Moll	F. Chopin, op.58, arr. E. d'Albert	E 214058
Sonate, Phantasie in G-Dur	F. Schubert, op.78, arr. E. d'Albert	C 203889
Sonatine in D-Dur	A. v.Sponer, op.23 #1	C 207691
Sonatine in C-Dur	A. v.Sponer, op.23 #2	C 207692
Stachel der Eifersucht	K. Krobath, op.10	C 208391
Das Stiftungsfest	W. A.Mozart, arr. G. Naumann	C 208595
Valse Caprice	P. Tschaikowski, op.4,arr.E.d'Albert	C 207101
Variations sérieuses, D-Moll	F. Mendelssohn-Bartholdy, arr. E. d'Albert	C 205832
Walpurgislied (Walpurgis Song)	Chr. Sinding	C 204541
Weit schweift ich ueber die Erde (Far o'er the wide world I wandered)	Chr. Sinding	C 204539
Zehn Vortragsstuecke	F. Seitz	C 200427-200451
Zigeuneridylle	I. Herbst, op.63	C 207309
Zum neuen Jahr	J. J. Raff, op.114, No.12	E 2145[illegible]7
Zwiegespräch in der Dämmerung (At Twilight)	R. Burmeister, op.15	E 212052

Verlag von Rob. Forberg
Leipzig C 1, Talstr. 19

Rob. Forberg

Horst v. Raabe
Partner

Form No. 88—Consular
(Corrected March, 1914)

EXHIBIT 48-p.13

Certificate of Acknowledgment of Execution of Document

(Country)
GERMAN REICH
STATE OF SAXONY
(County or other political division)
CONSULATE OF THE UNITED STATES
OF AMERICA AT LEIPZIG } ss: } ss:
(Name of consular office)

I, Harrison Lewis, VICE CONSUL *of the United States of America at* LEIPZIG, GER *duly commissioned and qualified, do hereby certify that on this* 29th *day of* November 1935 (Date), *before me personally appeared* Horst von Roebel, partner of the firm of Rob. Forberg of Leipzig, Germany *to me personally known, and known to me to be the individual* *described in, whose name* is *subscribed to, and who executed the annexed instrument, and being informed by me of the contents of said instrument* he *duly acknowledged to me that* he *executed the same freely and voluntarily for the uses and purposes therein mentioned.*

In witness whereof I have hereunto set my hand and official seal the day and year last above written.

AMERICAN
$2.00
STAMP

Harrison Lewis
Harrison Lewis

VICE CONSUL *of the United States of America.*

FE[illegible] TWO DOLLARS
Service No. 2671.

No[illegible]ver practicable all signatures to a document should be included in one certificate. 1—173

EXHIBIT 49-p.1

[redacted]

We herewith transfer and assign the copyrights to the following musical publications to Mr. PAUL HEINECKE, 113 West 42nd Street, New York, N.Y.

Löhr	Aus Liebe zu Dir	1936	E. for. 44408
de Micheli	Ligurische Serenade	1936	E. for. 44409

Rob. Forberg

stempel der firma

unterschrift

Owner

Certificate of Acknowledgment of Execution of Document

VOL. 354 PAGE 176

GERMAN REICH
STATE OF SAXONY (Country)
CONSULATE OF THE UNITED STATES OF AMERICA AT LEIPZIG } ss
(County or other political division)
(Name of consular office) } ss:

I, Harrison Lewis, VICE-CONSUL *of the United States of America at* LEIPZIG, GERMANY *duly commissioned and qualified, do hereby certify that on this* first *day of* July 1936 (Date), *before me personally appeared* Horst von Roebel owner of the firm of Rob. Forberg, Leipzig Germany *to me personally known, and known to me to be the individual described in, whose ame* is *subscribed to, and who executed the annexed instrument, and being formed by me of the contents of said instrument* he *duly acknowledged to me* he *executed the same freely and voluntarily for the uses and purposes in mentioned.*

In witness whereof I have hereunto set my hand and official seal the day and year last above written.

AMERICAN FOREIGN SERVICE
$2.00
FEE STAMP

Harrison Lewis
Harrison Lewis
VICE-CONSUL *of the United States of America.*

Service No 1656
FEE TWO DOLLARS
Item No 33

Not W ver practicable all signatures to a document should be included in one certificate. 1—173

GOVERNMENT PRINTING OFFICE

EXHIBIT 50

KNOW ALL MEN BY THESE PRESENTS, That GEBETHNER & WOLFF, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Nowowiejski,	Regjonalnych Polskich Piesni Ludowych	1934	E,for. 38945
Cieslakowny	Taniec dolara	1934	E,for. 39491
Namyslowski	Swir! Swir!	1934	E,for. 39490
Melodyst	Kaprys	1935	E,for. 39500
"	Kaprys	1935	E,for. 39501
Mueller & Bugayski	W milosci najtrudniejszy jest poczatek	1934	E,for. 39498
"	W milosci najtrudniejszy jest poczatek	1934	E,for. 39499
Krzemienski	Piosenka nieaktualna	1934	E,for. 39496
"	Piosenka nieaktualna	1934	E,for. 39497
Musnicki	Z minionych dni	1935	E,for. 39494
"	Z minionych dni	1935	E,for. 39495
Jaworski Lenczowski	Dlaczego dzis ktos jest zakochany Pamietasz dzien jesienny	1934	E,for. 39492
Jaworski	Dlaczego dzis ktos jest zakochany	1934	E,for. 39493
Lenczowski	Pamietasz dzien jesienny	1934	E,for. 39503
Karlowicz	Szesc Piesni	1934	E,for. 39502

duly copyrighted in the name of GEBETHNER & WOLFF, and GEBETHNER & WOLFF hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, GEBETHNER & WOLFF has executed this assignment this 22nd day of May, 1935.

Signed GEBETHNER & WOLFF

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney
Kurt A. Jadassohn
Vice-President.

STATE OF NEW YORK)
COUNTY OF NEW YORK.) SS.:

On this 22nd day of May, 1935, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 203, Reg. No. 6A-297
Kings Co. Clk's No. [illegible], Reg. No. 6177
Bronx Co. Clk's No. 20, Reg. No. 62A-36
Commission Expires March 30, 1936

EXHIBIT 50

EXHIBIT 51

KNOW ALL MEN BY THESE PRESENTS, that GEBETHNER & WOLFF, of Warsaw, Poland, for and in consideration of One Dollar (1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Lenczowski Karasinski	(Marie! (Na trzy pas	1935	E,for. 39950
Lenczowski	Marie!	1935	E,for. 39952
Karasinski	Na trzy pas	1935	E,for. 39951

duly copyrighted in the name of GEBETHNER & WOLFF, and GEBETHNER & WOLFF hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, GEBETHNER & WOLFF has executed this assignment this 18th day of July, 1935.

Signed GEBETHNER & WOLFF

by SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney

Kurt A. Jadassohn
Vice-President.

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss:

On this 18th day of July, 1935, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 208, Reg. No. 6A-287
Kings Co. Clk's No. 69, Reg. No. 6177
Bronx Co. Clk's No. 20, Reg. No. 62A-36
Commission Expires March 30, 1936

EXHIBIT 51

EXHIBIT 52

KNOW ALL MEN BY THESE PRESENTS, That GEBETHNER & WOLFF, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Vorbond	Jedno Slowo	1935	E.for. 40923
Vorbond	Jedno Slowo	1935	E.for. 40922
Karasinski	Francois	1935	E.for. 40921
Karasinski	Francois	1935	E.for. 41169
Gorzynski	Nie wierz mi	1935	E.for. 40924

duly copyrighted in the name of GEBETHNER & WOLFF, and GEBETHNER & WOLFF hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, GEBETHNER & WOLFF has executed this assignment this 6th day of November, 1935.

Signed GEBETHNER & WOLFF

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney

Kurt A. Jadassohn

Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 6th day of November, 1935, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 203, Reg. No. 6A-287
Kings Co. Clk's No. 60, Reg. No. 6177
Bronx Co. Clk's No. 20, Reg. No. 62A-36
Commission Expires March 30, 1938

EXHIBIT 53

KNOW ALL MEN BY THESE PRESENTS, That GEBETHNER & WOLFF, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Hosson	Cocktail Milosny	1936	E.for.43178
Hosson	Cocktail Milosny	1936	E.for.43179
Lenczowski	Sympatji Choc Odrobine	1936	E.for.43180
Skotnicki	A Jednak Sie Skonczylo	1936	E.for.43181
Lenczowski Skotnicki	Sympatji Choc Odrobine) A Jednak Sie Skonczylo)	1936	E.for.43182

duly copyrighted in the name of GEBETHNER & WOLFF, and GEBETHNER & WOLFF hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, GEBETHNER & WOLFF has executed this assignment this 31st day of March, 1936.

Signed GEBETHNER & WOLFF

By SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., Attorney

Kurt A. Jadassohn

Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 31st day of March, 1936, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. [illegible]
Notary Public N.Y. Co. #48
Com Exp. Mar 30, 1938

EXHIBIT 54

KNOW ALL MEN BY THESE PRESENTS, That GEBETHNER & WOLFF, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Rozycki-Rybicki	Piosenka Caton	1936	E, for. 44270
Rozycki	Catons-Lied	1936	E, for. 44278
Rozycki	Piosenka Caton	1936	E, for. 44279
Rozycki-Rybicki	Modlitwa Lukrecji	1936	E, for. 44273
Rozycki	Modlitwa Lukrecji	1936	E, for. 44280
Mueller	Kwiaty, czy wy wiecie	1936	E, for. 44272
Mueller	Kwiaty, czy wy wiecie	1936	E, for. 44277
Bronicz	Tak samo nudze sie jak ty	1936	E, for. 44271
Bronicz	Tak samo nudze sie jak ty	1936	E, for. 44276
Friedwald	Co znacza wielkie slowa	1936	E, for. 44274
Friedwald	Co znacza wielkie slowa	1936	E, for. 44275

duly copyrighted in the name of GEBETHNER & WOLFF, and GEBETHNER & WOLFF hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, GEBETHNER & WOLFF has executed this assignment this 27th day of May, 1936.

Signed GEBETHNER & WOLFF

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorneys
Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS.:

On this 27th day of May, 1936, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

EXHIBIT 55

KNOW ALL MEN BY THESE PRESENTS, that GEBETHNER & WOLFF, of Warsaw, Poland, for and in consideration of One Dollar, ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Rozycki	Ta Noc	1936	E.for. 44365
Rozycki	Ta Noc	1936	E.for. 44364

duly copyrighted in the name of GEBETHNER & WOLFF, and GEBETHNER & WOLFF hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, GEBETHNER & WOLFF has executed this assignment this 17th day of June 1936.

Signed GEBETHNER & WOLFF

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney

Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 19" day of June 1936, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co Clk's No. 48, Reg. No. 8A-109
Bronx Co. Clk's No. 20, Reg. No. 50A-38
Commission Expires March 30, 1938

EXHIBIT 56

KNOW ALL MEN BY THESE PRESENTS, That GEBETHNER AND WOLFF, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS And COMPOSERS, INC., the musical compositions entitled:

Press	Wieczorna Godzina	1936	E.for. 45575
Kwiecinski	Kobieta szuka milosci	1936	E.for. 45573
"	" " "	1936	E.for. 45574
Press	Wieczorna Godzina	1936	E.for. 45576

duly copyrighted in the name of GEBETHNER AND WOLFF, and GEBETHNER AND WOLFF hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, GEBETHNER AND WOLFF has executed this assignment this 18th day of September, 1936.

Signed GEBETHNER AND WOLFF

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney

Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 18th day of September, 1936, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co Clk's No. 48, Reg. No. 8A-109
Bronx Co. Clk's No. 20, Reg. No. 50A-38
Commission Expires March 30, 1938

EXHIBIT 56

EXHIBIT 57

KNOW ALL MEN BY THESE PRESENTS, that GEBETHNER & WOLFF, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Ferszko	Kto	1936	E.for. 46218
Ferszko	Kto	1936	E.for. 46219

duly copyrighted in the name of GEBETHNER & WOLFF, and GEBETHNER & WOLFF hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, GEBETHNER AND WOLFF has executed this assignment this 10th day of March, 1937.

Signed GEBETHNER & WOLFF

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney
Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 10th day of March, 1937, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co Clk's No. 48, Reg. No. 8A-109
Bronx Co. Clk's No. 20, Reg. No. 50A-38
Commission Expires March 30, 1938

EXHIBIT 58

NOW ALL MEN BY THESE PRESENTS, That GEBETHNER AND WOLFF, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, old, assigned and transferred and by these presents does grant, sell, assign and transfer nto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions enitled:

Dan	Moze kiedys	1934	E.for. 37434
Dan	Wszystko bedzie dobrze	1933	E.for. 37180
Dan	Po co? Po co?)	1934	E.for. 37222)
Rosner	Nie to nie)	1934	E.for. 37222)
Dan	Po co? Po Co?	1934	E.for. 37223
Wars	Nie Wiedzialam)	1934	E.for. 37224)
Gorzynski	Nie wierz mi)	1934	E.for. 37224)
Wars	Nie wiedzialam	1934	E.for. 37225
Pewzner	Szczescie jest blisko	1934	E.for. 37212
Cieslakowny	Jak wam dogodzic?	1934	E.for. 37209
Müller	Tango Brazylijskie	1934	E.for. 37207
Müller	Tango Brazylijskie	1934	E.for. 37214
Müller	Jeden usmiech, jedno slowo	1934	E.for. 37203
Müller	Jeden usmiech, jedno slowo	1934	E.for. 37213
Melodyst	Szkoda kazdej chwili	1934	E.for. 37204
Melodyst	Szkoda kazdej chwili	1934	E.for. 37208
Müller	Hej wody, wody dac	1934	E.for. 37206
Müller	Hej wody, wody dac	1934	E.for. 37211
Müller	To milosc	1934	E.for. 37205
Müller	To milosc	1934	E.for. 37210
Wiehler	Moze dla nas tez	1934	E.for. 37216
Wiehler	Moze dla nas tez)	1934	E.for. 37215)
Wiehler	Wino ty i ja)	1934	E.for. 37215)
Wichler	Wino ty i ja	1934	E.for. 37226
Rosner	Cyganskie skrzypce)	1934	E.for. 37218)
Ferszko	Stary Josel)	1934	E.for. 37218)
Rosner	Cyganskie skrzypce	1934	E.for. 37219
Ferszko	Stary Josel	1934	E.for. 37217
Rybicki	Moja-Boston	1932	E.for. 37220
Rybicki	Moja-Boston	1931	E.for. 37221

uly copyrighted in the name of GEBETHNER AND WOLFF, and GEBETHNER AND WOLFF hereby grants, ells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., ll rights of any kind and character appertaining to said musical compositions and the comlete and unencumbered and unconditional title therein and thereto: IN WITNESS WHEREOF, EBETHNER AND WOLFF has executed this assignment this 18th day of January, 1935.

Signed GEBETHNER AND WOLFF

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorneys
Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK,)
CITY OF NEW YORK,) SS.:
COUNTY OF NEW YORK.)

On this 18th day of January, 1935, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, New Jersey; that he is the Vice-President of the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

Henry E.
Bronx Co. Clk's No. 20, Reg. No. 52A-38
Commission Expires March 30, 1936

EXHIBIT 59

KNOW ALL MEN BY THESE PRESENTS, That A.-B. CARL GEHRMANS MUSIKFØRLAG, of Stockholm, Sweden, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical composition entitled:

Körling, "Ur Felix Körlings Visbok" 1934 E,for. 37663

duly copyrighted in the name of A.-B. CARL GEHRMANS MUSIKFØRLAG, AND A.-B. CARL GEHRMANS MUSIKFØRLAG hereby grants, sells, assigns, and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical composition and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, A.-B. CARL GEHRMANS MUSIKFØRLAG has executed this assignment this 27th day of February, 1935.

Signed A.-B. CARL GEHRMANS MUSIKFØRLAG

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorneys.

Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK,)
COUNTY OF NEW YORK.) SS.:

On this 27th day of February, 1935, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 203, Reg. No. 6A-257
Kings Co. Clk's No. 09, Reg. No. 6177
Bronx Co. Clk's No. 20, Reg. No. 62A-36
Commission Expires March 30, 1936

EXHIBIT 60

KNOW ALL MEN BY THESE PRESENTS, That A.-B. CARL GEHRMANS MUSIKFÖRLAG, of Stockholm, Sweden, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknwledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Wahlberg	Pa kryss i Kattegatt	1935	E.for. 40903
Bingang	Sa sla vi tillsammen	1935	E.for. 40902
Sjöberg	Kvartett för Piano, Violin, Viola & Violoncello	1935	E.for. 40904
Widner	Bröllops-Marsch	1935	E.for. 40344
Goon	Hör du flicka lilla	1935	E.for. 39907
Widner	Bröllops-Marsch	1935	E.for. 39906
Goon	Hör du flicka lilla	1935	E.for. 39804

duly copyrighted in the name of A.-B. CARL GEHRMANS MUSIKFÖRLAG , and A.-B. CARL GEHRMANS MUSIKFÖRLAG hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions, and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, A.-B. CARL GEHRMANS MUSIKFÖRLAG has executed this assignment this 6th day of November, 1935.

Signed A.-B. CARL GEHRMANS MUSIKFÖRLAG

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney
Kurt A Jadassohn
Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 6th day of November, 1935, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 203, Reg. No. 66-207
Kings Co. Clk's No. 60, Reg. No. 6177
Bronx Co. Clk's No. 20, Reg. No. 62A-36
Commission Expires March 30, 1936

EXHIBIT 61

KNOW ALL MEN BY THESE PRESENTS, That A.-B. CARL GEHRMANS MUSIKFÖRLAG, Stockholm, Sweden, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Helan	En vals fran mormor's d'ar	1935	E.for. 41680
Schleich-Cassel	Kärlekspoem	1935	E.for. 4167[illegible]
Engvall	Kamrat-Valsen	1935	E.for. 41678
Liss Emil	I drängstugan	1935	E.for. 42729
" "	I helg och söcken	1935	E.for. 42728
" "	Min herrgardsjänta	1935	E.for. 42726
" "	Ulvö-Hambo	1935	E.for. 42727
Derwin	En Kryssarvals	1935	E.for. 41677
Bedinger	Vugge-Sang	1935	E.for. 41681
Kjellberg	Det var en gang	1935	E.for. 42730
Almquist & Lundborg	Songes	1935	E.for. 42731
Palmgren	op. 93, Sonatine	1935	E.for. 42028
Ek	Svensk Fantasi	1935	E.for. 41374

duly copyrighted in the name of A.-B. CARL GEHRMANS MUSIKFÖRLAG, Stockholm, and A.-B. CARL GEHRMANS MUSIKFÖRLAG hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, A.-B. CARL GEHRMANS MUSIKFÖRLAG has executed this assignment this 9th day of March, 1936.

Signed A.-B. CARL GEHRMANS MUSIKFÖRLAG

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney
Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 9th day of March, 1936, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 203, Reg. No. 6A-257
Kings Co. Clk's No. 60, Reg. No. 6177
Bronx Co. Clk's No. 20, Reg. No. 62A-36
Commission Expires March 30, 1936

EXHIBIT 62-p.1

KNOW ALL MEN BY THESE PRESENTS, That A.-B. CARL GEHRMANS MUSIKFÖRLAG, of Stockholm, Sweden, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Im Norden	Berens, H.	1933	E.for. 20748
Mes étoiles	Drigo, R.	1923	E.XXc, 556149
April	Palmgren, Selim . .	1931	E.for. 20748
En sommarvisa	Palmgren, Selim . .	1930	E.for. 15190
Guds fred	Palmgren, Selim . .	1930	E.for. 15189
Hur mången gång	Palmgren, Selim . .	1930	E.for. 15146
I sorg /Darthulas gravsång/	Palmgren, Selim . .	1932	E.for. 24822
På dig har jag tänkt	Palmgren, Selim . .	1932	E.for. 26380
Tonen	Palmgren, Selim . .	1930	E.for. 15147
På fjället i sol	Peterson-Berger, W.	1933	E.for. 31232
Derby-Fox	Smidt-Gregor, H. .	1924	E.XXc, 582070
Hör du valsens ljuva melodi	Smidt-Gregor, H. .	1923	E.XXc, 556152
Madame d'Ora	Smidt-Gregor, H. .	1923	E.XXc, 556151
Queen of Saba	Smidt-Gregor, H. .	1923	E.XXc, 556153
Queen of Saba	Smidt-Gregor, H. .	1923	E.XXc, 556148
Radamès	Smidt-Gregor, H. .	1923	E.XXc, 556150
Radamès	Smidt-Gregor, H. .	1923	E.XXc, 557129
Rosornas sång /Rosenlied/ .	Smidt-Gregor, H. .	1923	E.XXc, 556155
Serenad /Tallarnas barr/ . .	Widéen, Ivar . . .	1933	E.for. 31230
Berceuse	Gunnar Ek	1934	E.for. 37285
Bagatell	Yngve Sköld	1934	E.for. 37286
Sjögrens-melodier	Sven Sköld	1934	E.for. 37287

duly copyrighted in the name of A.-B. CARL GEHRMANS MUSIKFÖRLAG, and A.-B. CARL GEHRMANS MUSIKFÖRLAG hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, A.-B. CARL GEHRMANS MUSIKFÖRLAG has executed this assignment this 24th day of December, 1934

Signed A.-B. CARL GEHRMANS MUSIKFÖRLAG

By . SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorneys

Kurt A.

Vice-President

EXHIBIT 62-p.2

A

State of New York)
County of New York)SS

On the 24th day of December, 1934, before me personally came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say, that he resides in Woodcliff, N.J. that he is Vice-President of the Society of European Stage Authors and Composers, Inc., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the board of directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander
HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 208, Reg. No. 6A-287
Kings Co. Clk's No. 69, Reg. No. 6177
Bronx Co. Clk's No. 20, Reg. No. 62A-36
Commission Expires March 30, 1936

EXHIBIT 63

KNOW ALL MEN BY THESE PRESENTS, that A.-B. CARL GEHRMANS MUSIKFÖRLAG of Stockholm, Sweden, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Kallstenius	Serenata	1936	E,for.44415
Ivar Wideen	Dalmarsch	1936	E,for.44694
Goon	Lat oss vara vänner	1936	E,for.44367
"	" " " "	1936	E,for.44366
Palmgren	Sjöfararen vid milan	1936	E,for.44714
"	" " "	1936	E,for.44718
Olson	Stilla Komme och välkomna	1936	E,for.44717
Liljefors	Tre Sanger	1936	E,for.44368
Olsen	Tre Koralpartitor		
1:a Häftet:	Förord Min sjal skall lova Herran	1936	E,for.44716
2:a Häftet:	Pa dig jag hoppas,Herre Kär Vi tacka dig, o Jesu god	1936	E,for.44715

duly copyrighted in the name of A.-B. CARL GEHRMANS MUSIKFÖRLAG, and A.-B. CARL GEHRMANS MUSIKFÖRLAG hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, A.-B. CARL GEHRMANS MUSIKFÖRLAG has executed this assignment this 8th day of July, 1936.

Signed A.-B. CARL GEHRMANS MUSIKFÖRLAG

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney
Kurt A Jadassohn
Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss:

On this 8th day of July, 1936, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co Clk's No. 48, Reg. No. 8A-109
Bronx Co. Clk's No. 20, Reg. No. 50A-38
Commission Expires March 30, 1938

EXHIBIT 63

EXHIBIT 64

KNOW ALL MEN BY THESE PRESENTS, That A.-B. CARL GEHRMANS MUSIKFÖRLAG, of Stockholm, Sweden, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Welamson	Pa min lilla glasveranda)	
Ejder	En schottis pa Hawaj)	1936 E.for.45319
Ejder	Det kan han aldrig glomma bort)	
Welamson	Pa min lilla glasveranda)	
Ejder	En schottis pa Hawaj)	1936 E.for.45318

duly copyrighted in the name of A.-B. CARL GEHRMANS MUSIKFÖRLAG, and A.-B. CARL GEHRMANS MUSIKFÖRLAG hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, A.-B. CARL GEHRMANS MUSIKFÖRLAG has executed this assignment this 24th day of August, 1936.

Signed A.-B. CARL GEHRMANS MUSIKFÖRLAG

By SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., Attorney

Kurt A. Jadassohn

Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 24th day of August, 1936, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Morris H Bloomberg

MORRIS H BLOOMBERG, Notary Public
Kings Co Clk's No 152, Reg No 8150
N Y Co Clk's No 302 Reg No 8-B-170
Bronx Co Clk's No 54
Commission expires March 30, 1938

EXHIBIT 65

KNOW ALL MEN BY THESE PRESENTS, That A.-B. CARL GEHRMANS MUSIKFÖRLAG, of Stockholm, Sweden, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Heinz Provost	Intermezzo (Souvenir de Vienne)	E.for. 46555	1936
Otto Lindblad	Trollhattan	E.for. 46557	1936
A.F. Lindblad	En Sommardag	E.for. 46558	1936
A.F. Lindblad	Karin Mansdotters vaggvisa for Erik XIV	E.for. 46559	1936
A.F. Lindblad	Skjutsgossen pa hemvagen	E.for. 46560	1936
Prins Gustaf	Sjungom studentens lyckliga dag	E.for. 46561	1936
E.G. Geijer	Pa Nyarsdagen Kolargossen	E.for. 46562	1936
E.G. Geijer	Natthimmeln	E.for. 46554	1936
Hugo Bedinger	Till mor	E.for. 46556	1936
Sköld	Menuett	E.for. 46016	1936
Liss Emil	I helg och socken	E.for. 46919	1936
" "	Min herrgardsjänta	E.for. 46918	1936
" "	I drängstugan	E.for. 46917	1936
" "	Ulvö Hambo	E.for. 46916	1936
Dahlquist	En kryssarvals	E.for. 46920	1936
Engvall	Kamrat-Valsen	E.for. 46921	1936
Helan	En vals fran mormors dar	E.for. 46913	1936
Cassel & Schleich	Kärlekspoem	E.for. 46912	1936
Wahlberg	Pa kryss i Kattegatt	E.for. 46915	1936
Wideen	Dalmarsch	E.for. 46914	1936

duly copyrighted in the name of A.-B. CARL GEHRMANS MUSIKFÖRLAG, and A.-B. CARL GEHRMANS MUSIKFÖRLAG hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unencumbered title therein and thereto. IN WITNESS WHEREOF, A.-B. CARL GEHRMANS MUSIKFÖRLAG has executed this assignment this 4th day of March, 1937.

Signed A.-B. CARL GEHRMANS MUSIKFÖRLAG

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney
Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 4th day of March, 1937, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 48, Reg. No. 8A-110
Bklyn Co. Clk's No. 211, Reg. No. [illegible]
Commission Expires [illegible]

EXHIBIT 65

EXHIBIT 66

KNOW ALL MEN BY THESE PRESENTS, That F. GRABCZEWSKI, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Dan	Mysl o mnie	1934	E,for. 38539
Wars	Jedz na wschod	1935	E,for. 38538
Wiehler	Bialy Walc	1933	E,for. 38537
Kaczynski	Kujawiaki	1933	E,for. 38536
Gold	Ja nie jestem winna	1934	E,for. 38550
"	Ja nie jestem winna	1934	E,for. 38551
Gold	To nie byla milosc	1935	E,for. 39427
"	To nie byla milosc	1934	E,for. 39426
Gold	Walc nocy	1935	E,for. 39429
"	Walc nocy	1934	E,for. 39428
Gold	Tata tanczy z mama	1934	E,for. 38548
"	Tata tanczy z mama	1934	E,for. 38549
Karasinski	Tango dla ciebie	1933	E,for. 38542
"	Tango dla ciebie	1933	E,for. 38543
Petersburski	Wez mnie	1933	E,for. 38540
"	Wez mnie	1933	E,for. 38541
Wlast & Gold	Opjum	1933	E,for. 38546
" "	Opjum	1933	E,for. 38547
Petersburski	Ach Zostan	1934	E,for. 38544
"	Ach Zostan	1934	E,for. 38545

duly copyrighted in the name of F. GRABCZEWSKI, and F. GRABCZEWSKI hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, F. GRABCZEWSKI has executed this assignment this 25th day of May 1935.

Signed F. GRABCZEWSKI

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC.
Attorney
Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK,)
COUNTY OF NEW YORK.) SS.:

On this 25thday of May 1935, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander
HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 208, Reg. No. [illegible]
Kings Co. Clk's No. 69, Reg. No. [illegible]
Bronx Co. Clk's No. 20, Reg. No. [illegible]
Commission Expires March 30, 1936

EXHIBIT 66

EXHIBIT 67

KNOW ALL MEN BY THESE PRESENTS, That F. GRABCZEWSKI, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Perkowski	Wiazanka Piesni Legjonowych	1936	E.for.43190
Gold	Zdejm Maske Z Twarzy	1936	E.for.43188
Gold	Zdejm Maske Z Twarzy	1936	E.for.43187
Lewandowski	Malowana Lala	1936	E.for.43189
Krupinski	Na jedno slowo Czekam	1936	E.for.43186
Krupinski	Na jedno slowo Czekam	1936	E.for.43185

duly copyrighted in the name of F. GRABCZEWSKI, and F. GRABCZEWSKI hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, F. GRABCZEWSKI has executed this assignment this 31st day of March, 1936.

Signed F. GRABCZEWSKI

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney
Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 31st day of March, 1936, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Herman E. Alexander
Notary Public N Y Co #48
Com Exp Mar 30, 1938

EXHIBIT 68

KNOW ALL MEN BY THESE PRESENTS, That F. GRABCZEWSKI, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical composition entitled:

Lewandowski	Maly, Bialy Domek	1936	E.for. 45460

duly copyrighted in the name of F. GRABCZEWSKI, and F. GRABCZEWSKI hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical composition and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, F. GRABCZEWSKI has executed this assignment this 18th day of September, 1936.

Signed F. GRABCZEWSKI

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney

1931

Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 18th day of September, 1936, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 48, Reg. No. 8A-109
[illegible] Clk's No. 20, Reg. No. 50A-38
[illegible] h 30, 1938.

EXHIBIT 68

EXHIBIT 69

KNOW ALL MEN BY THESE PRESENTS, That F. GRABCZEWSKI, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Fr. Izbicki (Maklakiewicz)	Wycinanki Lowickie	E.for. 46762	1936
" " "	Wycinanki Lowickie	E.for. 46084	1936
Jan Maklakiewicz	Zbojnicy	E.for. 46597	1936

duly copyrighted in the name of F. GRABCZEWSKI and F. GRABCZEWSKI hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional und unencumbered title therein and thereto. IN WITNESS WHEREOF, F. GRABCZEWSKI has executed this assignment this 4th day of March, 1937.

Signed F. GRABCZEWSKI

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney

Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 4th day of March, 1937, before me came KURT A. JADASSOHN, to me known, who being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 4.3, Reg. No. 8A-109
Bronx Co. Clk's No. 20, Reg. No. 50A-38
Commission Expires March 30, 1938

EXHIBIT 70

I herewith transfer and assign the following copyright:

"Brisas Porteñas" by J. de Orue 1929

to:

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC.
113 West 42nd Street
New York, N.Y.

Hermann Haberer Helasco

German Reich
Province of Brandenburg
Consulate General of the
United States of America
at Berlin
} ss.

I, Cyrus B. Follmer,

Vice Consul of the United States of America at Berlin, German Reich, duly commissioned and qualified, do hereby certify that on this 5th. day of December 1932, before me personally appeared Hermann Haberer Helasco - to me personally known, and known to me to be the individual described in, whose name is subscribed to, and who executed the foregoing instrument, and being informed by me of the contents of said instrument he duly acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year last above mentioned.

Cyrus B. Follmer
Vice Consul of the United States of America at Berlin, Germany

SERVICE No. 07186

$ 2.— Mk. 8.48

EXHIBIT 70

EXHIBIT 71

I herewith transfer and assign all title and interest in the copyrights of the following musical compositions to:

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC.,
113 West 42nd Street
New York, N.Y.

Composer	Title	Entry No.	Year
A. Urmeneta	Mi Gitano. Paso-Doble.	E, for. 27364	1932
A. Urmeneta	Tio Chupito. Paso-Doble.	E, for. 27365	1932
Valeriano Millan	Maracca, Ay Mi Negra Sacramento. Rumba Cubana.	E, for. 27363	1932
Valeriano Millan	Er Nino der Sarampion. Paso-Doble Comico Taurino.		
M. Lizcano de la Rosa	Rosariyo	Class E, for. 30200	1933

Hermann Haberer Helasco

German Reich
Province of Brandenburg
Consulate General of the
United States of America
at Berlin
} ss.

I, Hugh Corby Fox, Vice Consul of the United States of America at Berlin, German Reich, duly commissioned and qualified, do hereby certify that on this 1st. day of July 1933, before me personally appeared Harmann Haberer Helasco - - - - - - - - - - - - - - - - - - to me personally known, and known to me to be the individual described in, whose name is subscribed to, and who executed the foregoing instrument, and being informed by me of the contents of said instrument he duly acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year last above mentioned.

Hugh Corby Fox

Vice Consul of the United States of America at Berlin, Germany.

AMERICAN CONSULATE GENERAL
AMERICAN FOREIGN SERVICE
$2.00
FEE STAMP
1933
BERLIN, GERMANY.

04242

EXHIBIT 71

EXHIBIT 72-p.1

I herewith transfer and assign all title and interest in the copyrights of the following musical compositions

to:

Society of European Stage Authors and Composers, Inc.,
113 West 42nd Street
New York, N.Y.

Composer	Titles	Year
Pedro Palau	El tano	1935
Pedro Palau	Atorrante	1935

Berlin (Germany) 9. July 1935

Hermann Haberer Velasco

(FORM NO. 88—CONSULAR.)
(Corrected March, 1914.)

EXHIBIT 72-p.2

Certificate of Acknowledgment of Execution of Document.

German Reich
Province of Brandenburg
(County or other political division.)
Consulate General of the United States of America
at Berlin
(Name of consular office.)
} ss. } ss:

I, Archer Woodford, Consul *of the United States of America at* Berlin, germany, *duly commissioned and qualified, do hereby certify that on this* 10th. *day of* July 1935 (Date.), *before me personally appeared* - - - - - Hermann Haberer Helasco -

to me personally known, and known to me to be the individual described in, whose name is *subscribed to, and who executed the annexed instrument, and being informed by me of the contents of said instrument* he *d[illegible] acknowledged to me that* he *executed the same freely and voluntar[illegible] for the uses and purposes therein mentioned.*

In witness whereof I have hereunto set my hand and official seal the day and year last above written.

Consul *of the United States of America.*

AMERICAN C[illegible] No. 33; TW[illegible]OLLARS. ℳ5.20
Service No. 0[illegible]143
[illegible]0 1935
BERLIN, GERMANY.

NOTE.—Wherev[illegible]cticable all signatures to a document should be included in one certificate. 1—173

EXHIBIT 72-p.2

EXHIBIT 73-p.1

IMPOSTO DO SELO 2$50

I herewith transfer and assign all title and interest in the copyrights of the following musical compositions to:
Society of European Stage Authors and Composers, Inc., 113 West 42nd Street, New York (N.Y.)

Composers	Title	Year
Pedro Palau	Mientes, tango	1936
Pedro Palau	Campanadas, tango	1936

Tradução

Pela presente transfiro e cedo todo o direito e interesse nos copyrights das seguintes composições musicais a:
Society of European Stage Authors and Composers, Inc., 113 West 42nd Street, New York (N.Y.)

Compositores	Titulo	Ano
Pedro Palau	Mientes, tango	1936
Pedro Palau	Campanadas, tango	1936

Para efeitos fiscaes fixa-se em 100 esc. o seu valor

0$10 ESTAMPILHA FISCAL
5$00 ESTAMPILHA FISCAL

Hermano [illegible] Velasco

Hermano [illegible] Velasco

16 JUIL 1936

0$50 ESTAMPILHA FISCAL
0$20 ESTAMPILHA FISCAL Vinte ctvs.

EXHIBIT 73 - p.1

EXHIBIT 73-p.2

CERTIFICATE OF OFFICIAL COMPETENCE OF NOTARY PUBLIC.

AMERICAN CONSULATE GENERAL,
LISBON, PORTUGAL.

I, **Kenneth S. Stout**, ------------------ Vice-Consul ------ of the United States of America at Lisbon, Portugal, duly commissioned and qualified, do hereby certify that ---------------- **Raul Augusto Moreira** ---------------------------------- whose signature appears on the annexed document as authenticating the signature thereto, is an assistant of ------------- **Jose Peres de Noronha Galvão** ------------------------------ a Notary Public in good standing in Lisbon, and as such is authorized by the laws of Portugal to make such authentications. **For the contents of the annexed document I assume no responsibility.**

In witness whereof I have hereunto set my hand and the official seal of this Consulate General this **16th** day of **July** in the year of our Lord one thousand nine hundred and thirty **-six.**

Kenneth S Stout
Kenneth S. Stout,
Vice- Consul of the United States of America.

F 33, Two Dollars,
Pa U.S. Currency.
Se o. **665.**

AMERIC ERAL
AMERICAN FOREIGN SERVICE
$2.00
FEE STAMP
LISBON, PORTUGAL.

EXHIBIT 73-p.2

EXHIBIT 74

IT IS DISTINCTLY UNDERSTOOD AND CONFIRMED THAT by contract of assignment dated December 19th, 1934 received in the Copyright Office on January 7th, 1935 and recorded in the copyright office book No. 326, pages 27-28 on January 8th, 1935, that "The Happy Chappies Ltd.," a California corporation did assign, transfer, sell and set over to the M. M. Cole Publishing Co., an Illinois corporation, the copyrights and all renewals thereof it then had or would have at any time in the future and all right, title and interest therin (including any and all rights now known or exisiting or hereafter to be known or existing) it then had or would have at any time in the future, and any and all causes of action and right to damages for prior infringements of copyright or any other rights in and to all the musical compositions set forth in said contract of assignment.

AND THAT said contract of assignment reciting the assignor as "Vincent & Howard Ltd," is hereby amended by inserting "The Happy Chappies Ltd." as assignor in lieu of said "Vincent and Howard Ltd." and that all references in said assignment to "Vincent & Howard Ltd." are hereby amended to be references to "The Happy Chappies Ltd."

IN WITNESS WHEREOF, the said "Happy Chappies Ltd." and the said M.M. Cole Publishing Co. have caused this instrument to be signed and executed by their respective officers below designated on this 19th day of June, 1935 at Chicago, Illinois.

THE HAPPY CHAPPIES LTD.
A. corporation

By
President

M.M. COLE PUBLISHING CO.
(COLE CORPORATION) A corporation

By
President

EXHIBIT 74

HARMONIE-VERLAG
Gegründet 1897
Postscheck-Konto: Nr. 17380 Berlin / Bank-Konten: Commers- und Privatbank A.-G., Depositen-Kasse KL, Berlin-Halensee, Kurfürstendamm 130, S. Bleichröder, Stadtkasse, Berlin W 8, Unter den Linden 12-13.

New York, N.Y., 113 West 43rd St.
~~BERLIN W (Halensee),~~ den July 7th 1933.
Georg-Wilhelm-Straße 17 (am Kurfürstendamm)
Fernruf: Amt H 2 Uhland 1273 — Drahtanschrift: Harmonieverlag Berlinhalensee

EXHIBIT 75-p.1

We herewith sell, transfer and assign
all right, title and interest
in the following copyrighted works:

Composer	Title	From	Arrangement	Entry No.	Year
Fall	Bitte, bitte, bitte	Dollar Princess	S. & P.	188338	1908
Wolff	Dann losch das Licht (#2)	6 Lieder op. 18	S. & P.	192567	1908
Fall	Potpourri	Fidele Bauer	Piano 4 hd.	191573	1908
Jarno	Foersterchristl		Vocal score	170174	1908
Jarno	Foersterchristl		Piano score	189441	1908
Jarno	Gebt mir die Geigen	Foersterchristl	Schrammel	189439	1908
Wolff	Glueckes genug	op. 17 (#3)	S. & P.	192577	1908
Fall	Heinerle, Heinerle	Fidele Bauer	S. O.	189591	1908
Fall	Heinerle, Heinerle	Fidele Bauer	Piano	190182	1908
Jarno	Herr Kaiser	Foersterchristl	Schrammel	189440	1908
Wolff	Im Zimmer	op. 18 (#6)	S. & P.	192571	1908
Delius	Piano Concerto		Orch. score	186074	1908
Delius	Piano Concerto		2 Pians 4 hd.	186075	1908
Wolff	Lied der bretonischen Fischermaid	op. 18 (#1)	S. & P.	192566	1908
Wolff	Maedchenfrage	op. 18 (#5)	S. & P.	192570	1908
Delius	Messe des Lebens		Vocal score	172731	1908
Fall	Musikalischer Prolog		Band	185786	1908
Fall	Schreibmaschinen Duett	Dollar Princess	S. & P.	188336	1908
Wolff	Longing (Sehnsucht)	op. 17 (#2)	S. & P.	192573	1908
Wolff	Sommer	op. 17 (#1)	S. & P.	192568	1908
Wolff	Einen Sommer lang	op. 17 (#4)	S. & P.	192575	1908
Wolff	Ein Sonntag	op. 17 (#5)	S. & P.	192576	1908
Wolff	Todessehnen	op. 18 (#4)	S. & P.	192569	1908
Blech	Versiegelt		Vocal score	185707	1908
Blech	Versiegelt		Chor stimm.	187064	1908
Blech	Versiegelt		Orch. parts	185900	1908
Blech	Versiegelt		Orch. score	187498	1908
Fall	Wir sind tip, wir sind top	Dollar Princess	S. & P.	188337	1908
Wolff	Zuversicht in Pan	op. 17 (#3)	S. & P.	192574	1908
Hollaender, V.	Aber lieben, lieben	Der Jockeyklub	S. & P.	203244	1909
Hollaender, V.	Aber lieben, lieben	Der Jockeyklub	Piano	203247	1909
Hollaender, V.	Ach oeffne dein Kaemmerlein	Der Jockeyklub	S. & P.	203789	1909

HARMONIE-VERLAG
Gegründet 1897
Postscheck-Konto: Nr. 17389 Berlin / Bank-Konto: Commerz- und Privatbank A.-G., Dep.-Kasse Kl., Halensee, Kurfürstendamm 130

BERLIN W (Halensee), den
Georg-Wilhelm-Straße 17 (Am Kurfürstendamm)
Fernruf: Amt Uhland 1273 — Drahtanschrift: Harmonieverlag Berlinhalensee

EXHIBIT 75-p.2

Composer	Title	From	Arrangement	Entry No.	Year
Fall	Wir tanzen Ringelreihen	Dollar Princess	- Piano	189453	1908
Hollaender, V.	Ach oeffne dein Kaemmerlein	Der Jockeyklub	Gr. Orch.	201848	1909
Hollaender, V.	Ach oeffne dein Kaemmerlein	Der Jockeyklub	S.O.	201849	1909
Fall	Dollar Princess Act. 1 Nr. 1	(Musik fuer alle)	Piano	197634	1909
Kerntler	Drei Gesaenge		S. & P.	211295	1909
Kerntler	Vier Lieder		S. & P.	211294	1909
Nelson	Dudelsack Walzer	Miss Dudelsack	Piano	214239	1909
Nelson	Eine dunkle Rose	Miss Dudelsack	S. & P.	214240	1909
Goetzl	Es war auf einem Fastnachtsball	Madame Flirt	S. & P.	198453	1909
Fall	Entre Act	Fidele Bauer	Orch.	195140	1909
Fall	Fidele Bauer	(Musik fuer alle)	Piano	197635	1909
Nelson	Finster war das Mittelalter	Miss Dudelsack	S. & P.	214238	1909
Wolff	Fitzebutze	op. 21 (#2)	S. & P.	211993	1909
Goetzl	Flirt Walzer	Madame Flirt	Piano	198292	1909
Hummel, F.	Frieden auf Erden		Vocal score	210205	1909
Wolff	Furchtbar schlimm	op. 21 (#4)	S. & P.	211995	1909
Wolff	Das grosse Karussell	op. 21 (#3)	S. & P.	211994	1909
Goetzl	Hampelmann Lied	Madame Flirt	S. & P.	198452	1909
Jarno	Herr Kaiser	Foersterchristl	Gr. orch.	212601	1909
Jarno	Herr Kaiser	Foersterchristl	S. O.	212602	1909
Nelson	Ich bin dass Fraeulein Dudelsack	Miss Dudelsack	S. & P.	214232	1909
Stransky	Ich hab eine alte Muhme	Drei Gesaenge (#2)	S. & P.	190108	1909
Hollaender, V.	Im Jockey Club	Der Jockeyklub	Piano	214034	1909
Hollaender, V.	Potpourri I	Der Jockeyklub	Piano with text	203245	1909
Hollaender, V.	Potpourri II	Der Jockeyklub	Piano with text	203246	1909
Hollaender, V.	Der Jockeyklub		Vocal score	203242	1909
Hollaender, V.	Der Jockeyklub		Chorus pts.	208306	1909
Hollaender, V.	Potpourri	Der Jockeyklub	Gr. orch.	208696	1909
Hollaender, V.	Potpourri	Der Jockeyklub	S. O.	208697	1909
Hollaender, V.	Der Jockeyklub		Piano score	209389	1909
Hollaender, V.	Der Jockeyklub		Orch. pts	213355	1909
Mehul	Joseph in Aegypten			197680	1909
Hummel, F.	Kirschenballade op. 103		S. & P.	195279	1909
Morena	Knallbonbons		Piano with text	209685	1909
Morena	Knallbonbons		Band	213354	1909
Kollo	Komm hilf mir mal die Rolle drehn		S. & P.	195798	1909

EXHIBIT 75-p.2

HARMONIE-VERLAG
Gegründet 1897
Postscheck-Konto: Nr. 17380 Berlin / Bank-Konten: Commerz- und Privatbank A.-G., Depositen-Kasse KL, Berlin-Halensee, Kurfürstendamm 130, S. Bleichröder, Stadtkasse, Berlin W 8, Unter den Linden 12-13.

BERLIN W (Halensee), den 520
Georg-Wilhelm-Straße 17 (am Kurfürstendamm)
Fernruf: Amt H 2 Uhland 1273 — Drahtanschrift: Harmonieverlag Berlinhalensee

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EXHIBIT 75-p.3

Composer	Title	From	Arrangement	Entry No.	Year
Nicklas-Kempner	Liebeswonne		S. & P.	195273	1909
Goetzl	Potpourri I	Madame Flirt	Piano with text	198454	1909
Goetzl	Potpourri II	Madame Flirt	Piano with text	198455	1909
Hollaender	Maennerfang	Jockey Club	S. & P.	205893	1909
Hollaender	Marsch Sextette	Jockey Club	S. & P.	202625	1909
Nelson	Miss Dudelsack			D18264	1909
Hollaender	Mon Bijou	Jockey Club	Piano	204857	1909
Hollaender	Mon Bijou & Sans Souci	" "	S. & P.	202791	1909
Hollaender	Mon Bijou & Sans Souci	" "	Gr. Orch.	201846	1909
Hollaender	Mon Bijou & Sans Souci	" "	S. O.	201847	1909
Hollaender	Mon Bijou Sans Souci	Jockey Club	Band	205407	1909
Hollaender	Mon Bijou Sans Souci	Jockey Club	Band	208145	1909
Hollaender	Mon Bijou Sans Souci	Jockey Club	Piano with text	208698	1909
Hollaender	Mon Bijou Waltz	Jockey Club	Gr. orch.	204853	1909
Hollaender	Mon Bijou Waltz	Jockey Club	S. O.	204859	1909
Wolff	Neun Gedichte op. 19		S. & P.	213843	1909
Gilbert	Die Novellette v.d. Clarinette		S. & P.	211470	1909
Nelson	O Du my Darling	Miss Dudelsack	S. & P.	214233	1909
v.Franckenstein	Rahab (Opera in 1 act)		Vocal score	D18248	1909
Wolff	Die Reise	op. 21 (#1)	S. & P.	211902	1909
Nelson	Reite roter Leutnant	Miss Dudelsack	S. & P.	214234	1909
Stransky	Ritter raet dem Knappen dies	(#1) Drei Gesaenge	S. & P.	196107	1909
Kuenneke	Robin's Ende		Vocal score	205530	1909
Nelson	Schach Duett	Miss Dudelsack	S. & P.	214237	1909
Nelson	Das Schlossgespenst	Miss Dudelsack	S. & P.	214235	1909
Hummel, F.	Simphony in D-major		orch. score	198780	1909
Lambrechts-Vos	Sonata, op. 6 F# minor		V. & P.	199310	1909
Hollaender	Spiegel Duett	Jockey Club	S. & P.	202790	1909
Adam	Der Toreador		Vocal score	D18001	1909
Adam	Der Toreador		Vocal score	D18244	1909
Mraczek	Der Traum		Vocal score	D18235	1909
Zepler	Und dann schieben		S. & P.	205507	1909
Zepler	Und dann schieben		S. & P.	205537	1909
Zepler	Und dann schieben		Band (2x)	208907	1909
Zepler	Und dann schieben		Gr. orch.	to	1909
Zepler	Und dann schieben		S. O.	208910	1909
Freund	Verratene Liebe		S. & P.	198765	1909
Blech	Versiegelt		Piano score	202788	1909
Kerntler	Drei Gesaenge		S. & P	211295	1909
Wolff	Violin Concerto op. 30		V. & P.	211316	1909
Wolff	Violin Concerto op. 30		Orch. score	213330	1909
Stransky	Wenn die Voeglein sich gepaart		S. & P.	196109	1909

HARMONIE-VERLAG
Gegründet 1897
Postscheck-Konto: Nr. 17399 Berlin / Bank-Konten: Commerz- und Privatbank A.-G., Depositen-Kasse KL, Berlin-Halensee, Kurfürstendamm 130, S. Bleichröder, Stadtkasse, Berlin W 8, Unter den Linden 12-13.

BERLIN W. (Halensee), den ....
Georg-Wilhelm-Straße 17 (am Kurfürstendamm)
Fernruf: Amt H 2 Uhland 1273 — Drahtanschrift: Harmonieverlag Berlinhalensee

EXHIBIT 75-p.4

Composer	Title	From	Arrangement	Entry #	Year
Nelson	Wir sind die Moos	Miss Dudelsack	S. & P.	214233	1909
Goetzl	Wir sind lustig	Madame Flirt	Piano	198433	1909
Kerntler	Vier Lieder		S. & P.	211234	1909
Kollo	Man hast du 'ne Nase		S. & P.	218236	1910
Kollo	Man hast du 'ne Nase		Orch.	218237	1910
Wolff	Die alte Geige	op. 23 (#1)	S. & P.	232479	1910
Gurlitt	Wie die Pflanze verwelkt & Am Himmelstor		S. & P.	230082	1910
Kollo	Am schoensten ist's bei uns		S. & P.	223221	1910
Kullmann	Auf der Duene	Lieder & Gesaenge (#3)	S. & P.	242722	1910
Kullmann	Ballade	Lieder & Gesaenge (#1)	S. & P.	242720	1910
Kollo	Berlin bleibt Berlin		S. & P.	[illegible]	1910
Kollo	Bim-Bum		S. & P.	223702	1910
Nelson	Meine kleine Braune (Cake Walk Lied)		Orch.	222784 222785	1910
Gurlitt	Den Frauen		S. & P.	230084	1910
Kullmann	Des Meeres Geheimnis	Lieder & Gesaenge (#4)	S. & P.	242723	1910
Wolff	Dornroeschen	op. 23 (#3)	S. & P.	231717	1910
Nelson	Drei Kuenstler		S. & P.	218238	1910
Wolff	Drunten auf der Gassen	op. 23 (#1)	S. & P.	231718	1910
Zicher	Du bist allein mein hoechstes Glueck		Band	242732 242733	1910
Kollo	Du gleichst den Rosen		S. & P.	222430	1910
Kollo	Du gleichst den Rosen		Orch.	222425	1910
Kollo	Du gleichst den Rosen		S. O.	222526	1910
Nelson	Duda Kisasszony		Score	235174 235175	1910
Nelson	Dudelsack Walzer	Miss Dudelsack	Orch.	[illegible] [illegible]	1910
Nelson	Eine dunkle Rose	Miss Dudelsack	Orch. Zither	222783 231307 232253	1910
Wolff	Einsamkeit	op.22 (#2)	S. & P.	232480	1910
Johnen	Elegie		Cello & Piano	230050	1910
Zepler	Das Elend		S. & P.	223807	1910
Nelson	Erinnerung an Miss Dudelsack	Miss Dudelsack	Piano	242730	1910
Nelson	Erinnerung an Miss Dudelsack	Miss Dudelsack	Orch.	242731	1910

HARMONIE-VERLAG
Gegründet 1897
Postscheck-Konto: Nr. 17399 Berlin / Bank-Konten: Commers- und Privatbank A.-G., Depositen-Kasse KL, Berlin-Halensee, Kurfürstendamm 130, S. Bleichröder, Stadtkasse, Berlin W 8, Unter den Linden 12-13.

BERLIN W (Halensee), den ....
Georg-Wilhelm-Straße 17 (am Kurfürstendamm)
Fernruf: Amt H 2 Uhland 1273 — Drahtanschrift: Harmonieverlag Berlinhalensee

EXHIBIT 75-p.5

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Composer	Title	From	Arrangement	Entry	Year
Schattmann	Der Freier		Vocal score	E18837	1910
Wolff	Friedhof	op. 22 (#4)	S. & P.	233402	1910
Wolff	Frisch vom Storch	op. 25 (#1)	S. & P.	231792	1910
Lohse	Fuenf Gesaenge (cplt)		S. & P.	234501	1910
Zerlett, H.H.	Das Gasthaus zur Liebe		Vocal score	583853	1923
Zerlett, H.H.	Potpourri	Das Gasthaus zur Liebe		592598	1924
Geisler, W.	Eroticon			615233	1925
Fall	Jugend im Mai		Vocal score	685712	1926
Cornelius	Kameradschafts-Ehe			D unpub. 5132	1930
Ehrlich	Fritzi		Text	D unpub. 5133	1930
Robrecht	Rheinlaender Potpourri			E18693	1931
Wolff	Der Steinklopfer	op. 11 (#2)	S. & P.	Class C 143878	1907
Wolff	Knabe und Veilchen	op. 9 (#4)	S. & P.	143872	1907
Wolff	Faeden	op. 13 (#1)	S. & P.	143863	1907
Wolff	Ich fuercht nit Gespenster	op. 24 (#2)	S. & P.	232828	1910

To SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC.

113 West 42nd Street

New York, N. Y.

HARMONIE VERLAG

by Paul Heinecke

State of New York)
: SS:
County of New York)

On the 7th day of July, 1933, before me personally came PAUL HEINECKE to me known and known to me to be the individual described in and who executed the foregoing instrument and he acknowledged to me that he executed the same.

C. Elmer McGee
Notary Public, NY County
Co. Clks. No 161 - Reg. No 5 M-174
Comm. Expires 3/30/35

C. ELMER McGEE

HARMONIE-VERLAG
Gegründet 1897
Postscheck-Konto: Nr. 17399 Berlin / Bank-Konten: Commerz- und Privatbank A.-G., Depositen-Kasse KL, Berlin-Halensee, Kurfürstendamm 130, S. Bleichröder, Stadtkasse, Berlin W 8, Unter den Linden 12-13.

New York, N.y., 113 West 42nd St.
~~BERLIN W (Halensee),~~ July 22, 1933
Georg-Wilhelm-Straße 17 (am Kurfürstendamm)
Fernruf: Amt H 2 Uhland 1273 — Drahtanschrift: Harmonieverlag Berlinhalensee

EXHIBIT 76-p.1

We herewith sell, transfer and assign
all right, title and interest
in the following copyrighted works:

Composer	Title	From	Arrangement	Entry No.	Year
Wolff, op.24 #6	Das Gaertlein nicht verschlossen		Vocal	E 232923	1910
Kullmann	Gebet (Prayer)		"	E 242727	1910
v. Kaskel, op.21	Gefangene der Zarin		Vocal score	D 18661	1910
Nelson	Eine Gemeinheit		Vocal	E 218234	1910
Blech, op.19 #2	Ghasel		"	E 235173	1910
Wulffius	Gismonda Boccalino		Piano score with text	D 18626	1910
Kollo	Das Grasemueckchen		Vocal	E 222418	1910
Kollo	Das Grasemueckchen		Orch.	E 224539) E 224540)	1910
Fall	Heinerle, Heinerle	Fidele Bauer	Zither	E 232254) E 239508)	1910
Fall	Heinerle, Heinerle	" "	Band	E 239511	1910
Wolff, op.24 #3	Der Herr gab Dir ein gutes Augenpaar		Vocal	E 232920	1910
Wendland	Hoch droben		"	E 231720	1910
Nelson	Hochlandskinder	Miss Dudelsack	Inf. Mus.	E 239514	1910
Translateur	Hurrah der Kaiser kommt		Piano	E 225703	1910
Translateur	Hurrah der Kaiser kommt		S. O.	E 231246	1910
Translateur	Hurrah der Kaiser kommt		Gr. Orch.	E 231247	1910
Translateur	Hurrah der Kaiser kommt		Harm. Mus.	E 231248	1910
Translateur	Hurrah der Kaiser kommt		Blech Mus.	E 231249	1910
Wolff, op.24 #9	Ich fuercht' nit Gespenster		Vocal	E 232926	1910
Wolff, op.25 #4	Ich und Du		"	E 231795	1910
Kullmann	Ist es der Zufall (Is It But Chance)		"	E 242725	1910
Cremieux	Kirschen (Cherries) und Lizzie ich bitt' Sie (Coster Girl)		Harm. & Blech Mus.	E 234503	1910
Cremieux	Kirschen (Cherries) und Lizzie ich bitt' Sie (Coster Girl)4		Harm. Mus.	E 234504	1910
Hollaender	Die Kirschen im Nachbars Garten		Waldzither	E 23536	1910
Kollo	Das kleine Nigger-Girl		Piano	E 231254	1910
Kollo	Das kleine Nigger-Girl		Zither	E 235515	1910
Kollo	Das kleine Nigger-Girl		Zither with text	E 239510	1910
Kollo	Die kleinen Krabben		Vocal	E 218227	1910
Kollo	Die kleinen Krabben		Harm. & Blech Mus.	E 234505	1910
Kollo	Die kleinen Krabben		Harm. Mus.	E 234506	1910
Morena, op. 113	Knallbonbons, Potpourri		S. O.	E 218220	1910
Morena, op. 113	Knallbonbons, Potpourri		Gr. Orch.	E 218221	1910
Hirsch	Der Korporal		Vocal	E 230946	1910
Kollo	Krabbelkoepfchen		Vocal	E 218228	1910
Kollo	Krabbelkoepfchen		Orchestra	E 218232	1910
Wolff, op.25 #2	Der Kuckuck ist ein braver Mann		Vocal	E 231793	1910

EXHIBIT 76-p.2

HARMONIE-VERLAG
Gegründet 1897
Postscheck-Konto: Nr. 17399 Berlin / Bank-Konto: Commerz- und Privatbank A.-G., Dep.-Kasse Kl., Halensee, Kurfürstendamm 130

BERLIN W (Halensee), den
Georg-Wilhelm-Straße 17 (Am Kurfürstendamm)
Fernruf: Amt Uhland 1273 — Drahtanschrift: Harmonieverlag Berlinhalensee

Composer	Title	From	Arrangement	Entry No.	Year
Kollo	Kuhnheim, wo warst du		Vocal	E 222960	1910
Wanda	Der ledige Gatte		Chorus pts. Act 1 & 2	E 242737	1910
Nelson	Leutnants Marsch	Miss Dudelsack	Piano	E 222436	1910
Nelson	Leutnants Marsch	" "	Orch.	E 222434	1910
Nelson	Leutnants Marsch	" "	S. O.	E 222435	1910
Nelson	Leutnants Marsch	" "	Mil. Mus.	E 231255	1910
Wolff, op.22 #6	Liebesmelodie		Vocal	E 232484	1910
Blech, op.19 #3	Liebesnoten		"	E 235172	1910
Gurlitt	Liebesprobe		"	E 230061	1910
Kullmann	Lied des Einsamen		"	E 242724	1910
Cremieux	Lizzie ich bitt' Sie		"	E 230058	1910
Cremieux	Lizzie ich bitt' Sie		Zith.with text	E 232917	1910
Fuerst, op.6 #1	Lola		Vocal	E 218231	1910
Kollo	Das London Girl		"	E 242734	1910
Kollo	Das London Girl		S. O.	E 243795	1910
Kollo	Das London Girl		Orch.	E 242796	1910
Wolff, op.24 #8	Die Lor' sitzt im Garten		Vocal	E 232925	1910
Nelson	Der Lutz der tuts		"	E 218235	1910
Kollo	Maedles habt ihr denn kein Herz		"	E 242738	1910
Wolff, op.22 #5	Mondoline		"	E 232483	1910
Fall, Rich.	Man ist nur einmal jung		S. O.	E 222786	1910
Fall, Rich.	Man ist nur einmal jung		Orch.	E 222789	1910
Nelson	Max sei Maessig		Vocal	E 230947	1910
Kollo	Mein Freund Meyer und ich		"	E 242729	1910
Kollo	Mein lieber suesser Schatz		"	E 222431	1910
Wolff, op.24 #4	Mich tadelt der Fanatiker		"	E 232921	1910
Delius	Midsummer Song		Mixed chor. score with piano.	E 231251	1910
Wolff, op.24 #7	Mir glaenzen die Augen		vocal	E 232924	1910
Nelson	Miss Dudelsack		Piano score with text	D 18513	1910
Nelson	Miss Dudelsack Potp.	Miss Dudelsack	S. O.	E 222432	1910
Nelson	Miss Dudelsack Potp.	" "	Orch.	E 222433	1910
Nelson	Miss Dudelsack		Orch. pts.	E 222782	1910
Gurlitt	Der Mond ist wie eine feurige Ros'		Vocal	E 230060	1910
Wolff, op. 25	Neue Kinderlieder, omplt.		"	E 231796	1910
Kollo	Der Nudelburger		"	E 222419	1910
Kollo	Der Nudelburger		Gr. orch.	E 221863	1910
Kollo	Der Nudelburger		S. O.	E 221864	1910
Wolff, op.24 #2	Nun schmuecke mir dein dunkles Haar		Vocal	E 232919	1910
Nelson	Nur ein Bissel, Bissel	Miss Dudelsack	"	E 222437	1910
Nelson	O Du my Darling	" "	Piano with text	E 218224	1910
Nelson	O Du my Darling	" "	Orch.	E 220549	1910
Nelson	O Du my Darling	" "	Piano with text, simpl.	E 230948	1910
Wolff, op.24 #5	O heiliger Augustin		Vocal	E 232922	1910
Wolff, op. 22	Sieben Lieder, omplt.		"	E 232486	1910
Wolff, op. 23	Vier Marchenlieder, omplt.		"	E 231715	1910

HARMONIE-VERLAG
Gegründet 1897
Postscheck-Konto: Nr. 17399 Berlin / Bank-Konto: Commerz- und Privatbank A. G., Dep.-Kasse Kl., Halensee, Kurfürstendamm 130

BERLIN W (Halensee), den
(Georg-Wilhelm-Straße 17 (Am Kurfürstendamm)
Fernruf: Amt Uhland 1273 -- Drahtanschrift: Harmonieverlag Berlinhalensee

Composer	Title	From	Arrangement	Entry No.	Year
Nelson	Oh te my darling	Dudas Kisassoni	Orch.	E 234502	1910
Delius	On Craig Ddu; an impression of Nature		Mixed chorus score w. piano	E 231252	1910
Wolff, op.24 #1	Perlen der Weisheit		Vocal	E 232918	1910
Gurlitt	Die Ratte; Sao-Han		"	E 230063	1910
Wolff, op.22 #3	Der Rekrut		"	E 232481	1910
Kuenneke	Robins Ende		Orch. score	D 18495	1910
Kuenneke	Robins Ende		Orch. pts.	E 222791	1910
Kuenneke	Overture to Robins Ende		Score	E 222781	1910
Kuenneke	Overture to Robins Ende		parts	E 222790	1910
Kuenneke	Potpourri	Robins Ende	Piano w. text	E 223420	1910
Kuenneke	Zwischenspiel	" "	Piano	E 222423	1910
Kuenneke	Potpourri	" "	S. O.	E 225699	1910
Kuenneke	Potpourri	" "	Orch.	E 225700	1910
Kollo	Rolle Rille Rutsch		Vocal	E 242736	1910
Delius	Romeo & Julie auf dem Dorfe		Voice pts. Mixed chorus	E 223804	1910
Delius	Romeo & Julia auf dem Dorfe		Vocal score	D 18625	1910
Kuenneke	Sag dass du mich liebst	Robins Ende	Vocal	E 222422	1910
Blech	Schelmenliedchen	Des Knaben Wunderhorn	"	E 224701	1910
Wolff, op. 22	Sieben Lieder, cmplt		"	E 232486	1910
Kullmann	Siegesfest (Victorious Return)		"	E 242726	1910
Wolff, op.23 #2	Soll ich ihn lieben	Vier Maedchenlieder	"	E 231718	1910
Schilling-Ziemssen	Sonnwendglut		Orch. score	D 18494	1910
Wolff, op.24 #10	Die Spinnerin		Vocal	E 232927	1910
Kollo	Die Steuerzahler		"	E 218226	1910
von Bronsart	Die Suehne		Vocal score	D 18514	1910
Adam	Der Toreador		Orch. pts.	E 218461	1910
Mraczek	Der Traum		Chorus pts.	E 231250	1910
Meyer-Helmund	Ueber die Heide		Vocal	E 242738	1910
Philipp	Ueber'n grossen Teich		Orch. pts.	E 222417	1910
Wolff, op.23 #4	Und bild dir nur im Traum nichts ein		Vocal	E 231716	1910
Wolff, op.22 #7	Und Rosen bluehen		"	E 232485	1910
Werner	Valse Perverse		"	E 218295	1910
Freund	Verratene Liebe		Harm. & Blech Mus.	E 239512	1910
Freund	Verratene Liebe		Harm. Mus.	E 239513	1910
Wolff, op. 23	Vier Maedchenlieder, cmplt.		Vocal	E 231715	1910
Delius	Wanderer's Song for Male Chorus		Score with piano acc.	E 231253	1910
Kullmann	Was ists, was uns so froehlich macht		Vocal	E 242721	1910
Kollo	Was liegt bei Lehmann unterm Apfelbaum		Vocal	E 242735	1910
Kollo	Was liegt bei Lehmann unterm Apfelbaum		S. O.	E 242793	1910
Kollo	Was liegt bei Lehmann unterm Apfelbaum		Orch.	E 242794	1910

EXHIBIT 76-p.4

HARMONIE-VERLAG
Gegründet 1897
Postscheck-Konto: Nr. 17399 Berlin / Bank-Konto: Commerz- und Privatbank A.-G., Dep.-Kasse Kl., Halensee, Kurfürstendamm 130

BERLIN W (Halensee), den
Georg-Wilhelm-Straße 17 (Am Kurfürstendamm)
Fernruf: Amt Uhland 1273 — Drahtanschrift: Harmonieverlag Berlinhalensee

Composer	Title	From	Arrangement	Entry No.	Year
Kuenneke	Wem dank ich das	Robins Ende	Vocal	E 222421	1910
Gurlitt	Wie die Pflanze verwelkt		"	E 230062	1910
Kuenneke	Wie ist gefaehrlich jung zu sein	" "	"	E 222424	1910
Wolff, op.25 #3	Wiegenlied		"	E 231794	1910
Fall	Wir tanzen Ringel reihen	Dollar Prinzessin	Waldzither	E 239509	1910
Kollo	Das Yankee Doodle Maedel	Suesse Doktor	Vocal	E 222429	1910
Kollo	Das Yankee Doodle Maedel	" "	Orch. pts.	E 222428	1910
von Oosterzee	Ysbrand		Str. 5tte	E 222427	1910
Wolff, op. 24	Zehn Lieder, cmplt.		Vocal	E 232928	1910
Adam	Zwischenspiel	Der Toreador	Orch. score	E 218460	1910

To SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC.
113 West 42nd Street
New York, N. Y.

HARMONIE VERLAG

By Paul Heinecke
Att'y.

CITY, COUNTY & STATE OF NEW YORK:ss.

On the 25th day of July, 1933, before me personally appeared PAUL HEINECKE, to me known and known to me to be the individual described in and who executed the foregoing instrument, and he acknowledged to me that he executed the same.

C. Elmer McGee
C ELMER McGEE, Notary Public
N. Y. County Clerk's No. 161, Reg. No. 5Mc174
Kings County Clerk's No. 24, Reg. No. 5086
Commission expires March 30, 1934

HARMONIE-VERLAG
Gegründet 1897
Postscheck-Konto Nr. 17399 Berlin / Bank-Konten: Commerz- und Privatbank A.-G., Depositen-Kasse KL. Berlin-Halensee, Kurfürstendamm 120, S. Bleichröder, Stadtkasse, Berlin W 8, Unter den Linden 12-13.

New York, N.Y., 113 West 42nd St.
BERLIN W (Halensee), ~~XXX~~ Sept. 8, 1933.
Georg-Wilhelm-Straße 17 (am Kurfürstendamm)
Fernruf: Amt H 2 Uhland 1273 — Drahtanschrift: Harmonieverlag Berlinhalensee

EXHIBIT 77-p.1

We herewith sell, transfer and assign
all right, title and interest
in the following copyrighted works:

Composer	Title	From	Arrangement	Entry No.	Year
Friedmann,L.	Ach Erika		Vocal	E 249105	1911
"	Ach Erika		Orch.	E 246947	1911
"	Ach Erika		S. O.	E 246948	1911
Haupt,C.	Ach Sylvester, drueck mich fester		Vocal	E 250836	1911
Nelson,R.	L'Aeronette		Vocal	E 243799	1911
Wanda,G.	Alles Eins,March nach Motiven aus	Der ledige Gatte	Piano	E 243742	1911
"	Alles Eins,March nach Motiven aus	" " "	Piano, Harm. & Viol. obl	E 245230	1911
"	" " "	" " "	Gr. Orch.	E 245231	1911
"	" " "	" " "	Infan. music	E 256513	1911
"	" " "	" " "	Caval. music	E 256514	1911
Kollo,W.	Alma, wo wohnst Du Marsch	Alma wo wohnst du	Orch.	E 263575	1911
"	" " " "	" " " "	Vocal	E 273899	1911
"	" " " "	" " " "		E 273900	1911
Baumeister,K	Die alte Kuchenfrau		Vocal	E 256847	1911
Bela Laszky	Die alte Uhr		"	E 250987	1911
Nelson,R	Apachen Polka	Hoheit amüsiert sich	Piano	E 263785	1911
Kollo,W.	Auf der Liebesschaukel		Vocal	E 249106	1911
Knopf,M.	Bajaderen Walzer nach Motiven d. Operette	Die Bajadere		E 263941	1911
Kollo,W.	Die Ballade vom Grafen Mixed Pickles		Vocal	E 246949	1911
"	Der Ballhausbummler		"	E 250988	1911
Nelson,R	Beim Ball in der Philharmonie		"	E 243733	1911
Kollo,W	Die Beinchen		"	E 249107	1911
"	Die Beinchen		Orch.	E 249037	1911
Wanda,G.	Bibi und Boby	Der ledige Gatte	Blech musik	E 258502	1911
"	Bibi und Boby	" " "	Harm. musik	E 259389	1911
"	Bibi und Boby	" " "	Harm. musik 4te	E 261253	1911
"	Bibi und Boby	" " "	Piano, Harm. & Viol. obl	E 245232	1911
"	Bibi & Boby	" " "	Gr. Orch.	E 245233	1911
"	Bibi Walzer nach Motiven aus	" " "	Piano	E 243743	1911
"	" " "	" " "	Orch. pts.	E 243735	1911
"	" " "	" " "	S. O.	E 243736	1911
Nicklass-Kempner	Der Boxer Boy		Vocal	E 249108	1911
Wanda,G.	Bubi, Boby	Der ledige Gatte	"	E 243737	1911
Kollo,W.	Buecher und Frauen	Sein Herzensjunge	Orch.	E 258870	1911
"	Buecher und Frauen	" "	Vocal	E 258764	1911
arno,G.	Christl Potpourri		Piano	E 250837	1911
"	Christl Valse		Piano	E 250838	1911
aimann	Divertissement	Die Frau Gretl	Piano w.text	E 264841	1911

EXHIBIT 77-p.2

Composer	Title	From	Arrangement	Entry No.	Year
Raimann,R	Divertissement	Die Frau Gretl	Orch. pts.	E 264840	1911
Wicher,A.	Du bist allein mein hoechstes Glueck auf Erden		Orch.	E 246950	1911
Nelson,R.	Du,Du,Duchen Marsch nach Motiven aus	Hoheit amüsiert sich	Piano	E 260329	1911
"	" " " "	" "	Infan. Musik	E 263576	1911
"	" " " "	" "	Orch.	E 263577	1911
"	Duft'ge Parmaveilchen	" "	Vocal	E 258000	1911
Straus,O.	Ehe Sport Duett	Die lustigen Nibelungen	"	E 253509	1911
"	" "	" "	Orch. pts.	E 255482	1911
"	" "	" "	Infan. Musik	E 260153	1911
"	" "	" "	Kaval. Musik	E 260154	1911
"	Ehe und Sport	" "	Piano	E 254511	1911
Leonard,H.	Eine halbe Stunde zu spaet		Vocal	E 263578	1911
Wanda,G.	Erst das Geschaeft, dann das Vergnuegen	Der ledige Gatte	"	E 243738	1911
Fall,L.	Fa'er Mathias (Der fidele Bauer)		Piano	E 250989	1911
Ginzel,F.	Faschings-Bekanntschaft		Vocal	E 255481	1911
Wanda,G.	Fein manierlich	Der ledige Gatte	Piano	E 243739	1911
"	" "	" " "	Piano, Harm. & Viol. obl.	E 245234	1911
"	" "	" " "	Gr. Orch.	E 245235	1911
"	Heissa, der Dieb ist da	" "	Vocal	E 243740	1911
Nikisch,A.	Fifi Walzer nach Motiven d. Operetta	Meine Tante, Deine Tante	Piano with text	E 264839	1911
	Fuer frohe Kreise	(Album)	Vocal (Vol I)	E 254013	1911
	Fuer frohe Kreise	"	" (Vol II)	E254014	1911
Nikisch,A.	Fussel Duett	Meine Tante, Deine Tante	Orch.	E 255913	1911
"	" "	" " "	Vocal	E 255597	1911
"	Gott Amor mit Pfeil und mit Bogen	" " "	"	E 255596	1911
Wanda,G.	Grosses Potpourri	Der ledige Gatte	Piano	E 253182	1911
Kollo,W.	Hampelmann-Duett	Alma wo wohnst Du	Orch.	E 263579	1911
Wanda,G.	Fein manierlich	Der ledige Gatte	Infan. Musik	E 258477	1911
Wolff,M.	Das heisse Eisen		Vocal Score	E 250842	1911
Nelson,R.	Hochlandskinder	Miss Dudelsack	Piano	E 243741	1911
"	Hoheit amuesiert sich		Piano score w. text	E 263580	1911
"	Potpourri #1	Hoheit amuesiert sich	Piano	E 263783	1911
"	Potpourri #2	" "	"	E 263784	1911
"	Hoheit amuesiert sich		Vocal score	E 264268	1911
"	" " "		Orch. pts.	E 273468	1911
"	Hosendame und Hosenkavalier	" "	Vocal	E 258677	1911
Meyer,G.	Der Hosenrock		"	E 258478	1911
Kollo,W.	Huetterl-Walzer nach Motiven d. Vaudevilles	Alma wo wohnst du	Piano	E 273902	1911
Knopf,M.	Ich bin ein Kleptomane	Die Bajadere	Vocal	E 261578	1911

Composer	Title	From	Arrangement	Entry No.	Year
Nelson,R.	Ich bin ja nicht schön, aber frech		Vocal	E 243742	1911
Kollo,W.	Ich mal mir einen reizenden Mann	Der Brettlkoenig	"	E 273903	1911
"	Im richtigen Moment	Sein Herzensjunge	"	E 259128	1911
Knopf,M.	Im Schlafcoupe		Vocal score	E 251599	1911
"	" "		Orch. pts.	E 260812	1911
Nelson,R.	Ja die Liebe macht kolossalen Spass	Hoheit amuesiert sich	Vocal	E 258001	1911
Leonard,H.	Ja, Sie Frau Eva		"	E 246951	1911
Kollo,W.	Kitty du kuesst so suess	Sein Herzensjunge	"	E 259129	1911
"	" " " "	" "	Orch.	E 258871	1911
"	Die kleine Grete und der Twostep		Vocal	E 246952	1911
Nicklass-Kempner,S	Der kleine Kadett		"	E 249109	1911
Nelson,R.	Das Knoedelmaedel		"	E 253630	1911
Kollo,W.	Komm mein kleines Maeuschen	Sein Herzensjunge	Orch.	E 258827	1911
"	" " "	" "	Vocal	E 258765	1911
Nelson,R.	Eine Krabbelgeschichte		"	E 243743	1911
"	Kuno, der Weiberfeind		"	E 243744	1911
Kollo,W.	Lass mich Deine Strümpfchen sehn	Der Brettlkoenig	"	E 273904	1911
Wanda,G.	Der ledige Gatte		Vocal score	E 250840	1911
"	" " "		Orch. pts.	E 250841	1911
"	Die liebe Liebe	Der ledige Gatte	Vocal	E 243745	1911
"	Liebe mich mein suesses Baby	" " "	"	E 250839	1911
Friedmann,L.	Ein Lied in Zentimetern		"	E 249110	1911
Nikisch,A.	Das Lied vom Baeuerlein	Meine Tante, Deine Tante	"	E 255595	1911
Kollo,W.	Das Lied vom Kater	Alma wo wohnst Du	Infan. mus.	E 260326	1911
"	" " " "	" " " "	Caval. mus.	E 260327	1911
"	" " " "	" " " "	Vocal	E 273901	1911
"	Der Londonboy	" " " "	"	E 273905	1911
"	Lulu mein liebliches Braeutchen	Der Brettlkoenig	"	E 273906	1911
Straus,O.	Potpourri	Die lustigen Nibelungen	Piano	E 255914	1911
Wanda,G.	Maedel du hast mich verrueckt gemacht	Der ledige Gatte	Vocal	E 243746	1911
"	" " " " "	" " "	Piano,Harm. & Viol.obl.	E 245236	1911
"	" " " " "	" " "	Gr. Orch.	E 245237	1911
Nelson,R.	Maedel komm reich mir den roten Mund	Hoheit amuesiert sich	Vocal	E 258002	1911
"	" " " "	" "	Orch.	E 258003	1911
Hirsch,R.	Das Maedel mit dem Electra P.P.		Vocal	E 249111	1911
Kollo,W.	Das Maedel von der Themse (London Girl)	Alma wo wohnst du	Caval. mus.	E 260147	1911
"	" " " "	" " " "	Infan. mus.	E 260148	1911

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Nelson, R.	Maeuschen klein	Hoheit amuesiert sich	Vocal	E 258004	1911
"	" "	" "	Orch.	E 258005	1911
"	Maeuschen Walzer	" "	Piano	E 258873	1911
"	" "	" "	Orch. with piano & Har.	E 261254	1911
"	" "	" "	Infan. Mus.	E 263581	1911
"	Mein wildes Tigerkaetzchen	" "	Vocal	E 258006	1911
"	" " "	" "	Orch.	E 258007	1911
"	" " "	" "	Kaval. Mus.	E 260149	1911
"	" " "	" "	Infan. Mus.	E 260150	1911
Nicklass-Kempner, S.	Meine Leidenschaften und ich		Vocal	E 249112	1911
Knopf, M.	Die Menschen sind gar niemals zufrieden	Die Bajadere	"	E 261579	1911
Nelson, R.	Moritat		"	E 243747	1911
Kollo, W.	Nach meine Beene ist ja ganz Berlin verrueckt		"	E 245238	1911
"	'Ne dufte Stadt ist mein Berlin		"	E 245239	1911
Nelson-Lindemann	Nelson Walzer		Piano	E 261255	1911
"	" "		Orch., Harm. Piano & vio.ob.	E 270689	1911
Straus, O.	Nibelungen Marsch	Die lustigen Nibelungen	Orch. pts.	E 253507	1911
"	" "	" "	Blech mus.	E 258479	1911
"	" "	" "	Mil. mus.	E 258480	1911
Kollo, W.	Nur a klans Hutterl	Alma wo wohnst du	Vocal	E 273907	1911
"	O Alma, Alma, Alma Du	" " " "	"	E 273908	1911
Knopf, M.	Reizende Melodei'n laden zum Kosen ein	Die Bajadere	"	E 260813	1911
Kollo, W.	Rolle-Rille-Rutsch		"	E 250813	1911
Delius, F.	Romeo und Julia auf dem Dorfe		Orch. score	E 249038	1911
Nelson, R.	Das rote Kleid		Vocal	E 243748	1911
Wicher, A.	Ein schoener Traum		"	E 249113	1911
Wanda, G.	Sehnsucht wandelt allein	Der ledige Gatte	"	E 243749	1911
Kollo, W.	So ein feiner, dicker kleiner Hampelmann	Alma wo wohnst du	"	E 273909	1911
Nelson, R.	So verrueckt sind die Weiber verliebt	Hoheit amuesiert sich	"	E 258678	1911
Zeppler, B.	Tanz mal links herum	Alma wo wohnst du	"	E 273910	1911
Nelson, R.	Tanzen wir, Marquis		"	E 258481	1911
Kollo, W.	Der Teddybaer		"	E 256848	1911
Nelson, R.	Urwald Idyll	Hoheit amuesiert sich	Piano w. text	E 260155	1911
"	" "	" " "	Orch. pts.	E 260156	1911
"	" "	" " "	Cav. mus.	E 263776	1911
"	" "	" " "	Inf. mus.	E 263777	1911
Kollo, W.	Valse Mascotte		Piano	E 251986	1911
"	" "		Orch. pts.	E 251707	1911
"	" "		Infan. mus.	E 260325	1911

Composer	Title	From	Arrangement	Entry No.	Year
Kollo,W.	Valse Mascotte		Caval. Music	E 260330	1911
Straus,O.	Von Vorne,von vorne	Die lustigen Nibelungen	Vocal	E 253510	1911
"	" " " "	" "	Orch. pts.	E 255483	1911
"	" " " "	" "	Piano	E 255555	1911
"	" " " "	" "	Caval. Music	E 258680	1911
"	" " " "	" "	Infan. Music	E 258681	1911
Nelson,R.	Von zwoelf bis frueh um sieben	Hoheit amuesiert sich	Vocal	E 258679	1911
Knopf,M.	Vorwaerts, Freunderl folge mir	Die Bajadere	"	E 261580	1911
Kollo,W.	Was liegt beim Lehmann unterm Apfelbaum		Caval. Music	E 258682	1911
"	" " " "		Infan. Music	E 258683	1911
"	Wenn der Braeut'gam mit der Braut		Vocal	E 245240	1911
"	" " "		Orch.	E 251784	1911
"	" " "		S. O.	E 251785	1911
"	" " "		Infan. Music	E 260151	1911
"	" " "		Caval. Music	E 260152	1911
Nelson,R.	Wenn der Kuckuck schreit	Hoheit amuesiert sich	Piano-text	E 263786	1911
Kollo,W.	Wenn Petrus Betten macht	Der Brettlkoenig	" "	E 273911	1911
Knopf,M.	Wer wagt, gewinnt	Die Bajadere	" "	E 261581	1911
Nelson, R	Ein Wiedersehn		Vocal	E 243750	1911
"	Wir sind die Apachen der Liebe	Hoheit amuesiert sich	"	E 258008	1911
Knopf,M.	Wissen Sie noch	Im Schlafcoupe	"	E 249039	1911
"	" " "	" "	Orch.	E 249040	1911

to SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC.

113 West 42nd Street

New York, N Y

HARMONIE VERLAG

By Paul Heinecke
Att'y

State of New York)
County of New York) SS:

On the 9th day of September, 1933, before me personally came Paul Heinecke to me known and known to me to be the individual described in and who executed the foregoing instrument and he acknowledged to me that he executed the same.

C. Elmer McGee

C ELMER ... Notary Public
N Y County Clerk ... No. 5Mc176
Kings County ... Reg. No. 5086
Commission expires March 30, 1935

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HARMONIE-VERLAG
Gegründet 1897
Postscheck-Konto: Nr. 17399 Berlin / Bank-Konten: Commerz- und Privatbank A.-G., Depositen-Kasse KL, Berlin-Halensee, Kurfürstendamm 130, S. Bleichröder, Stadtkasse, Berlin W 8, Unter den Linden 12-13.

New York, N. Y. 113 West 42nd St.
BERLIN W (Halensee), den
Georg-Wilhelm-Straße 17 (am Kurfürstendamm)
Fernruf: Amt H 2 Uhland 1273 — Drahtanschrift: Harmonieverlag Berlinhalensee

November 11, 1933.

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Catalogue of
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Vol. 7, 1912

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3758	Ball bei Hof		C.M. Ziehrer	Orch. pts.	E 277582
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2275	" " " " "	" "	"	E 351275
2276	Das ist der Rhythmus mit dem ein jeder mit muss	" "	"	E 351270
17685	Denn wir fahren gegen Engeland		E. Alberti	E 367466
13820	Deutsche Helden		G. Mielke	E 368450
13821	" "		"	E 368451
12111	Der deutsche Schmied		G. Lazarus	E 366736
3541	Dornroeschen Deutschland	Unsere Feldgrauen	R.Winterberg	E 356512
15995	Du Maedel, Du Maedel mit Haar		W. Kollo	E 368770
8445	Erstes und letztes Stelldichein		R. Baron	E 357515
8448	Es gibt Faelle	Datterich	F. Bermann	E 357516
10109	Es kam wohl ein Frazos daher		J. Simon	E 357701
7154	Frisch nur gewagt, halb schon gewonnen		A. Lortzung-E. Fischer	E 366023
19648	Fuenf Lieder		E.H. Epstein	E 369280
2396	Gebt mir eine lange Flinte	Unsere Feldgrauen	R.Winterberg	E 356377
8541	Das geht mir durch und durch	Immer der Andere	A. Nikisch	E 357346
2403	Gewonnene Herzen		L. Schmidt	E 351268
2404	" "		"	E 351276
19799	Das Haidegrab		A. Perleberg	E 369274
14115	Hedi mein' Lady		E. Cussel	E 368452
8627	Hindenburg, der Befreier, op. 60		A.Pruemers	E 357517
17982	Hoch, Prinz Leopold		A. Porges	E 367468
16198	Horch es fluestern leis die Geigen		V.Hollaender	E 368653
10480	Ich bin der Onkel Meier, der Vaterlandsbefreier		R. Baron	E 357702
2524	Ich bin der Pepi	Der liebe Pepi	W. Goetze	E 356378
5575	Ein Kaiserwort		F. Hummel	E 351711
7406	Keine Angst, wir sind ja da		R. Baron	E 366025
6893	Kinder-Menuett	Kleine Hauskomoedien	J.S. Bach-E. Fischer	E 366024
9769	" "	" "	" "	E 357703
8830	Kosaken		W.Moldenhauer	E 357518
10647	Kiriegsspruch, op. 11		J. Simon	E 357704
14404	Der Kunstmaler		E. Cussel	E 368453
20110	Die Laute		A.Perleberg	E 369275
12599	Potpourri	Der liebe Pepi	W. Goetze	E 366738
7566	Liebe und Hoffnung	Kleine Hauskomoedien	W.A. Mozart-E. Fischer	E 366026
2643	Lied vom Apfelstrudel	Der liebe Pepi	W. Goetze	E 356379
7458	Das Lied vom Grafen Zeppelin		F. Hummel	E 356950
2688	Maedel, mein Maedel	Der liebe Pepi	W. Goetze	E 356380

Cat. of Cop. Entr.
Pt. 3, New Series
Vol 10, 1915 (cont)

Index No.	Title	From	Composer	Entry No.
5746	Marschlied		W.Friedemann	E 351712
14571	Mein kleines Maedel		E. Cuesel	E 368454
12715	Mein Artur ist ein deutscher Mann		R. Baron	E 366737
20230	Memento, op. 13 #1		J.E.Schmock	E 369276
20231	" op. 13 #2		"	E 369277
20246	Merry, mein holdes vis-avis		J.Gruenwald	E 369278
11002	Nehmt den Spaten, op. 11		J. Simon	E 357705
18453	Neun Soldatenlieder		W.Moldenhauer	E 367470
2815	O Engelland	Gewonnene Herzen	L. Schmidt	E 351271
5953	Oesterreichisches Reiterlied		W.Friedemann	E 351713
11188	Die preussische Disciplin		R. Baron	E 357706
16780	Die Prinzessin vom Nil		V.Hollaender	E 368702
4314	Reservisten Marsch	Die Liebesfahrt	M. Bertuch	E 356513
7780	Rotes Kreuz auf weissem Grunde		R. Baron	E 366027
13027	Schlachtgebet, op. 127		G. Lazarus	E 366739
6241	Grand Potpourri	Die schoene Cubanerin	M. Gabriel	E 351714
13042	Sechs Kaisersoehne, op. 172		G. Lazarus	E 366740
18784	Drei Lieder, op. 15		J. Simon	E 367467
15064	Sechs Lieder, op. 14		"	E 368494
20735	So was hat die Welt noch nicht geseh'n		R. Nelson	E 369279
7911	Tagwacht		A. Richard	E 351961
6894	Die Ueberraschung	Kleine Haus-komoedien	J.S. Bach-E. Fischer	E 351964
3169	Vater zieht ins Feld		R. Baron	E 351277
6600	Vaterlaendische Lieder zur Laute oder Piano		H.Schmid-Kayser	E 351709
11652	Vor der Schlacht, op. 11		J. Simon	E 357707
8026	Die Wacht in den Lueften		F. Hummel	E 350951
6668	Weeste noch wie dunnemals	Unsere Feldgrauen	R.Winterberg	E 351707
13372	Wenn wir marschieren, op. 172		G. Lazarus	E 366741
4592	Der Wiener Walzer	Der liebe Pepi	W. Goetze	E 351682
6769	" " "	" " "	"	E 351708
17279	Wir Deutschen fuerchten Gott, op. 33		R. Reich	E 368769
17280	" " "		"	E 368654
20519	Zwei Lieder vom Glueck		A.Perleberg	E 369281
8143	Die zwei Schmiede		A. Richard	E 351962

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Pt. 3, New Series
Vol. 11, 1916

Index No.				
16543	An ein Kind		H. Rysling	E 385360
1605	Der deutschen Wehrmaenner Spruch		H. Grosse	E 367902
16841	Drei arme Teufel		C.Winterberg	E 385366
2064	Drei Gesaenge		A. Richard	E 369410
1728	Drei Nordische Volkslieder		F. Hummel	E 367899
18510	Die drei Wuensche	Kleine Haus-komoedien	C.M.v. Weber-E. Fischer	E 394336

Cat. of Cop. Entr.
Pt. 3, New Series
Vol 11, 1916 (cont)

Index No.	Title	From	Composer	Entry No.
18711	Eine gute Partie		L.Heidingsfeld	E 394340
11364	Im Maien, op. 21 #1		J.E.Schmock	E 384499
1821	Die jungen Opfer		K.Kuehnfeld	E 367905
11463	Jungenschlacht		W.Moldenhauer	E 384500
11474	Kaiser Dich lieben wir		G. Lazarus	E 384501
7285	Lasst Euch die Hoffnung nicht rauben	Ende gut, Alles gut	R. Nelson	E 369939
19271	O Maedelchen, O Maedelchen	Die schoene Cubanerin	M. Gabriel	E 394327
19316	Onkel Tobias	Kleine Hauskomoedien	J. Weigl-E. Fischer	E 394339
17625	Requiem		H. Rysling	E 385361
19536	Grand Potpourri	Die schoene Cubanerin	M. Gabriel	E 394326
2101	Sehnsucht		J.E.Schmock	E 367903
18664	Die Wahrsagerin	Kleine Hauskomoedien	C.W.v.Gluck-E. Fischer	E 394337
2263	Der Wandervogel, op. 20		J.E.Schmock	E 367900
12567	Wenn im Fruehling die Blumen bluehn		R. Nelson	E 384498
2316	Wiegenlied		H. Grosse	E 367904
2326	Wir Deutschen fuerchten Gott		R. Reich	E 369457
2327	" " " "		"	E 369458
5157	Zu meinem Bilde		H. Rysling	E 369940
20044	Zurueck zur Natur	Kleine Hauskomoedien	W. Mueller-E. Fischer	E 394338
Vol. 17, 1922				
17557	Der Guenstling der Zarin		R.Winterberg	D 26351
Vol. 18, 1923				
14729	Das Gasthaus zur Liebe		Siegfried Schultz	E 566953

to SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC.
113 West 42nd Street
New York, N.Y.

HARMONIE VERLAG

By Paul Heinecke
Att'y

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 11th day of November, 1933, before me came and personally appeared Paul Heinecke to me known and known to me to be the individual who executed the fore-going instrument and acknowledged to me that he executed the same.

C. Elmer McGee

C. ELMER McGEE, Notary Public
N.Y. County Clerk's No. 161, Reg. No. 5Mc174
Kings County Clerk's No. 24, Reg. No. 5066
Commission expires March 30, 1935

COPYRIGHT OFFICE OF THE
UNITED STATES OF AMERICA.

ASSIGNMENTS OF COPYRIGHTS.

NO. .... RECEIVED FOR RECORD December 5, 1924

ASSIGNOR . Hearst Music Publishers of Canada, Limited

ASSIGNEE . Thos. J. Quigley

To the Librarian of Congress, Washington D.C.

We, the Hearst Music Publishers of Canada, Limited, by Joe Hearst, President do hereby assign the following copyrights to Thos. J. Quigley.

Song	Date of Publication	Number
Broken Dreams	July 4th, 1924	590865
If I Had You	Jul 30, 1923	568318
Just a Lullaby	Jul 30, 1923	568319
Someone Like You	Oct.11, 1923	571778
Land of Sweet Sixteen	Oct.11,. 1923	571776
Sunset, the Hills and You	Nov.17, 1923	577260
Dansopation	Nov.26, 1923	578111
You Can Take Me Away from Dixie	Dec.15, 1923	580493
Only a Butterfly	Dec.15, 1923	580494
Someday You'll Cry Over Somebody Else	Dec. 27, 1923	578678
My Heart Wants Love and You	Jan. 7, 1924	578630
Waiting for the Rainbow	Jan.7, 1924	578674
Lovers Lane is a Lonesome Trail	Jan. 7, 1924	578675
Forget-Me-Not Means Remember Me	Feb. 2, 1924	579448
Falling In Love with a Shadow of the Girl Next Door	Feb. 2, 1924	579449
My Dream Moon	Mar. 5, 1924	584872
do	Mar 14, 1924	585330
Someone Else Took Your Place in My Heart	May 23, 1924	590630
Wonderful World of Our Own	May 23, 1924	590629
Poor Little Mama	May 23, 1924	590628
June	May 23, 1924	590627
Because	May 23, 1924	590626

EXHIBIT 79-p.2

COPYRIGHT OFFICE OF THE
UNITED STATES OF AMERICA.

ASSIGNMENTS OF COPYRIGHTS

NO. .... RECEIVED FOR RECORD ....

ASSIGNOR ,

ASSIGNEE .

(Song)	(Date of Publication)	(Number)
Little Pug Nose	Oct.27, 1924	603000
As You Were Still You Are	Oct. 27, 1924	602999
If I Had the Key to the Door of Your Heart	Oct. 27, 1924	602998
Better Keep Away	Sept.19,1924	595926
Bobbed-Head	Sept.19,1924	595925
Tallahassee	Sept 19, 1924	595922
I Loved Her but she Moved Away	Nov.5,1924	602997

Hearst Music Publishers of Canada, Limited .
By Joe Hearst,
President

COPYRIGHT OFFICE OF THE
UNITED STATES OF AMERICA.

ASSIGNMENTS OF COPYRIGHTS.

NO. .... RECEIVED FOR RECORD January 5, 1925

ASSIGNOR, Thomas J. Quigley

ASSIGNEE, Quigley & Benson Inc.

Assignment of Copyright

To The Librarian of Congress, Washington D.C.

I, THOMAS J. QUIGLEY, do hereby assign the following copyrights to QUIGLEY & BENSON INC., a corporation organized under the laws of the State of Illinois:-

Song	Date of Publication	Number
Broken Dreams	July 4th, 1924	590665
If I Had You	July 30, 1923	568318
Just a Lullaby	July 30, 1923	568319
Someone Like You	Oct. 11 1923	571778
Land of Sweet Sixteen	Oct. 11, 1923	571776
Sunset, the Hills and You	Nov. 17, 1923	577260
Dansopation	Nov. 26, 1923	578111
You Can Take Me Away from Dixie	Dec. 15, 1923	580493
Only a Butterfly	Dec. 15, 1923	580494
Someday You'll Cry Over Somebody Else	Dec. 27, 1923	578678
My Heart Wants Love and You	Jan. 17, 1924	578630
Waiting for the Rainbow	Jan. 7, 1924	578674
Lovers Lane is a Lonesome Trail	Jan. 7, 1924	578675
Forget-me-not Means Remember Me	Feb. 2, 1924	579448
Falling In Love With a Shadow of the Girl Next Door	Feb. 2, 1924	579449
My Dream Moon	Mar. 5, 1924 Mar. 14, 1924	584872 585330
Someone Else Took Your Place in My Heart	May 23, 1924	590630
Wonderful World of Our Own	May 23, 1924	590629
Poor Little Mame	May 23, 1924	590628
June	May 23, 1924	590627
Because	May 23, 1924	590626
Little Pug Nose	Oct. 27, 1924	603000
If I Had the Key to the Door of Your Heart	Oct. 27, 1924	602996
As you were still you are	Oct. 27 1924	602999

EXHIBIT 80-p.2

COPYRIGHT OFFICE OF THE
UNITED STATES OF AMERICA.

9—749

ASSIGNMENTS OF COPYRIGHTS.

No. .... RECEIVED FOR RECORD............ ....

ASSIGNOR ,

ASSIGNEE .

Better Keep Away	Sept. 19, 1924	595926
Bobbed-Head	Sept. 19, 1924	595925
Tallahassee	Sept. 19, 1924	595922
I Loved Her but She Moved Away	Nov.5 , 1924	602997

Thos. J. Quigley

EXHIBIT 80-p.2

EXHIBIT 81-p.1

TO THE LIBRARIAN OF CONGRESS, WASHINGTON, D. C.

Chicago, Ill. Feb. 20, 1926

For, and in consideration of the sum of one dollar, ($1.00), and other valuable consideration not herein mentioned, the QUIGLEY & BENSON COMPANY, INC., does hereby assign each and all of the following copy-rights to Thomas J. Quigley, 1118 N. State St., Chicago, Ill.

SONG	DATE OF PUBLICATION	NUMBER
BROKEN DREAMS	July 4th 1924	590865
IF I HAD YOU	July 30th 1923	568318
JUST A LULLABY	July 30th 1923	568319
SOMEONE LIKE YOU	Oct. 11th 1923	571778
LAND OF SWEET SIXTEEN	Oct. 11th 1923	571776
SUNSET, THE HILLS AND YOU	Nov. 17th 1923	577260
DANSOPATION	Nov. 26th 1923	578111
YOU CAN TAKE ME AWAY FROM DIXIE	Dec. 15th 1923	580493
ONLY A BUTTERFLY	Dec. 15th 1923	580494
SOMEDAY YOU'LL CRY OVER SOMEBODY ELSE	Dec. 27th 1923	578678
MY HEART WANTS LOVE AND YOU	Jan. 17th 1924	578630
WAITING FOR THE RAINBOW	Jan. 7th 1924	578674
LOVERS LANE IS A LONESOME TRAIL	Jan. 7th 1924	578675
FORGET-ME-NOT MEANS REMEMBER ME	Feb. 2nd 1924	579448
FALLING IN LOVE WITH A SHADOW OF THE GIRL NEXT-DOOR	Feb. 2nd 1924	579449
BRINGING HOME THE BACON	Copy-right 1924	Number mislaid

EXHIBIT 81-p.2

MY DREAM MOON	Mar. 5th 1924 Mar. 14th 1924	584872 585330
SOMEONE ELSE TOOK YOUR PLACE IN MY HEART	May 23rd 1924	590630
WONDERFUL WORLD OF OUR OWN	May 23rd 1924	590629
POOR LITTLE MAME	May 23rd 1924	590628
JUNE	May 23rd 1924	590627
BECAUSE	May 23rd 1924	590626
LITTLE PUG NOSE	Oct. 27th 1924	603000
AS YOU WERE STILL YOU ARE	Oct. 27th 1924	602999
IF I HAD THE KEY TO THE DOOR OF YOUR HEART	Oct. 27th 1924	602998
BETTER KEEP AWAY	Sept.19th 1924	595926
BOBBED-HEAD	Sept. 19th 1924	595925
TALLAHASSEE	Sept. 19th 1924	595922
I LOVED HER BUT SHE MOVED AWAY	Nov. 5th 1924	602997
WITHIN THE GARDEN OF MY DREAMS	Jan. 12th 1925	605558
YOU KNOW I KNOW	Jan. 12th 1925	601559
FLAG THAT TRAIN	Feb. 9th 1925	607168
VENETIAN DREAMS	July 27th 1925	617795

And all other copy-rights of the Hearst Music Publishers, Ltd., Quigley & Benson, or Thomas J. Quigley not here listed.

QUIGLEY & BENSON, Inc.

Attest G. A. Royle
Secretary

By B. L. Quinn
Vice President

EXHIBIT 81-p.3

Please return

For and In Consideration of the sum of FIFTY-TWO HUNDRED DOLLARS ($5200.00) advanced to the HEARST MUSIC PUBLISHERS of CANADA, LIMITED and for other advances of various sums for salaries and other incidental expenses and also for other valuable considerations, the receipt of which is hereby acknowledged, the said HEARST MUSIC PUBLISHERS of CANADA, LIMITED, do hereby assign, sell and transfer to THOS. J. QUIGLEY of the City of Chicago, Cook County, Illinois, all their rights, title and interests whatsoever in the music business in the UNITED STATES of AMERICA including the following:

1. All songs, both published and unpublished, manuscripts, etc., mentioned on the list attached hereto and marked Exhibit A, starting with the title "BROKEN DREAMS" and ending with the title "I LOVED HER BUT SHE MOVED AWAY".

2. All stock and office fixtures at the New York offices of the HEARST MUSIC PUBLISHERS of CANADA, LIMITED, now located at 1658 Broadway, New York City, including Pianos, offices fixtures, stock of sheet music, orchestrations, etc.

3. All sheet music, pianos, desks, chairs, office fixtures, victrola, multigraph machine, addressograph machine and everything pertaining to the music business of the HEARST MUSIC PUBLISHERS of CANADA, LIMITED, now located at Fourth Floor Garrick Building, Chicago, Illinois.

Also all copyrights of the publications listed on attached Exhibit A.

To Have and to Hold the said Goods and Chattels, copyrights, stock, etc., unto the said THOS. J. QUIGLEY, his heirs, executors, administrators and assigns to his own proper use and benefit forever.

And the said HEARST MUSIC PUBLISHERS of CANADA, LIMITED by JOE HEARST, President, do claim to be the true and lawful owner of the said Goods and Chattels and that JOE HEARST, President of the said HEARST MUSIC PUBLISHERS of CANADA, LIMITED, does hereby claim that he has full power, good, right and lawful authority to dispose of said Goods and Chattels and to execute this instrument and that the said HEARST MUSIC PUBLISHERS of CANADA, LIMITED, by JOE HEARST, President, will deferd the said bargained property unto the said THOS. J. QUIGLEY, his heirs, executors, administrators and assigns, etc., from and against the lawful claims of all persons.

The said HEARST MUSIC PUBLISHERS of CANADA, LIMITED do also turn over to the said THOS. J. QUIGLEY, all accounts receivable due the HEARST MUSIC PUBLISHERS of CANADA, LIMITED for music sold in the UNITED STATES of AMERICA. Also all accounts due or that may be coming due from the various Phonograph Companies or other companies that reproduce publications of the said HEARST MUSIC PUBLISHERS of CANADA, LIMITED in records, rolls or other mechanical form.

Witness signature of said HEARST MUSIC PUBLISHERS of CANADA, LIMITED by JOE HEARST, President.

HEARST MUSIC PUBLISHERS OF CANADA, LIMITED.

By JOE HEARST
President.

WITNESS:
W. F. ADER

All rights
transferred
[illegible] Quigley & Bernard [illegible]
Dec. 31st
1924

It is expressly agreed, understood and stipulated that the above THOS. J. QUIGLEY is in no way responsible for any debts contracted prior to the signing of this Bill of Sale, such debts including printing, such as sheet music, etc., royalty to song writers and other contracts.

It is likewise stipulated and understood that the said THOS. J. QUIGLEY assumes all obligations contracted after December 1st, 1924.

Xo

HEARST MUSIC PUBLISHERS OF CANADA, LIMITED.

By JOE HEARST
President.

WITNESS:
W. F. ADER

EXHIBIT 81-p.4

STATE OF Illinois }
COUNTY OF Cook } ss. WM. F. ADER

a Notary Public in and for said County in the State aforesaid.

Do Hereby Certify, that Joe Hearst President of Hearst Music Publishers of Canada, Limited. personally known to me to be the same person whose name is subscribed to the foregoing Instrument, appeared before me this day in person and acknowledged that he signed, sealed and delivered the said Instrument as his free and voluntary set, for the uses and purposes therein set forth.

Given under my hand Notarial Seal, this 1st day of December A. D. 1924.

WILLIAM F. ADER

Winnipeg, Canada, November 22, 1924.

$5200.00

ON DEMAND WE promise to pay to the order of THOS. J. QUIGLEY at 405 Garrick Building, Chicago, Illinois FIFTY-TWO HUNDRED - - - - - - - - - - - Dollars
With interest at the rate of six per cent per annum as well after as before maturity.

(Countersigned) HEARST MUSIC PUBLISHERS OF CANADA, LIMITED.

For value received G. A. MacLean
Secretary.

Per Joseph X. Hearst
President.

STATE OF Illinois }
COUNTY OF Cook } ss. A. T. RONER

a Notary Public in and for said County, in the State aforesaid.

Do Hereby Certify, that THOS. J. QUIGLEY personally known to me, whose name is signed hereto, does hereby swear that the foregoing is a true and correct copy of BILL OF SALE and DEMAND NOTE now in his possession.

Given under my hand Notarial Seal, this Fifth day of December 1924.

A. T. RONER
Notary Public.
Garrick Building
Chicago, Ill.

EXHIBIT 81-p.5

Copy

MEETING OF THE BOARD OF DIRECTORS
OF QUIGLEY & BENSON CO. INC.,
held at 950 Rush St., on Feb. 20th., 1926.

The meeting was called to order by the Vice President, B. L. Quinn.

The following directors being present:

B. L. Quinn
G. A. Royle
B. L. Horwitz

On motion of B. L. Horwitz duly made and seconded it was agreed that for and in consideration of the sum of $1.00 (one dollar) and notes to the amount of $9000.00 (nine thousand dollars) due Thomas J. Quigley by Quigley & Benson Co. Inc., that all copy-rights held either in the name of Quigley & Benson Co. Inc., Thomas J. Quigley, or the Hearst Music Publishers, Ltd., of Winnepeg, Canada are hereby assigned and transferred to Thomas J. Quigley, 1118 N. State St., Chicago, Ill.

This motion was unanimously passed, and on motion of G. A. Royle list of said copy-rights is hereby attached to this resolution.

In witness whereof we have set our seals and hands this 20th. day of February, 1926.

G. A. Royle
Secretary

Vice President
B. L. Quinn

Please return

EXHIBIT 82-p.1

FOR AND IN CONSIDERATION OF THE SUM One ($1.00) Dollar and other good and valuable considerations in hand paid receipt of which is hereby acknowledged, I, THOMAS J. QUIGLEY

1117 N. DEARBORN, CHICAGO, ILLINOIS

hereby assign, transfer and set over unto the COLE CORPORATION, a corporation, 2611 Indiana Ave., Chicago, Illinois, the copyrights of the musical compositions entitled:

TITLES	COPYRIGHT NOS.	
BROKEN HEARTS	E 552414	11/29/22
IN BABY'S SMILE	E 542457	7/15/22
IRELAND, DEAR IRELAND	E 534029	3/17/22
IT'S ALWAYS PA OR MA	E 527936	3/17/22
LOVE IS LOVE FOREVER	E 552417	11/29/22
MANY YEARS (Waltz)	E 527937	3/17/22
PIANO DREAMS (Piano)	E 552416	11/29/22
STEP (Inst. one-step)	E 554697	12/26/22
WE MET WAS IT ONLY GOOD-BYE?	E 542459	7/15/22
WHY CAN'T YOU GIVE ME YOUR SMILE?	E 534030	3/17/22
YOU'LL NEVER KNOW DADDY, HOW I LOVE YOU	E 542458	7/15/22
ALWAYS LOOKING FOR A LITTLE SUNSHINE	E 559153	4/5/23
BEAUTIFUL ROSE	E 553889	2/6/23
DANSOPATION (Syncopated Foxtrot)	E 578111	12/20/23
GINNY	E 571777	10/3/23

EXHIBIT 82-p2

HOME, MY LOVIN' DIXIE HOME	E 556200	2/6/23
HONEY-BROWN EYES	E 577245	11/19/23
IF I HAD YOU	E 568318	8/4/23
IN THE LAND OF SWEET SIXTEEN	E 571776	10/8/23
JUST A LITTLE GOLD WATCH AND CHAIN	E 557906	4/27/23
JUST A LULLABY	E 568319	8/4/23
LONESOME TWO	E 559145	4/5/23
MOTHER MY OWN	E 577261	11/19/23
ONLY A BUTTERFLY	E 580494	12/20/23
SHE'S GOT ANOTHER DADDY	E 559139	4/5/23
SPREAD A LITTLE GLADNESS	E 577264	11/19/23
WHEN SHE TALKS ABOUT SEEING FATHER	E 568317	8/4/27
WONDERFUL CHILD	E 557333	4/5/23
YOU CAN TAKE ME AWAY FROM DIXIE	E 580493	12/20/23
LOVERS LANE IS A LONESOME TRAIL	E 578675	1/7/24
MY HEART WANTS LOVE AND YOU	E 578630	1/7/24
SOMEDAY YOU'LL CRY OVER SOMEBODY ELSE	E 578678	1/7/24
WAITING FOR THE RAINBOW	E 578674	1/7/24
ALL THE WORLD LOVES A BEAUTIFUL ROSE	E 594000	7/14/24
AS YOU WERE STILL YOU ARE AND ALWAYS WILL BE	E 602999	11/8/24
BECAUSE	E 590626	5/26/24
BETTER KEEP AWAY FROM ME	E 595926	9/12/24

EXHIBIT 82-p.3

BOBBED HEAD (Foxtrot)	E 595925	9/12/24
BRINGING HOME THE BACON	E 588661	5/17/24
BROKEN DREAMS	E 590865	5/26/24
FORGET ME NOT MEANS REMEMBER ME	E 579448	2/8/24
I'M FALLING IN LOVE WITH A SHADOW OF THE GIRL NEXT DOOR	E 579449	2/8/24
I NEVER HAD SUCH A WONDERFUL PAL AS YOU	E 594001	1/14/24
IF I HAD A KEY TO THE DOOR OF YOUR HEART	E 602998	11/8/24
IN A WONDERFUL WORLD OF OUR OWN	E 590629	5/26/24
JUNE	E 587877	5/26/24
LITTLE PUG NOSE (Foxtrot)	E 603000	11/8/27
MY DREAM MOON	E 585330	4/4/24
POOR LITTLE MAME	E 590628	5/26/24
ROCK-A-BYE BABY AND YOU (Foxtrot)	E 594002	7/14/24
SOMEONE ELSE TOOK YOUR PLACE IN MY HEART	E 590630	5/26/24
TALLAHASSEE	E 595488	8/25/24
GARDEN OF MY DREAMS	E 605558	2/6/25
YOU KNOW I KNOW (Foxtrot)	E 605559	2/6/25

WITNESS my hand and seal this 31st day of August A. D. 1936, at Chicago, Illinois.

Thomas J. Quigley (SEAL)

EXHIBIT 83

KNOW ALL MEN BY THESE PRESENTS, That L. IDZIKOWSKI, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Gordon	Perla Granady	1935	E.for. 40887
Petersburski	Po tym walczyku swe serce dasz	1935	E.for. 40888
Gordon Petersburski	Perla Granady) Po tym walczyku swe serce dasz)	1935	E.for. 40889
Wars	Nie warto	1935	E.for. 40892
"	To wszystko umiem ja	1935	E.for. 40894
Wars "	Nie warto) To wszystko umiem ja)	1935	E.for. 40893
Karasinski	Za jedna noc	1935	E.for. 40900
Bayman	Malowane usta, malowane brwi	1935	E.for. 40895
Jaworski	Powiedz, ze wrocisz	1935	E.for. 40899
Bayman Jaworski	Malowane usta, malowane brwi) Powiedz, ze wrocisz)	1935	E.for. 40896
Gordon	Morze i milosc	1935	E.for. 40885
Gordon Gordon	Morze i milosc) Indje)	1935	E.for. 40886
Marjanowski	Kieliszek czystej wodki	1935	E.for. 40891
Marjanowski Gordon	Kieliszek czystej wodki) Melodja serc)	1935	E.for. 40890
Kataszka	Wiosna	1935	E.for. 40897
Kataszka Karasinski	Wiosna) Kolysanka)	1935	E.for. 40898

duly copyrighted in the name of L. IDZIKOWSKI, and L. IDZIKOWSKI hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, L. IDZIKOWSKI has executed this assignment this 6th day of November, 1935.

Signed L. IDZIKOWSKI

By SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., Attorney.
Kurt A Jadassohn
Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 6th day of November, 1935, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 203, Reg. No. 6A-257
Kings Co. Clk's No. 60, Reg. No. 6177
Bronx Co. Clk's No. 20, Reg. No. 62A-36
Commission Expires March 30, 1936

EXHIBIT 83

EXHIBIT 84 -85

KNOW ALL MEN BY THESE PRESENTS, That L. IDZIKOWSKI, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Karasinski	Dusze rwie tesknota	E.for.41666 1935
Jaworski	Bo milosc zjawia sie nagle	E.for.41664 1935
Julski	To Tango nieraz ci przypomni	E.for.41665 1935
Wiehler	Kres Milosci	E.for.41674 1935
Karasinski & Kataszka	Serce Marki	E.for.41669 1935
Karasinski & Kataszka	Sam na sam	E.for.41668 1935
Karasinski & Kataszka	Kazdemu wolno kochac	E.for.41667 1935
Swidler	Polnoc wybila	E.for.41673 1935
Kwiecinski	Kujawiaki i Oberek	E.for.41670 1935
Eiger	Twe oczy	E.for.41659 1935
Wirskiej	Zgadnij	E.for.41676 1935
Kataszka	Jezeli dochac, to tylko ciebie	E.for.42594 1935
Cieslakownej	Ktoz mi cie wzial?	E.for.42595 1935
Ferszko	Nigdy cie nie zapomne	E.for.41663 1935
Ferszko	Brydz	E.for.41660 1935
Ferszko	Gdy mrok zapada	E.for.41662 1935
Ferszko	Dobranoc	E.for.41661 1935
Lewandowski	Dlaczego	E.for.41671 1935
Wiehler	A Moze przyjdziesz dzisiaj do mnie	E.for.41675 1935
Bialostocki	Ecie-Pecie	E.for.42540 1935
Prisowski	Reverie	E.for.42537 1935
Kurz	Kochaj	E.for.42538 1935
Openheim	Zulejka	E.for.42539 1935
Chopin	op.10, Nr.3, "Zal" (Regret)	E.for.42541 1935
	arr. by Tiumieniewa	E.for.42541 1935
Petersburski	Ty, albo zadna!	E.for.41672 1935

duly copyrighted in the name of L. IDZIKOWSKI, and L. IDZIKOWSKI hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, L. IDZIKOWSKI has executed this assignment this 9th day of March, 1936.

Signed L. IDZIKOWSKI

by SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney
Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) ss:

On this 9th day of March,1936, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 208, Reg. No. 6A-257
Kings Co. Clk's No. 69, Reg. No. 6177
Bronx Co. Clk's No. 20, Reg. No. G2A-36
Commission Expires March 30, 1936

EXHIBIT 84-85

EXHIBIT 86

KNOW ALL MEN BY THESE PRESENTS, That LEON IDZIKOWSKI, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Kwiecinski	Kacik	1936	E.for. 44283
Petersburski	Barcarola Milosci	1936	E.for. 44282
"	" "	1936	E.for. 44281

duly copyrighted in the name of LEON IDZIKOWSKI, and LEON IDZIKOWSKI hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, LEON IDZIKOWSKI has executed this assignment this 27th day of May, 1936.

Signed LEON IDZIKOWSKI

By SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., Attorney

Kurt A. Jad

Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS.:

On this 27th day of May, 1936, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

EXHIBIT 87

KNOW ALL MEN BY THESE PRESENTS, that L. IDZIKOWSKI of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Prisowski	Zraniony Orzel	1936	E.for. 44701
Zawadzki	Trzecia szumka ukrainska	1936	E.for. 44700
Ivanovici	Fale Dunaju	1936	E.for. 44699

duly copyrighted in the name of L. IDZIKOWSKI, and L. IDZIKOWSKI hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, L. IDZIKOWSKI has executed this assignment this 8th day of July, 1936.

Signed L. IDZIKOWSKI

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney

Kurt A Jadassohn

Vice-President

STATE OF NEW YORK }
COUNTY OF NEW YORK } SS:

On this 8th day of July, 1936, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co Clk's No. 48, Reg. No. 8A-109
Bronx Co. Clk's No. 20, Reg. No. 30A-38
Commission Expires March 30, 1938

· EXHIBIT 87

EXHIBIT 88-p.1

Form No. 88—Consular

Certificate of Acknowledgment of Execution of Document

(Country)
GERMAN REICH
FREE STATE OF SAXONY
(County or other political division)
CONSULATE OF THE UNITED STATES
OF AMERICA AT LEIPZIG
(Name of consular office)
} ss: ss:

I, Paul J. Reveley, Vice Consul
he United States of America at Leipzig-Germany
commissioned and qualified, do hereby certify that on this fourteenth
of June 1933 (Date), before me personally appeared ----------------
orst von Roebel, partner of the firm of International
- Edition Musikverlag G.m.b.H. Leipzig ------------------
personally known, and known to me to be the individual... described in, whose
he subscribed to, and who executed the annexed instrument, and being
ed by me of the contents of said instrument he duly acknowledged to me
..... executed the same freely and voluntarily for the uses and purposes
mentioned.

AMERICAN FOREIGN SERVICE
$2
FEE STAMP

In witness whereof I have hereunto set my hand and official seal the day and year last above written.

Paul J. Reveley
Paul J. Reveley
Vice-Consul of the United States of America
of the United States of America.

FEE WO DOLLARS
Service Nº 1102

NOTE.—Wh er practicable all signatures to a document should be included in one certificate. 1—173

EXHIBIT 88-p.2

We herewith transfer and assign all title and interest in the copyrights of the following musical compositions to:

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC.,
113 West 42nd Street.
New York, NY.

Composer	Title	Year
Josef Freudenthal	Blond oder Braun (Gentlemen, do you prefer blondes?)	1929
Josef Freudenthal	Das Trinken, das Küssen, das hat seinen Grund	1929
Josef Freudenthal	Mein Schatz ist braun wie Schokolade	1929
Josef Freudenthal	Mit Dir möcht ich ziehn bis ans Ende der Welt	1929
Joe Joyce	Na Also, Marie	1929
Joe Joyce	Patience	1929
Will Rollins	Ein Mädel wie du es bist, das hätt' ich so gern geküsst	1930
Will Rollins	Sing mir noch einmal das Lied jener Nacht	1929
Willy Rosen	Wenn ein süsses Mädel träumt, dann weck sie nicht	1929

International Edition
Musikverlag GmbH.
v. Rostal

KNOW ALL MEN BY THESE PRESENTS, That I. RZEPECKI, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Lewandowski	Katia	1936	E.for. 46599
Kranowski	Caly swiat to nuci	1936	E.for. 46598

duly copyrighted in the name of I. RZEPECKI, and I. RZEPECKI hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, I. RZEPECKI has executed this assignment this 10th day of March, 1937.

Signed I. RZEPECKI

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney
Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS.:

On this 10th day of March, 1937, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co Clk's No. 48, Reg. No. 8A-109
Bronx Co. Clk's No. 20, Reg. No. 50A-38
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EXHIBIT 90-p.1

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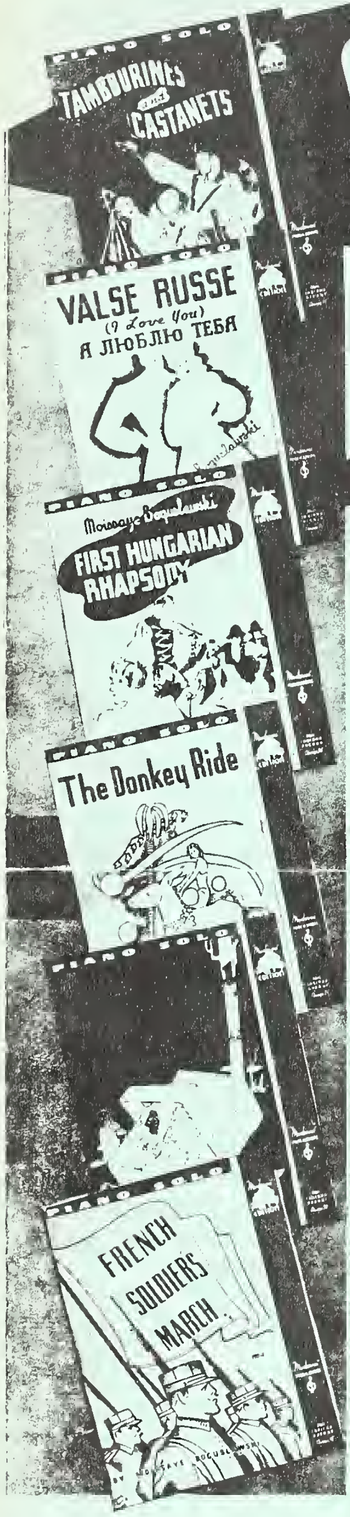
PIANO SOLO
TAMBOURINES and CASTANETS
PIANO SOLO
VALSE RUSSE
(I Love You)
Я ЛЮБЛЮ ТЕБЯ
PIANO SOLO
Moissaye Boguslawski
FIRST HUNGARIAN RHAPSODY
PIANO SOLO
The Donkey Ride
PIANO SOLO
PIANO SOLO
FRENCH SOLDIERS MARCH
BY MOISSAYE BOGUSLAWSKI

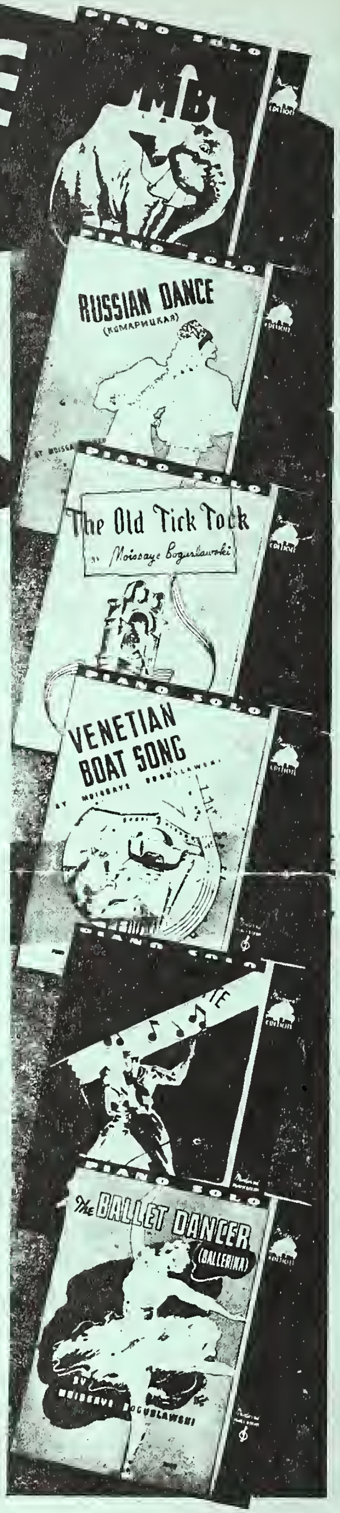
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EXHIBIT 90-p.2

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P8006	The Frog's Frolic
P8008	Sunny Italy (Tarantella)
P8010	Little Jumbo
P8012	The Donkey Ride
P8014	Tambourines and Castanets
P8016	French Soldier's March
P8018	The Old Tick Tock

GRADE 2
Original Compositions
By
MOISSAYE BOGUSLAWSKI

P8030	Chatter-Box
P8032	Russian Dance
P8034	Circus Days
P8036	The Ballet Dancer (Ballerina)
P8038	First Hungarian Rhapsody
P8040	The Golden Oriole (Minuet)
P8042	Spanish Coquette (Tango)
P8044	Arabian Nights (Scheherazade)
P8046	Dublin Devils (Irish Reel)
P8048	Piccaninny Picnic

The following compositions are edited, fingered and arranged by Moissaye Boguslawski

P8060	Albumblatt (Fur Elise)	Ludwig von Beethoven
P8062	Amaryllis	Henry Ghys
P8064	Andantino	Ed. H. Lemare
P8066	Anitra's Dance	Edv. Grieg
P8068	Ase's Death	Edv. Grieg
P8070	Beautiful Blue Danube	J. Strauss
P8072	Black Hawk Waltz	Mary E. Walsh
P8074	Chanson Triste	P. Tchaikowsky
P8076	Clayton's Grand March	Charles D. Blake
P8078	Chop Sticks	Arthur De Lulli
P8080	Dancing Doll	Ed. Poldini
P8084	El Choclo	A. G. Villodo
P8086	Edelweiss Glide	E. E. Vanderbeck
P8088	Evening Star	Richard Wagner
P8090	Fairy Wedding	J. W. Turner
P8092	Falling Waters	J. L. Truax
P8094	Faust Waltz	Chas. Gounod
P8096	Fifth Nocturne	J. Leybach
P8098	Flatterer (The)	Chaminade
P8100	Flight of the Bumble-Bee	Rimsky Korsakoff
P8102	Flower Song	Gustav Lange
P8104	Funeral March	Frederic Chopin
P8106	Garland of Roses	L. Streaborg
P8108	General Grant's March	E. Mack
P8110	Gold and Silver	Franz Lehar
P8112	Golden Wedding (The) (La Cinquantaine)	Gabriel-Marie
P8114	Gypsy Dance	H. Lichner
P8116	Gypsy Rondo	Joseph Hayden
P8118	Habanera (From Carmen)	Georges Bizet
P8120	Humoreske	Anton Dvorak
P8122	Hungarian Dance No. 5	Joh. Brahms
P8124	Hymn to the Sun	Rimsky-Korsakoff
P8130	Jolly Coppersmith (The)	C. Peter
P8132	La Golondrina (The Swallow)	Narciso Serradell
P8134	La Paloma	Sebastian de Yradier
P8136	Largo (From the New World Symphony)	Anton Dvorak
P8138	Liebestraum	Franz Liszt
P8140	Little Fairy March	L. Streabbog
P8142	Little Fairy Polka	L. Streabbog
P8144	Listen to the Mocking Bird	
P8146	Love's Dreamland	Otto Roeder
P8148	A Maiden's Prayer	Thecla Badarzewska
P8150	March of the Dwarfs	Edvard Greig
P8152	Melody in F	A. Rubinstein
P8154	Mendelssohn's Wedding March (Midsummer Night's Dream)	F. Mendelssohn
P8156	Merry Widow Waltz	Franz Lehar
P8158	March Militaire	Franz Schubert
P8160	Melodie (Elegy)	Jules Massenet
P8162	Minuet	I. J. Paderewski
P8164	Minuet in G	L. von Beethoven
P8166	Moments Musicaux	F. Schubert
P8168	Moonlight Sonata	L. von Beethoven
P8170	Morning Prayer	L. Streabbog
P8174	On the Meadows	Lichner
P8176	Orange Blossom Waltz	G. Ludovic
P8178	Over the Waves	Juventino-Rosas
P8180	Papillon (Butterfly)	Edv. Greig
P8182	Poem	Zdenko Fibich
P8184	Polish Dance (simplified)	Xaver Scharwenka
P8186	Prelude in C Sharp Minor	Sergi Rachmaninoff
P8188	Rippling Waves	G. Millward
P8190	Robins Return	Leander Fisher
P8192	Rustic Dance	C. R. Howell
P8194	Rustle of Spring	Christian Sinding
P8196	Sack Waltz	J. A. Metcalf
P8198	Scarf Dance	C. Chaminade
P8200	Second Valse	Auguste Durand
P8202	Serenade (Schubert)	F. Schubert
P8204	Serenata	M. Moszkowski
P8206	Simple Aveu	Francis Thome
P8210	Song of India	Nikolas Rimsky-Korsakoff
P8212	Souvenir	Franz Drdla
P8214	Spring Song	F. Mendelssohn
P8216	Swan (The)	Camille Saint-Saens
P8218	Traumerei	Rob Schumann
P8222	Under the Double Eagle	J. F. Wagner
P8224	Minute Waltz	Frederick Chopin
P8226	Valse in E Flat	Aug. Durand
P8228	Waltz in A Flat	Johannes Brahms
P8232	You and I, Waltz	Claribel

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EXHIBIT 90-p.3

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AND
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EXHIBIT 90-p.4

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EXHIBIT 90-p.4

EXHIBIT 91-p.1

(FORM No. 88—CONSULAR.)
(Corrected March, 1914.)

rtificate of Acknowledgment of Execution of Document.

The Spanish Republic,
City of Barcelona, (County.)
Consulate General of the
United States of America. (County or other political division.)
ss:

(Name of consular office.)

I, Daniel M. Braddock--------------Consul------------------ *of the United States of America at* Barcelona, Spain----------------, *duly commissioned and qualified, do hereby certify that on this* ---30th--- *day of* ---July--------, *19*35, *before me personally appeared* ---------- -------------------José Mora-- -- *to me personally known, and known to me to be the individual described in, whose name* is *subscribed to, and who executed the annexed instru-ent, and being informed by me of the contents of said instrument* he *acknowledged to me that* he *executed the same freely and volun-ar for the uses and purposes therein mentioned.*

AMERICAN CONSULATE GENERAL
AMERICAN CONSULAR SERVICE
JUL 30 1935
$2
FEE STAMP
BARCELONA, SPAIN

In witness whereof I have hereunto set my hand and official seal the day and year last above written.

Daniel M. Braddock
Daniel M. Braddook,
Consul *of the United States of America.*

rvi No. 1104
ec'd as. 14.80
EE N 3, TWO DOLLARS. U.S.Cy.

NOTE.—Wherever practicable all signatures to a document should be included in one certificate.

EXHIBIT 91-p.2

I herewith transfer and assign all title and interest in the copyright of the following musical compositions

to;

SOCIETY OF EUROPEAN STAGE AND AUTHORS AND COMPOSERS

NEW YORK.

COMPOSER	Title -		YEAR 1935.
José Mora	MI MOCITA	(Paso-doble)	40143. 41051

Barcelona, Spain, 30 July 1935.

José Mora

Form No. 88—Consular
(Corrected March, 1914)

EXHIBIT 92-p.1

Certificate of Acknowledgment of Execution of Document

The Spanish Republic,
Province of Barcelona,
City of Barcelona,
Consulate General of the (County or other political division)
United States of America. } ss:
(Name of consular office)

I, Thomas S. Horn--------------,Consul------------------------

of the United States of America at Barcelona, Spaine--------------------

duly commissioned and qualified, do hereby certify that on this ----5th----------

day of----February,1936-,(Date) *before me personally appeared*-----------------

------------------------JOSE MORA-------------------------------

----

*o me personally known, and known to me to be the individual... described in, whose ame...*is*..subscribed to, and who executed the annexed instrument, and being formed by me of the contents of said instrument*..he..... *duly acknowledged to me* he *executed the same freely and voluntarily for the uses and purposes in mentioned.*

In witness whereof I have hereunto set my hand and ...can Consulate General, ...*ficial seal the day and year last above written.*

AMERICAN CONSULAR SERVICE $2 FEE STAMP

FEB 5 1936

Thomas S. Horn

Thomas S, Horn,

Consul *of the United States of America*

...o. 188
...ceiv... Pesetas ...A, SPAIN,
... NO. 13 ...WO DOLLARS U.S.Cy.

...—Wherever practicable all signatures to a document should be included in one certificate 1—174

GOVERNMENT PRINTING OFFICE

EXHIBIT 92-p.2

I herewith transfer and assing all title and interest in the copyrights of the following musical compositions

to;

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS

NEW YORK.

Composer	Title
José Mora	Pesares, Paso-doble
José Mora	Curro Molina, Paso-doble
José Mora	Guayaba Danzon Rumba
José Mora	Brasilera, Rumba Carioca

Barcelona, Spain, 5 February, 1936.

José Mora

Form No. 83—Consular
(Corrected March, 1914)

EXHIBIT 93-p.1

Ce[illegible]ificate of Acknowledgment of Execution of Document

e Spanish Republic,
ovince of Barcelona,
y of Barcelona,
sulate General of the
(County or other political division)
ted States of America.
(Name of consular office)
} ss:

, Thomas S. Horn--------------,Consul--------------------

o e United States of America at Barcelona, Spain-------------------

d commissioned and qualified, do hereby certify that on this-----15th-------

d November, 1935--, before me personally appeared---------------
(Date)

-----------------------JOSE MORA------------------------

----

t ersonally known, and known to me to be the individual... described in, whose

n s subscribed to, and who executed the annexed instrument, and being

i by me of the contents of said instrument.......he.. duly acknowledged to me

t ...... executed the same freely and voluntarily for the uses and purposes

t ein entioned.

AMERICAN CONSULATE GENERAL
NOV 23 1935
BARCELONA, SPAIN

In witness whereof I have hereunto set my hand and official seal the day and year last above written.

Thomas S. Horn,
Consul of the United States of America

Service o. 1728
E NO. 33, o DOLLARS U.S. Currency
Equal t Ptas. 14.80

Note.—Where practicable all signatures to a document should be included in one certificate

1—174

EXHIBIT 93-p.1

EXHIBIT 93-p.2

I herewith transfer and ~~assing~~ assign J.M. all title and interes in the copyright of the following musical compositions

to;

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS

113 West 42 nd Street

NEW YORK.

COMPOSER	TITLE
José Mora	LUCERO »Tango.

Barcelona, Spain, 15 November 1935.

José Mora

EXHIBIT 93-p.2

EXHIBIT 94

KNOW ALL MEN BY THESE PRESENTS, That NOWA SCENA, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Belzacki,J.	Narkoza	1934	E,for. 35037
Belzacki,J.	Narkoza)	1934)	E,for. 35035)
Rosner,J.& H.	Marika)	1934)	E,for. 35035)
Rosner, J.&H.	Marika	1934	E,for. 35036
Bialostocki,Z.	Andrjusza	1934	E,for. 35040
Bialostocki,Z.	Andrjusza)	1934)	E, for.35038)
Krupinski,W.	Nanette)	1934)	E,for. 35038)
Krupinski,W.	Nanette	1934	E,for. 35039
Ferszko,M.	Marie	1933	E,for. 35042
Hoherman,M.	Zanadto dobreze cie znam)	1933)	E,for. 35041)
Ferszko,M.	Marie)	1933)	E,for. 35041)
Hoherman,M.	Zanadto dobreze cie znam	1933	E,for. 35043
Krupinski,W.	Siup, Marysiu	1933	E,for. 35045
Krupinski,W.	Sto lat)	1933)	E,for. 35044)
Krupinski,W.	Siup, Marysiu)	1933)	E,for. 35044)
Krupinski,W.	Sto lat	1933	E,for. 35046
Wars,H.	Tyle Milosci	1933	E,for. 35049
Wars,H.	Tyle Milosoi)	1933)	E,for. 35048)
Wars,H.	Zlociste wloski)	1933)	E,for. 35048)
Wars,H.	Zlociste wloski	1933	E,for. 35047
Bialostocki,Z.	Piesn o matce	1933	E,for. 35099
Bialostocki,Z.	Wszystko mi jedno	1933	E,for. 35100
Gordon,F.	Abdul Bej	1933	E,for. 35101
Hopfer,B.	Niesamowite oczy	1933	E,for. 35102
Krupinski,W.	Caluje raczki	1933	E,for. 35103
Krupinski,W.	Nie badz glupi	1933	E,for. 35104
Lewandowski,A.	Stary walc	1933	E,for. 35105
Melodyst,F.	Walc zlacyl nas	1933	E,for. 35106
Wiehler,K.	Oj Powoli	1933	E,for. 35109
Gordon,F.	Ostatnia noc	1933	E,for. 35118
Markus,J.	Swieze mam "bajgielki"	1933	E,for. 35119
Melodyst,F.	Zebys ty wiedziala	1933	E,for. 35107
Wars,H.	Dzis bedziesz moja	1933	E,for. 35108

duly copyrighted in the name of NOWA SCENA, AND NOWA SCENA hereby grants, sells, assigns, and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional und unencumbered title therein and thereto. IN WITNESS WHEREOF, NOWA SCENA has executed this assignment this 9" day of July 1934.

Signed NOWA SCENA

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorneys

Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK,)
CITY OF NEW YORK,) SS.:
COUNTY OF NEW YORK.)

On this 9" day of July, 1934, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, New Jersey; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY [illegible] EXANDER, Notary Public
N. Y. [illegible] Reg. No. 6A 207
[illegible] No. 6[illegible]77
Bronx [illegible] Reg. No. 62A-30
Commission Expires March 30, 1936

EXHIBIT 94

EXHIBIT 95

KNOW ALL MEN BY THESE PRESENTS, That NOWA SCENA, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Bialostocki,Z.	Piesn o matce	1933	E,for. 35625
Gordon,G.	Ostatnia noc	1933	E,for. 36069
Hopfer,B.	Niesamowite oczy	1933	E,for. 35624
Krupinski,W.	Nie badz glupi!	1933	E,for. 35623
Markus,J.	Swieze mam bajgielki	1933	E,for. 36070
(Melodyst,F.	Walc zlaczyl nas)	1933)	E,for. 36068)
(Lewandowski,A.	Stary walc)	1933)	E,for. 36068)
(Melodyst,F.	Zebys ty wiedziala)	1933)	E,for. 36071)
(Krupinski,W.	Caluje raczki)	1933)	E,for. 36071)
Stold,L.	Strzez sie mojej milosci	1933	E,for. 35616
Bialostocki,Z.	Jola	1934	E,for. 36122
Karasinski,Z.	Dla twej milosci	1934	E,for. 35627
Karasinski,Z.	Dla twej milosci	1934	E,for. 35628
(Petersburski,J.	Wanka)	1934)	E,for. 36120)
(Bialostocki,Z.	Jola)	1934)	E,for. 36120)
Petersburski,J.	Wanka	1934	E,for. 36121
Rosner,J.	Milosc jak piosenka	1934	E,for. 35626
Rosner,J.	Milosc jak piosenka	1934	E,for. 36067
Tychowski,J.	Nie kocham cie..	1934	E,for. 36123
Wars,H.	Tylko z toba i dla ciebie	1934	E,for. 35631
Wars,H.	Tylko z toba i dla ciebie	1934	E,for. 35632
Wars,H.	Zrob to tak!	1934	E,for. 35633
Wars,H.	Zrob to tak!	1934	E,for. 35634
Wisniewski,T.	Wspomnienia	1934	E,for. 35617
Wroblewski,M.	Zebys ty mnie zrozumial	1934	E,for. 35629
Wroblewski,M.	Zebys ty mnie zrozumial	1934	E,for. 35630

duly copyrighted in the name of NOWA SCENA, and NOWA SCENA hereby grants, sells, assigns, and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions andthe complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, NOWA SCENA has executed this assignment this 22nd day of October, 1934.

Signed NOWA SCENA

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorneys.
Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK,)
CITY & COUNTY OF NEW YORK.) SS.:

On this 22nd day of October, 1934, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, New Jersey; that he is the Vice-President of the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander
HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 208, Reg. No. 6A-257
Kings Co. Clk's No. 69, Reg. No. 6177
Bronx Co. Clk's No. 20, Reg. No. 62A-38
Commission Expires March 30, 1936

EXHIBIT 95

EXHIBIT 96

KNOW ALL MEN BY THESE PRESENTS, That NOWA SCENA, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Tychowski,	Nie kocham cie	1934	E,for. 37928
Gordon	Abdul Bej	1933	E,for. 37929
(Bialostocki	Ostatnia moja milosc)	1934)	E,for. 37930)
(Stold	Slowa bez tresci)	1934)	E,for. 37930)
Petersburski	Cztery nogi	1934	E,for. 37931
Petersburski	Ja juz nie moge	1934	E,for. 37933
(Petersburski	Cztery nogi)	1934)	E,for. 37932)
("	Ja juz nie moge)	1934)	E,for. 37932)
Kataszek,	Nie placz, Baby	1934	E,for. 37934
Kataszek	Nie placz, Baby	1934	E,for. 37935
Krupinski	Lotnik to zalotnik	1934	E,for. 37936
Krupinski	Lotnik to zalotnik	1934	E,for. 37937
Petersburski	Odrobine szczescia	1934	E,for. 37939
Petersburski	Najpiekniejsza signorina	1934	E,for. 37938

duly copyrighted in the name of NOWA SCENA, and NOWA SCENA hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, NOWA SCENA has executed this assignment this 27th day of February, 1935.

Signed NOWA SCENA

By SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC.

Kurt A. Jadassohn

Vice-President.

STATE OF NEW YORK,)
COUNTY OF NEW YORK.) SS.:

On this 27th day of February, 1935, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 208, Reg. No. 6A-237
Kings Co. Clk's No. 69, Reg. No. 6177
Bronx Co. Clk's No. 20, Reg. No. 62A-36
Commission Expires March 30, 1936

EXHIBIT 97

KNOW ALL MEN BY THESE PRESENTS, that NOWA SCENA, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

St. Gorska, "Niech nikt o tem nie wie"	1935	E.for. 39911
Musnicki, "Sybiracy"	1935	E.for. 40890
Wroblewski, "Walc tyrolski"	1935	E.for. 39912
Karasinski, "Przepraszam"	1935	E.for. 39913
Krupinski, "Zycie jest jak blekit nieba"	1935	E.for. 39914
Ferszko, "Odeszlas jak sen" Krupinski, "W majowa noc"	1935	E.for. 39908
Ferszko, "Odeszlas jak sen"	1935	E.for. 39909
Krupinski, "W majowa noc"	1935	E.for. 39910

duly copyrighted in the name of NOWA SCENA, and NOWA SCENA hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, NOWA SCENA has executed this assignment this 28th day of August, 1935.

Signed NOWA SCENA

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney

Kurt A. Jadassohn
Vice-President.

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 28th day of August, 1935, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

EXHIBIT 98

KNOW ALL MEN BY THESE PRESENTS, That NOWA SCENA, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Kataszek	Ach, ty mi sie tak podabasz)	1935)	E.for.41055)
Wroblewski	Walc Tyrolski)	1935)	E.for.41055)
Kataszek	Ach, ty mi sie tak podobasz	1935	E.for.41054
Front & Ferszko	Ty jeszcze wrocisc do mnie)	1935)	E.for.41061)
Bialostocki	Merci Madame)	1935)	E.for.41061)
Front & Ferszko	Ty jeszcze wrocisz do mnie	1935	E.for.41059
Bialostocki	Merci Madame	1935	E.for.41060
Wroblewski	Tak w zyciu bywa)	1935)	E.for.41070)
Scher	Tak smutno mi bez ciebie)	1935)	E.for.41070)
Wroblewski	Tak w zyciu bywa	1935	E.for.41068
Scher	Tak smutno mi bez ciebie	1935	E.for. 41069
Dan	Szkoda zyc gdy niema dla kogo)	1935)	E.for.41064)
Petersburski	Codzien mi jestes bardziej bliska)	1935)	E.for.41064)
Dan	Szkoda zyc gdy niema dla kogo	1935	E.for.41062
Petersburski	Codzien mi jestes bardziej bliska	1935	E.for.41036
Kataszek	Batiuszka)	1935)	E.for.41058)
Bialostocki	Piekne Rumunki)	1935)	E.for.41058)
Kataszek	Batiuszka	1935	E.for.41056
Bialostocki	Piekne Rumunki	1935	E.for.41057
Krupinski	Przytul, uscisnij, pocaluj)	1935)	E.for.41073)
Kataszek	Daj mi tylko jedna noc)	1935)	E.for.41073)
Krupinski	Przytul, uscisnij, pocaluj"	1935	E.for.41071
Kataszek	Daj mi tylko jedna noc	1935	E.for.41072
Wiehler	Wszystko juz wiem)	1935)	E.for.41067)
Karasinski	Dowidzenia)	1935)	E.for.41067)
Wiehler	Wszystko juz wiem	1935	E.for.41065
Karasinski	Dowidzenia	1935	E.for.41066
Melodyst	Kto tanczy walca	1935	E.for.41053
Melodyst	Kto tanczy walca	1935	E.for.41052
Scher	Illona	1935	E.for.41050

duly copyrighted in the name of NOWA SCENA, and NOWA SCENA hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, NOWA SCENA has executed this assignment this 12th day of November, 1935.

Signed NOWA SCENA

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC. Attorney.
Kurt A. Jadassohn
Vice-President.

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 12th day of November, 1935, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 203, Reg. No. 6A-287
Kings Co. Clk's No. 69, Reg. No. 6177
Bronx Co. Clk's No. 20, Reg. No. 62A-36
Commission Expires March 30, 1936

Henry E. Alexander

EXHIBIT 98

EXHIBIT 99

KNOW ALL MEN BY THESE PRESENTS, That NOWA SCENA, of Warsaw, Poland, for and in consideraton of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Scher	Powiedz tylko tak	1936 E.for.43392
Scher	Bo jestesmy mlodzi	1936 E.for.43393
Scher	Powiedz tylko tak)	
"	Bo jestesmy mlodzi)	1936 E.for.43394
Karpf	To nic nie szkodzi	1936 E.for.43395
Lidauer	Graj skrzypku	1936 E.for.43396
Karpf	To nic nie szkodzi)	
Lidauer	Graj skrzypku)	1936 E.for.43397
Petersburski	To ostatnia niedziela	1936 E.for.43387
Petersburski	To ostatnia niedziela	1936 E.for.43388
Scher	Nad kolyska	1936 E.for.43390
Bialostocki	Nie mozna zmuszac do milosci	1936 E.for.43389
Scher	Nad kolyska)	
Bialostocki	Nie mozna zmuszac do milosci)	1936 E.for.43391
Gold	Milosc trwala krotko	1936 E.for.43385
Gold	Milosc trwala krotko)	
Krupinski	Twe oczy mowia kocham)	1936 E.for. 43386
Scher & Szebego	Od milosci nikt sie nie wykreci)	1936 E.for.43398
Eiger	Dlaczego wlasnie dzis)	1936 E.for.43399
Scher & Szebego	Od milosci nikt sie nie wykreci)	
Eiger	Dlaczego wlasnie dzis)	1936 E.for.43400

duly copyrighted in the name of NOWA SCENA, and NOWA SCENA hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, NOWA SCENA has executed this assignment this 31st day of March, 1936.

Signed NOWA SCENA

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney

Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 31st day of March, 1936, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander
Notary Public N.Y. Co. #48
Com. Exp Mar 30, 1938

KNOW ALL MEN BY THESE PRESENTS, that NOWA SCENA, of Warsaw, Poland, for and in consideration of One Dollar, ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

EXHIBIT 100

Scher	Powiedz tylko 'tak')		
"	Bo jestesmy mlodzi)	1936	E,for.44285
Krupinski	Zycie jest jak blekit nieba)		
Karasinski	Przepraszam)	1936	E,for.44284
Wroblewski	Tak w zyciu bywa)		
St. Gorska	Niech nikt o tem nie wie)	1936	E, for.44286
Kataszek	Za jedno slowo)	1936	E, for.44290
Krupinski	Czy pamietasz malenka kawiarenke?)		
Kataszek	Za jedno slowo	1936	E, for.44289
Krupinski	Czy pamietasz malenka kawiarenke?	1936	E, for.44303
Skotnicki	Kobieta jest jak roza)		
Wroblewski	Ja nie bylem ciebie wart)	1936	E, for.44296
Skotnicki	Kobieta jest jak roza	1936	E, for.44294
Wroblewski	Ja nie bylem ciebie wart	1936	E, for.44295
Gold	Przyjdzie taki dzien)		
"	Ja kocham caly swiat)	1936	E, for.44299
Gold	Przyjdzie taki dzien	1936	E, for.44297
"	Ja kocham caly swiat	1936	E, for.44298
Krupinski	Twoje kwiaty)		
Kac	Noc Cyganska)	1936	E, for.44302
Kac	Noc Cyganska	1936	E, for.44301
Krupinski	Twoje kwiaty	1936	E, for.44300
Scher	Gondolo plyn)		
Petersburski	Ta jedna noc)	1936	E, for.44293
Scher	Gondolo plyn	1936	E, for.44291
Petersburski	Ta jedna noc	1936	E, for.44292
Gorzynski	Zostala nam piosenka	1936	E, for.44288
Gorzynski	Zostala nam piosenka	1936	E, for.44287
Krupinski	Twe oczy mowia 'kocham'	1936	E, for.44304
Eiger	Mnie wystarczy slowko	1936	E, for.44306
Schlechter	Kochaj tylko mnie	1936	E, for.44305
Musnicki	Sybiracy	1936	E, for.44307

duly copyrighted in the name of NOWA SCENA, and NOWA SCENA hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, NOWA SCENA has executed this assignment this 27th day of May, 1936.

Signed NOWA SCENA
by SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorneys
Kurt A Jadassohn
Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 27th day of May, 1936, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

EXHIBIT 101

KNOW ALL MEN BY THESE PRESENTS, That NOWA SCENA, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Rozsnyai	Jest tylko jedna milosc	1936	E.for.45305
Eiger Schlechter	Mnie wystarczy slowko) Kochaj tylko mnie)	1936	E.for.45317
Skotnicki Krupinski	Gdy sie noc zaczyna) Pensjonarka)	1936	E.for.45314
Krupinski	Pensjonarka	1936	E.for.45313
Skotnicki	Gdy sie noc zaczyna	1936	E.for.45312
Ferszko Gold	Dla ciebie) Klementyna)	1936	E.for.45311
Gold	Klementyna	1936	E.for.45310
Ferszko	Dla ciebie	1936	E.for.45309
Petersburski	Najslodsze Tango	1936	E.for.45316
Petersburski	Najslodsze Tango	1936	E.for.45315

duly copyrighted in the name of NOWA SCENA, and NOWA SCENA hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title thereinand thereto. IN WITNESS WHEREOF, NOWA SCENA has executed this assignment this 14th day of September, 1936.

Signed NOWA SCENA

By SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., Attorney

Kurt A. Jadassohn

Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 14th day of September, 1936, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co. Clk's No. 48, Reg. No. 8A-109
Bronx Co. Clk's No. 20, Reg. No. 30A-38
Commission Expires March 30, 1938

EXHIBIT 101

EXHIBIT 102

KNOW ALL MEN BY THESE PRESENTS, That NOWA SCENA, of Warsaw, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

Musnicki	Spij Malenstwo	1936	E.for. 47159
Musnicki	Klam	1936	E.for. 47158
Szabolcs	Panna zuzanna gra na fortepianie	1936	E.for. 47683
Sandor	Jest tylko jedna milosc	1936	E.for. 47113
Scher	Skonfiskowane Tango		
Scher	Nie chce wiedziec	1936	E.for. 47101
Scher	Nie chce wiedriec	1936	E.for. 47111
Scher	Skonfiskowane Tango	1936	E.for. 47110
Eiger	Wiem, ze nie bylam dla ciebie	1936	E.for. 47104
Eiger	Wiem, ze nie bylam dla ciebie	1936	E.for. 47114
Gold	Tulipany		
Wroblewski	Wiem ze odejdziesz	1936	E.for. 47103
Gold	Tulipany	1936	E.for. 47109
Wroblewski	Wiem, ze odejdziesz	1936	E.for. 47112
Schütz	Milosc pali jak slonce		
Schütz	Codziennie inna	1936	E.for. 47105
Schütz	Codziennie inna	1936	E.for. 47106
Schütz	Milosc pali jak slonce	1936	E.for. 47107
Scher	Jak drogie sa wspomnienia	1936	E.for. 47102
Scher	Jak drogie sa wspomnienia	1936	E.for. 47116
Scher	Jadzia		
Scher	Bez przerwy smieja sie	1936	E.for. 47100
Scher	Jadzia	1936	E.for. 47108
Scher	Bez przerwy smieje sie	1936	E.for. 47115

duly copyrighted in the name of NOWA SCENA, and NOWA SCENA hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, NOWA SCENA has executed this assignment this 10th day of March, 1937.

Signed NOWA SCENA

By SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., Attorney

Kurt A. Jadassohn

Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 10th day of March, 1937, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co Clk's No. 43, Reg. No. 8A-109
Bronx Co. Clk's No. 20, Reg. No. 50A-38
Commission Expires March 30, 1938

EXHIBIT 102

EXHIBIT 103-p.1

RONDO-VERLAG

G. M. B. H.

BANK-KONTO: S. BLEICHRÖDER, STADTKASSE
BERLIN W 8, UNTER DEN LINDEN 12-13
POSTSCHECK-KONTO: BERLIN NW 7, NR. 23928

TELEGRAMM-ADRESSE:
RONDOVERLAG BERLIN

FERNSPRECHER
A 4 ZENTRUM 3476

BERLIN W 56, DEN
JÄGERSTRASSE 24

We herewith transfer and assign the following copyrights:

EXHIBIT 103-p.2

Title of music:	Composer	Entry:	
Die erste Nacht	Hugo Hirsch	E,XXc.,NO. 566949	1923
Die erste Nacht	Erich Urban & Hanns H.Zerlett	D,XXc.,No.65017	1923
Die erste Nacht Potpourri	Hugo Hirsch	E,XXc.,No. 592702	1924
Die Königin vom Montmartre	Vada Ennén	E,XXc., No. 566950	1923
Die Königin vom Montmartre	Denn Spranklin Max Steiner-Kaiser	D.XXc., No. 65016	1923
Die kleine Sünderin	Jean Gilbert	E,XXc., No. 566954	1923
Die kleine Sünderin	Hans H.Zerlett& Willy Prager	D,XXc., No. 65015	1923
Die kleine Sünderin Potpourri	Jean Gilbert	E, XXc.,No. 592703	1924
Der Faschingskavalier	Paul Stumpf	E,XXc., No. 566951	1923
Der Faschingskavalier	Georg La Tour-Albrecht & Otto ehner	D,XXc., No. 65013	1923
Dorine & der Zufall	Jean Gilbert	E,XXc., No. 566952	1923
Dorine & der Zufall	Fritz Grünbaum & Wilhelm Sterk	D,XXc., No. 65014	1923
Das ist das alte Lied von jüngen Leuten	Jean Gilbert	E,XXc., No. 592717	1924
Was kann das für ein Mann sein	Jean Gilbert	E,XXc., No. 592716	1924
Im kleinen Dielen sich rum zu sielen	Jean Gilbert	E,XXc., No. 592718	1924
Schaff dir doch 'nen reichen Freund an	Jean Gilbert	E,XXc., No. 592719	1924
Dorine du hast was im Auge	Jean Gilbert	E,XXc., No. 592720	1924
Dorine Boston-Intermezzo	Jean Gilbert	E.XXc., No. 592700	1924
Whisky und Brandy	Jean Gilbert	E,XXc., No. 592721	1924
Komm herab aus der zweiten Etage	Jean Gilbert	E,XXc., No. 592722	1924
Ich hab so Angst vor den Frauen	Jean Gilbert	E,XXc., No. 592723	1924
Der Fürst von Pappenheim	Hugo Hirsch	E,XXc., No. 592760	1924
Der Fürst von Pappamheim	Franz Arnold & Ernst Bach	D,XXc., o. 68213	1924
Die törichte Jungfrau	Oscar Straus	E,XXc., No. 566955	1923
Die törichte Jungfrau Potpourri	Oscar Straus	E,XXc., No. 592699	1924
Vittorina Walzer	Oscar Straus	E,XXc., No. 592724	1924
Katja, die Tänzerin	Jean Gilbert	E,XXc., No. 566956	1923
Katja, die Tänzerin	Leopold Jacobson& Rudolf Oesterreicher	D,XXc.,No. 65o18	1923

EXHIBIT 103-p.3

	Authors:	Entry:	
Komm Liebchen wander	Jean Gilbert	E,XXc.,No. 592725	1924
Komm zu mir in mein kleines Quartier	Hean Gilbert	E,XXc.,No. 592701	1924
Wär ich frei	Jean Gilbert	E,XXc.,No. 592726	1924
Die Welt wird verrückt	Jean Gilbert	E,XXc.,No. 592728	1924
Katja, Grosser Walzer	Jean Gilbert	E,XXc.,No. 592730	1924
Katja, die Tänzerin Potpourri	Jean Gilbert	E,XXc.,No. 592729	1924
Ja, die Liebe hat zwei Trabanten	Jean Gilbert	E,XXc.,No. 592727	1924
Die törichte Jungfrau	Florido	D,for.,No. 8651	1930
Der Glückstrompeter	Heinrich Reinhardt	E,XXc.,No. 614693	1925
Der Glückstrompeter	Gustav Beer & Armin Friedmann	D,XXc.,No. 10985	1925
Des Königs Nachbarin	Leon Jessel	E,XXc.,No. 592707	1924
Des Königs Nachbarin	Fritz Grunbaum & Wilhelm Sterk	D,XXc.,No. 68214	1924
Die Perle von Korsika(Vendetta)	Den Spranklin& Max Steiner-Kaiser	D,for.,No. 8650	1930
Die Perle von Korsika(Vendetta)	Vada Ennem	E,XXc.,No. 15513	1930
Ein bisschen schmieren	Vada Ennem	E,for.,No. 15514	1930
Gibts auch mal 'nen Krach	Vada Ennem	E,for.,No. 15515	1930
Carneval der Liebe	Walter Bromme	E,XXc.,No. 609828	1925
Carneval der Liebe	Friedrich Stein& Will Steinberg	D,XXc.,No. 10986	1925
Mister Globetrotter	Otto Urack	E,XXc.,No. 609827	1925
Mister Globetrotter	Günther Bibo	D,XXc.,No. 10988	1925
Die Luft bei Berlin	Rudolph Nelson	E,for.,No. 15516	1930
Wenn du nicht der Erste bist	Rudolph Nelson	E,for.,No. 15517	1930
Nur für die Liebe bist du geboren	Rudolph Nelson	E,for.,No. 15518	1930
Wenn sich mein Mägdelein ins Bettchen begibt	Rudolph Nelson	E,for.,No. 15519	1930
Sag wo hast du diese Bewegung her	Rudolph Nelson	E,for.,No. 15520	1930
Du Mädchen mit der Knabenfigur	Rudolph Nelson	E,for.,No. 15521	1930
Von wem hat meine Adelheid das Kleid und die Juwelen	Rudolph Nelson	E,for.,No. 15522	1930
Die Frau ohne Kuss	Walter Kollo	E,XXc.,No. 609829	1925
Die Frau ohne Kuss	Richard Kessler & Willi Kollo	D,XXc.,No. 10987	1925
Die Frau ohne Schleier	Byjacco	D,XXc.,No. 27546	1925
Die Frau ohne Schleier	Aug. Neidhart & Lothar Sachs	D,No. 1966	1929

EXHIBIT 103-p.4

Title:	Authors:	Entry:	
Du hast so was	Harry Waldau	E,for.,No. 15512	1930
Rausch, göttlicher Rausch	Harry Waldau	E,for.,No. 15511	1930
Uschi	Jean Gilbert	E,EXc.,No. 638245	1926
Uschi	Leo Kastner& Alfred Möller	D,XXc.,No. 74927	1926
Uschi Poppeurri	Jean Gilbert	E,XXc.,No. 638242	1926
Der blonde Traum	Hugo Hirsch	E,XXc.,No. 638244	1926
Der blonde Traum	Richard Kessler & Arthur Rebner	D,XXc.,No. 14928	1926
Annemarie	Jean Gilbert & Robert Gilbert	E,XXc.,No. 638243	1926
Annemarie	Georg Okonkowski	D,XXc.,No. 14929	1926
Prinzessin Husch	Leon Jessel	D,XXc.,No. 21547	1929
Prinzessiln Husch	August Neidhart	D,No. 1967	1929
Maiermax	Hugo Hirsch	E,for.,No. 5961	1929
Maiermax	Leopold Jacobson & Rudolf Oesterreicher	D,No. 1968	1929
Ich tanz Charleston	Friedrich Hollaender	E,XXc.,No. 685168	1927
Ich spiel so gern Klavier	Friedrich Hollaender	E,XXc.,No. 685175	1927
Es flüstert leis der Blues	Friedrich Hollaender	E,XXc.,No. 685174	1927
Berlin, Berlin wie bist du schön geworden	Fridrich Hollaender	E,XXc.,No. 685176	1927
Yvonne	August Neidhart & Arthur Rebner	D,for.,No. 8649	1930
Einmal geht jeder am Glück vorbei	Hugo Hirsch	E,for.,No. 15523	1930
Wer schenkt denn heut noch Rosen	Hugo Hirsch	E,for.,No. 15528	1930
Die Liebe geht durch die Nase	Hugo Hirsch	E,for.,No. 15526	1930
Das ist die Reisezeit	Hugo Hirsch	E,for.,No. 15524	1930
Wenn eine Frau nicht weiss warum sie küssen muss	Hugo Hirsch	E,for.,No. 15525	1930
Yvonne, süsse kleine Yvonne	Hugo Hirsch	E,for.,No. 15527	1930
Es geht schon besser	Rudolph Schanzer & Ernst Welisch	D,for.,No. 8648	1930
Paraguay	Rudolph Nelson	E,XXc.,No. 685152	1927
Halloh mein kleiner Floh	Rudolph Nelson	E,XXc.,No. 685153	1927
Friederike	Rudolph Nelson	E,XXc.,No. 685167	1927
Adalbert was hast du in der Tüte	Rudolph Nelson	E,XXc.,No. 685155	1927
Es geht schon besser	Rusolph Nelson	E,XXc.,No. 685154	1927
Pit Pit	Robert Gilbert	E,XXc.,No. 685205	1927
Pitp Pit	Hans H.Zerlett& Robert Gilbert	D,No. 237	1927

Title:	Authors:	Entry:	
Du und ich, ich und du	Rudolph Neslon	E,XXc.,No. 685156	1927
Katinka	Rudolph Nelson	E,XXc.,No.685157	1927
Mein Schatz ist bei der Artill'rie	Rudolph Nelson	E,XXc.,No. 685159	1927
Mädels die man liebt	Leon Jessel	E,for.,No. 4324	1929
Mädels die man liebt	Leo Kastner & Alfred Möller	D,No. 234	1929
Die sieben Schlager aus Hotellratte	Walter Bromme	E,for.,No. 4323	1929
Die Hotelratte	Fritz Friedamnn-Fredrich & Rich.Rillo	D,No. 5810	1930
Die Schlager aus"Zu ~~Befehl~~, schöne Frau"	Paul Ottberg	E,for.,No. 3251	1929
Zu Befehl schöne Frau	Richard Kessler & Gust.Kraatz	D,No. 233	1929
Die Schlager a."Arme Ritter"	Walter Kollo	E,for.,No. 11511	1930
Arme Ritter	Franz Arnold & Ernst Bach	D,No. 235	1929
Schatz muss Liebe schön sein	Walter Kollo	E,for.,No. 14735	1930
Die Männer der Manon	Walter W.Götze	D3 For.,No. 21110	1930
Die Männer der Manon	August Neidhart & Robert Gilbert	D,No. 236	1929
Eine Nacht in Kairo	Jean Gilbert	D,XXc.,No. 27469	1929
Eine Nacht in Kairo	Leop.Jacobson & Bruno Hardt- arden	D,No. 5871	1930
Henriette Sontag	Walter W.Götze	D,XXc.,No. 21169	1930
Henriette Sontag	Günther Bibo	D,No. 5869	1930
~~[illegible]~~			
Babette,Babette wenn ich dein Herzchen hätte	Arthur Rebner	E,XXc.,No. 592714	1924
Das sind die Nutten von Gross-Berlin	Siegwart Ehrlich	E,XXc.,No. 592711	1924
Bei mir aber nächt	Egon Neumann	E,XXc.,No. 592715	1924
Ich bring dich um die Ecke	Egon Neumann	E,XXc.,No. 592710	1924
Nimm bloss die Hand da weg	Egon Neumann	E,XXc.,No. 592709	1924
Wenn die Rosen blüh'n	Victor Hollaender	E,XXc.,No. 592708	1924
Ach Puppe	Victor Hollaender	E,XXc.,No. 592706	1924
Dolly du sprichst im Schlafe von mir	Victor Hollaender	E,XXc.,No. 592705	1924
Kind dreh dich um denn ich möcht dich mal von hinten(vorne) seh'n	Hufo Hirsch	E,XXc.,No. 592704	1924
Im Lenz wenn alle Mädels träumen	Dr.Richard Hirsch	E,XXc.,No. 685177	1927
Am bend, am Abend	Fredy Raymond	E.XXc.,No. 685178	1927
Grüss mir die stolzen Burgen am Rhein	Fredy Raymond	E,XXc.,No. 685179	1927
No Gold No Silver	Frank Stafford	E,XXc.,No. 685181	1927
Du bist mein Typ	Friedrich Hollaender	E,XXc.,No. 685180	1927
Josefine in der Badekabine	Frank Stafford	E,XXc.,No. 685182	1927
Elisabeth	Walter Kollo	E,XXc.,No. 685183	1927
Der alte Vater Rhein	Franz Doelle	E,XXc.,No. 685185	1927
Geisha, du bist so weiss wie Schnee	Franz Doelle	E,XXc.,No. 685184	1927
Sünden, die man im Rausch nicht bedenkt	Franz Doelle	E,XXc.,No. 685186	1927
Goldrausch-Foxtrot	Maro Roland	E,XXc.,No. 685204	1927
Ich habe im Mai von der Liebe geträumt	Franz Dolle	E,XXc.,No. 685187	1927

EXHIBIT 103-p.6

[illegible]	Authors:	Entry:	
Wo hast du mein Schätzchen das Küssen studiert	Franz Doelle	E,XXc.,No. 685188	1927
Am Rüdesheimer Schloss steht eine Linde	Erich Ziegler	E,XXc.,No. 685189	1927
Nein sowas von Liebe	Werner R.Heymann	E,For.,No. 1948	1929
Ich könnt mich in dich verlieben	Otto Lindemann	E,XXc.,No. 685191	1927
Bella Rosa	Otto Stransky	E,XXc.,No.685190	1927
Komm mit mein Lieb ich zeig dir Sanssouci	Bernhard Nitzsche	E,XXc.,No. 685192X[illegible]	1927
Es geht von Mund zu Mund	Hermann Darewski	E,XXc.,No. 685203	1927
Raus mit den Männern	Friedrich Hollaender	E,XXc.,No. 685193	1927
Juni,Juli und August	Willy Prager	E,XXc.,No. 685195	1927
Berliner sein genügt	Hans May	E,XXc.,No. 685194	1927
Colette und der Mond	Walter Bransen	E,XXc.,No. 685196	1927
Meine Heimat am Rhein	Richard Stauch	E,XXc.,No. 685197	1927
Komm mit mir Karoline	Willy Prager	E,XXc.,No. 685198	1927
~~[illegible]~~	~~[illegible]~~		
Wollt ihr dass ewig die Sonne euch Scheine	Rudolph Nelson	E,XXc.,No. 685199	1927
Mariska	Franz Lehar	E,For.,No. 3871	1927
Du hast den Gustav angeschaut	James Klein	E,XXc.,No. 685201	1927
Wen sich Hände nahm im Dunkeln	Rudolf Bernauer	E,XXc.,No. 685150	1927
Willst du ein Deutscher sein	Dr.Karl Knauer	E,For.,No. 1931	1929
Sei doch kein Frosch du kleine Kröte	Fred Raymond	E,For.,No. 1930	1929
Amalie geht mit dem Gummikavalier	Siegwart Ehrlich	E,XXc.,No. 685151	1927
Die Frauen sind süss wie die Sünde	Tilmar Springefeld	E,XXc.,No. 685166	1927
Hoch das Bein	Tilmar Springefeld	E,XXc.,No. 685164	1927
Wo die Balalaika klingt	Tilmar Springefeld	E,XXc.,No. 685161	1927
Havanna	Tilmar Springefeld	E,XXc.,No. 685160	1927
Mensch geh stempeln	Tilmar Springefeld	E,XXc.,No. 685165	1927
Perle vom Lido	Tilmar Springefeld	E,XXc.,No. 685162	1927
Verlorne Heimat	Tilmar Springefeld	E,XXc.,No. 685163	1927
Ach Muttchen vor dem Schlafengehn	Will Rollins	E,XXc.,No. 685173	1927
Wenn der Erste kommt brauch ich Marie	Fritz Rotter, Franz Doelle & Otto Stransky	E,XXc.,No. 685172	1927
Streng verboten	James Klein	E,XXc.,No. 685171	1927
Ich hab dich lieb du mein Mädel vom grünen Rhein	Fritz Rotter,Franz Doelle & Otto Stransky	E,XXc.,No. 685170	1927
Freu dich Rosalinde, denn der Lenz istda	Fritz Rotter,Franz Doelle & Otto Stransky	E,XXc.,No. 685169	1927
Ich hab in Pichelsdorf 'nen kleinen Blumengarten	Leo Leux	E,XXc.,No. 685158	1927
Wann werden wir uns wiedersehn	Erich Ziegler	E,XXc.,No. 1929	1929
Wann werden wir uns wiedersehn(Neuarr,)	Erich Ziegler	E,XXc.,No. 11471	1930
Komm in's Grüne Karoline	Walter Kollo	E,For.,No. 1928	1929
Schöne Frau komm zu mir heut Nacht	Walter Kollo	E,For.,No. 1921	1929
Wann und Wo	Walter Kollo	E,For.,No. 1922	1929
Onkel Müller hat'nen Triller	Walter Kollo	E,For.,No. 1923	1929
Wer ist das grösste Pumpgenie	Walter Kollo	E,For.,No. 1924	1929
Banjo, Banjo, sing dein Lied	Walter Kollo	E,For.,No. 1925	1929
So'n bisschen Französisch ist garnicht so schwer	Walter Kollo	E,For.,No. 1926	1929
Das bist du	Friedrich Hollaender	E,For.,No. 1927	1929
Seit wann bläst deine Grossmama Posaune	Friedrich Hollaender	E,For.No. 2999	1929
Die ersten Veilchen	Rolf Röder	E,For.,No. 1920	1929
Fünf Kollo-Schlager a."Wann und Wo"	Walter Kollo	E,For.,No. 1885	1929
Ich träum jede Nacht von Elisabeth	Friedrich Hollaender	E,For.,No. 1919	1929
Komm mit mir nach Venedig	Max Hansen	E,For.,No. 1918	1929

EXHIBIT 103-p.7

Title:	Authors:	Entry:	
Fünf Schlager aus "Grosse Kleinigkeiten"	Rolf Röder & Felix Werner	E,For.,No. 1886	1929
Gott sei dank heut hab ich blau gemacht	Leo Leux	E,For.,No. 1917	1929
Lass dem Kind den Luftballon	Leo Leux	E,For.,No. 1889	1929
Wir sind Schwestern	Leo Leux	E,For.,No. 1888	1929
Die schönsten Augen hat meine Frau	Ralph Erwin	E,For.,No. 1902	1929
Es ist ein komisch Ding um die Liebe	Willy Prager	E,For.,No. 1903	1929
Wie kommt die matschge Birne auf den Mist	Max Gonda	E,For.,No. 3000	1929
Freut Euch des Lebens	Emil Palm	E,For.,No. 3001	1929
Die 2 Leo Leux-Schlager aus d.Revue; "Gruss und Kuss"	Leo Leux	E,For.,No. 1883	1929
Die Schlager aus"Oeffentlichkeit ausgeschlossen	Siegwart Ehrlich	E,For.,No. 1892	1929
Ralph Benatzky-Schlager aus dem Rep. der Optimosten	Ralph Benatzky	E,For.,No. 1891	1929
Wer hat den Hering am Schlips mir festgemacht	Engelb.Zascka	E,For.,No. 1950	1929
Auch die Kinder haben Sorgen	Theo Mackeben	E,For.,No. 1951	1929
Ichkenne ein Häuschen in Rüdesheim	Emil Palm	E,for.,No. 11478	1930
10 Schlager a.d. Randow-Weininger-Revue:"Freut euch des Lebens"	Emil Palm	E,For.,No. 1887	1929
Bei uns um die Gedächtniskirche rum	Friedrich Hollaender	E,For.,No. 1952	1929
Von dem Zoo bis zu den Linden	Erich Ziegler	E,For.,No. 1901	1929
Zwei dunkle Augen	Friedrich Hollaender	E,For.,No. 1900-	1929
Die Schlager a.d.Revue"Jetzt oder Nie"	Felix Hirschberg & Harry Waldau	E,For.,No. 1890	1929
Wie du küsst keine	Karl Pfarschner	E,For.,No. 1914	1929
In Rothenburg am Blütenstrand der Tauber	Eduard Czajanek	E,For.,No. 1937	1929
Die Susi bläst das Saxophon	Rudolph Nelson	E,For.,No. 1936	1929
An der Weser, an der Mosel & am Rhein	Ralph Erwin	E,For.,nO. 1915	1929
Three Jazz-Inspirations	G.N.Erven	E,For.,No. 1916	1929
Wenn du mich magst, ja, dann sag's mir beim Tango	Hans H.Zerlett	E,For.,No, 1935	1929
Was will die Rosalinde in Binz & Swinemünde	Harry Waldau	E,For.,No. 3002	1929
Es grüsst der Stephansturm die Berolina	Harry Waldau	E,For.,No. 1904	1929
Vor Tietz am Alexanderplatz	Max Schulz-Berger	E,For.,No. 1912	1929
Beim kleinen manulla	Siegwart Ehrlich	E,For.,No. 1905	1929
Beim Rolandseck am grünen Rhein	Siegwart Ehrlich	E,For.,No. 1906	1929
Alles für Euch	Erich Ziegler	E,For.,No. 1907	1929
Heut spielt mein Sebastian	Charles Amberg & Hugo Wiener	E,For.,No. 1908	1929
Schenk mir nur einen Tag aus meinem Leben	Trojan Welisch	E,for.,No. 11474	1930
Das Lied der Bremen	Hugo Hirsch	E,For.,No. 1909	1929
Fräulein Ping Pong	Willy Rosen	E.,For,No. 1913	1929
Ich kann nicht nein sagen	Willy Rosen	E,For.,No. 1911	1929
5 Schlager a."Es kommt jeder dran	Friedrich Hollaender	E,For.,No. 1894	1929
Liebesgeflüster	Franz Drdla	E,For.,No. 1910	1929
In Bonn am Rhein harrt ein Mädel mein	Willy Geisler	E,For.,No. 1946	1929
Die Schlager a:"Die Reise durch Berlin"	Willy Rosen	E,For.,No. 1893	1929
Bitte sag nicht "Knif" zu mir	Paul Strasser	E,For.,No. 1949	1929
Wer gibt die nächste Lage	Hugo Frais	E,For.,No. 11493	1930
Bei uns im Hinterhaus	Nico Dostal	E,For.,No. 1947	1929
Ich fahr mit meiner Erika	Hugo Hirsch	E,For.,No. 1943	1929
Ich sah die Liesbath im Paradiesbett	Will Rollins	E,For.,No. 1942	1929
Süss singt die Geige Gut Nacht	Will Rollins	E,For.,No. 1899	1929
Sleep you well in die Bettgestell	Hermann Abendroth	E,For.,No. 1941	1929

Title:	Authors:	Entry:	
Krause mit dem Saxophon	Hermann Abendroth	,For.,No. 1939	1929
Wer hat dich bloss so aufgeklärt mein Klärchen?	Gerhard Jacobson	E,For.,No. 1944	1929
Leb wohl mein Schatz auf Wiedersehn	Marc Lavry	E,For.,No. 1945	1929
Ein kleines Häuschen	Rolf Röder	E,For.,No. 1897	1929
Wo ist die Ananas	Rolf Roeder	E,For.,No. 1898	1929
Dies und das	Rolf Röder	E,For.,No. 1896	1929
Keiner wusste, das Auguste	Max Iliess	E,For.,No. 1895	1929
Wat braucht der Berliner um glücklich zu sein	Fritz Paul	E,For.,No. 1934	1929
Ich hab am Rhein einblondes Mädchen	S.F.Erven	E,For.,No. 11484	1930
Sind auch verblüht längst die letzten Rosen	Hanns Arnold	E,For.,No. 11492	1930
An der Waterkant steht ein Fischerhaus	Harry Hauptmann	E,For.,No. 1932	1929
Die Schlager aus "Für jeden etwas"	Siegwart Ehrlich	E,For.,No. 1884	1929
Ein Walzer klingt	Harry Waldau	E,For.,No. 11489	1930
Auf der Rudelsburg	Max Vogel	E,For.,No. 11483	1930
Es braucht ja nicht immer am Rhein zu sein	Max Vogel	E,For.,No. 11482	1930
Am Montag küsse ich die blonde Erika	R.Marbot	E,For.,No. 1933	1929
Mein Häuschen draussen unter Bäumen	Will Rollins	E,for.No. 11490	1930
Ich nehme Sie im Strum Mademe	Siegwart Ehrlich	E,for.,No. 11481	1930
Mein ganzes Herz gehört dir o Deutschland	Ed.May	F,for.,No. 11481	1930
Die Schlager aus "Unter Geschäftsaufsicht"	Lula Lewitsch	E,for.,No. 11510	1930
Ach wär doch Harald Lloyd mein Bräut'- mein Bräutigam	Hans May	E,for.,No. 11476	1930
Ein Wort von dir und ich bin dein	Ed.May	E,for.,No. 11478	1930
Trink Champagner und pfeiff auf die Welt	Ed.May	E,for.,No. 11496	1930
Herbst am Rhein	Heinz Stormberg	E,for.,No. 11488	1930
Mädel komm wir wollen wandern	W.Ritzel	E,for.,No. 11509	1930
O wunderreiche Nacht	Fr.Kark	E,For.,No. 11504	1930
Rassig wie du	Walter Ulfig	E,for.,No. 11470	1930
Du warst gut zu mir	Ralph Erwin	E,for.,No. 11487	1930
Marsch der deutschen Republik	Hugo Hirsch	F,for.,No. 11486	1930
Wenn ich Richard Tauber wär	Krauss-Elka & Charles Amberg	E,for.,No. 11477	1930
Merk dir's	Willi Strehl	E,for.,No. 11508	1930
O du Madonna	Robert Gilbert	E,for.,No. 11507	1930
Was du mir warst	Willi Strehl	E,for.,No. 11506	1930
Sonja, Sonja, du mein Glück	Richard Jäger	E,for.No. 11480	1930
Möblierte Zimmer	Walter Ulfig	E,for.,No. 11485	1930
Wie ist das Küssen doch beliebt	Richard Jäger	E,for.,No. 11479	1930
Horch es klappert der Storch	Robby Hers	E,for.,No. 11505	1930
Gehn Sie baden	Percy Milton	E,for.,No. 11503	1930
Tausend und eine Nacht	Erik Meyer-Helmund	E,for.,No. 11502	1930
Einmal hat mir dein Herz gehört	Jack Drooing	E,for.,No. 11501	1930
Kotschambamba	Hanns Arnold	F,for.,No. 11500	1930
Die Isabelle hu t aus der elle	Siegwart Ehrlich	E,for.,No. 11499	1930
Das Nevamädel	Erik Meyer-Helmund	E,for.,No. 11498	1930
Meine süsse Hannelore	Rudolf Bernauer	E,for.,No. 11497	1930
Wenn dein Mann dich betrügt mit 'ner Kleinen	Robert Rinreberg	E,for.,No. 11495	1930
Kokette Frauen	Hans Werner	E,for.,No. 11494	1930
Ich bin verliebt verliebt in dich	Hanns Arnold	E,for.,No. 11772	1930
Ich kenn einen schüchternen jungen Mann	Otto Stransky	E,for.,No. 12815	1930
Ja die Berliner Mädchen	Willy Roden	E,for.,No. 12824	1930
Die tanzenden Fräuleins	Hans H.Zerlett	D,No. 6602	1930
Darüber lässt sich reden	Hellmuth Riedel & Emil Rameau	D, No. 6601	

Title:	Composer	Entry:	
Katja, die Tänzerin	Jean Gilbert	E,XXc,No.566956	1923
Katja, die Tänzerin	Leopold Jacobson& Rudolf Oesterreicher	D,XXc.,No. 65018	1923
Komm Liebchen wander	Jean Gilbert	E,XXc.,No. 592725	1924
Komm morgen zu mir in mein kleines Quartier	Jean Gilbert	E,XXC.,No 592701	1924
Wär ich frei	Jean Gilbert	E,XXc.,Nc 592726	1924
Die Welt wird verrückt	Jean Gilbert	E,XXc.,No. 592728	1924
Katja, Grosser Walzer	Jean Gilbert	E,XXc.,No. 592730	1924
Katja die Tänzerin Potpourri	Jean Gilbert	E,XXc.,Nc. 592729	1924
Ja die Liebe hat zwei Trabanten	Jean Gilbert	E,XXc.,No. 592727	1924
Wie werde ich reich und glücklich	Felix Joachimson	D,No. 6696	1930
Wie werde ich reich und glücklich	Mischa Spoliansky	D3,for.,No. 27958	1930

EXHIBIT 103-p.10

to Mr. Kurt Alexander Jadassohn,

9 - 31st Street

Woodcliff (on Hudson) N.J.

German Reich
Province of Brandenburg
Consulate General of the
United States of America
at Berlin
} ss.

I, ALFRED W. JONES, Vice Consul of the United States of America at Berlin, German Reich, duly commissioned and qualified, do hereby certify that on this 14th day of May 1931, before me personally appeared Alexander Jadassohn to me personally known, and known to me to be the individual described in, whose name is subscribed to, and who executed the foregoing instrument, and being informed by me of the contents of said instrument he duly acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

IN WITNESS WHEREOF I have hereunto set my hand and official seal the day and year last above mentioned.

Vice Consul of the United States of America at Berlin, Germany.

AMERICAN FOREIGN SERVICE
FEE STAMP

GENERAL
NY.

[illegible]VICE No.

$ 2.--=8.44 Reichs

EXHIBIT 104-p.1

I herewith transfer and assign the following copyrights to:

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC.
113 West 42nd Street
New York, NY.

Title of music:	Composer	Entry:
Die erste Nacht	Hugo Hirsch	E,XXc.,NO. 566949 1923
Die erste Nacht	Erich Urban & Hanns H.Zerlett	D,XXc.,No.65017 1923
Die erste Nacht Potpourri	Hugo Hirsch	E,XXc.,No. 592702 1924
Die Königin vom Montmartre	Vada Ennóm	E,XXc., No. 566950 1923
Die Königin vom Montmartre	Denn Spranklin Max Steiner-Kaiser	D.XXc., No. 65016 1923
Die kleine Sünderin	Jean Gilbert	E,XXc., No. 566954 1923
Die kleine Sünderin	Hans H.Zerlett& Willy Prager	D,XXc., No. 65015 1923
Die kleine Sünderin Potpourri	Jean Gilbert	E, XXc.,No. 592703 1924
Der Faschingskavalier	Paul Stumpf	E,XXc., No. 566951 1923
Der Faschingskavalier	Georg La Tour-Albrecht & Otto Wehner	D,XXc., No. 65013 1923
Dorine & der Zufall	Jean Gilbert	E,XXc., No. 566952 1923
Dorine & der Zufall	Fritz Grünbaum & Wilhelm Sterk	D,XXc., No. 65014 1923
Das ist das alte Lied von jüngen Leuten	Jean Gilbert	E,XXc., No. 592717 1924
Was kann das für ein Mann sein	Jean Gilbert	E,XXc., No. 592716 1924
In kleinen Dielen sich rum zu sielen	Jean Gilbert	E,XXc., No. 592718 1924
Schaff dir doch 'nen reichen Freund an	Jean Gilbert	E,XXc., No. 592719 1924
Dorine du hast was im Auge	Jean Gilbert	E,XXc., No. 592720 1924
Dorine Boston-Intermezzo	Jean Gilbert	E.XXc., No. 592700 1924
Whisky und Brandy	Jean Gilbert	E,XXc., No. 592721 1924
Komm herab aus der zweiten Etage	Jean Gilbert	E,XXc., No. 592722 1924
Ich hab so Angst vor den Frauen	Jean Gilbert	E,XXc., No. 592723 1924
Der Fürst von Pappenheim	Hugo Hirsch	E,XXc., No. 592760 1924
Der Fürst von Pappenheim	Franz Arnold & Ernst Bach	D,XXc., No. 68213 1924
Die törichte Jungfrau	Oscar Straus	E,XXc., No. 566955 1923
Die törichte Jungfrau Potpourri	Oscar Straus	E,XXc., No. 592699 1924
Vittorina Walzer	Oscar Straus	E,XXc., No. 592724 1924
Katja, die Tänzerin	Jean Gilbert	E,XXc., No. 566956 1923
Katja, die Tänzerin	Leopold Jacobson& Rudolf Oesterreicher	D,XXc.,No. 65o18 1923

EXHIBIT 104-p.2

Title:	Authors:	Entry:	
Komm Liebchen wander	Jean Gilbert	E,XXc.,No. 592725	1924
Komm zu mir in mein kleines Quartier	Hean Gilbert	E,XXc.,No. 592701	1924
Wär ich frei	Jean Gilbert	E,XXc.,No. 592726	1924
Die Welt wird verrückt	Jean Gilbert	E,XXc.,No. 592728	1924
Katja, Grosser Walzer	Jean Gilbert	E,XXc.,No. 592730	1924
Katja, die Tänzerin Potpourri	Jean Gilbert	E,XXc.,No. 592729	1924
Ja, die Liebe hat zwei Trabanten	Jean Gilbert	E,XXc.,No. 592727	1924
Die törichte Jungfrau	Florido	D,for.,No. 8651	1930
Der Glückstrompeter	Heinrich Reinhardt	E,XXc.,No. 614693	1925
Der Glückstrompeter	Gustav Beer & Armin Friedmann	D,XXc.,No. 10985	1925
Des Königs Nachbarin	Leon Jessel	E,XXc.,No. 592707	1924
Des Königs Nachbarin	Fritz Grünbaum & Wilhelm Sterk	D,XXc.,No. 68214	1924
Die Perle von Korsika(Vendetta)	Den Spranklin& Max Steiner-Kaiser	D,for.,No. 8650	1930
Die Perle von Korsika(Vendetta)	Vada Ennem	E,XXc.,No. 15513	1930
Ein bisschen schmieren	Vada Ennem	E,for.,No. 15514	1930
Gibts auch mal 'nen Krach	Vada Ennem	E,for.,No. 15515	1930
Carneval der Liebe	Walter Bromme	E,XXc.,No. 609828	1925
Carneval der Liebe	Friedrich Stein& Will Steinberg	D,XXc.,No. 10986	1925
Mister Globetrotter	Otto Urack	E,XXc.,No. 609827	1925
Mister Globetrotter	Günther Bibo	D,XXc.,No. 10988	1925
Die Luft bei Berlin	Rudolph Nelson	E,for.,No.n15516	1930
Wenn du nicht der Erste bist	Rudolph Nelson	E,for.,No. 15517	1930
Nur für die Liebe bist du geboren	Rudolph Nelson	E,for.,No. 15518	1930
Wenn sich mein Mägdelein ins Bettchen begibt	Rudolph Nelson	E,for.,No. 15519	1930
Sag wo hast du diese Bewegung her	Rudolph Nelson	E,for.,No. 15520	1930
Du Mädchen mit der Knabenfigur	Rudolph Nelson	E,for.,No. 15521	1930
Von wem hat meine Adelheid das Kleid und die Juwelen	Rudolph Nelson	E,for.,No. 15522	1930
Die Frau ohne Kuss	Walter Kollo	E,XXc.,No. 609829	1925
Die Frau ohne Kuss	Richard Kessler & Willi Kollo	D,XXc.,No. 10987	1925
Die Frau ohne Schleier	Byjacco	D,XXc.,No. 27546	1929
Die Frau ohne Schleier	Aug. Neidhart & Lothar Sachs	D,No. 1966	1929

EXHIBIT 104-p.3

Title:	Authors:	Entry:	
Du hast so was	Harry Waldau	E,for.,No. 15512	1930
Rausch, göttlicher Rausch	Harry Waldau	E,for.,No. 15511	1930
Uschi	Jean Gilbert	E,EXc.,No. 638245	1926
Uschi	Leo Kastner& Alfred Möller	D,XXc.,No. 74927	1926
Uschi Poppourri	Jean Gilbert	E,XXc.,No. 638242	1926
Der blonde Traum	Hugo Hirsch	E,XXc.,No. 638244	1926
Der blonde Traum	Richard Kessler & Arthur Rebner	D,XXc.,No. 14928	1926
Annemarie	Jean Gilbert & Robert Gilbert	E,XXc.,No. 638243	1926
Annemarie	Georg Okonkowski	D,XXc.,No. 14929	1926
Prinzessin Husch	Leon Jessel	D,XXc.,No. 21547	1929
Prinzessiln Husch	August Neidhart	D,No. 1967	1929
Maiermax	Hugo Hirsch	E,for.,No. 5961	1929
Maiermax	Leopold Jacobson & Rudolf Oesterreicher	D,No. 1968	1929
Ich tanz Charleston	Friedrich Hollaender	E,XXc.,No. 685168	1927
Ich spiel so gern Klavier	Friedrich Hollaender	E,XXc.,No. 685175	1927
Es flüstert leis der Blues	Friedrich Hollaender	E,XXc.,No. 685174	1927
Berlin, Berlin wie bist du schön geworden	Fridrich Hollaender	E,XXc.,No. 685176	1927
Yvonne	August Neidhart & Arthur Rebner	D,for.,No. 8649	1930
Einmal geht jeder am Glück vorbei	Hugo Hirsch	E,for.,No. 15523	1930
Wer schenkt denn heut noch Rosen	Hugo Hirsch	E,for.,No. 15528	1930
Die Liebe geht durch die Nase	Hugo Hirsch	E,for.,No. 15526	1930
Das ist die Reisezeit	Hugo Hirsch	E,for.,No. 15524	1930
Wenn eine Frau nicht weiss warum sie küssen muss	Hugo Hirsch	E,for.,No. 15525	1930
Yvonne, süsse kleine Yvonne	Hugo Hirsch	E,for.,No. 15527	1930
Es geht schon besser	Rudolph Schanzer & Ernst Welisch	D,for.,No. 8648	1930
Paraguay	Rudolph Nelson	E,XXc.,No. 685152	1927
Halloh mein kleiner Floh	Rudolph Nelson	E,XXc.,No. 685153	1927
Friederike	Rudolph Nelson	E,XXc.,No. 685167	1927
Adalbert was hast du in der Tüte	Rudolph Nelson	E,XXc.,No. 685155	1927
Es geht schon besser	Rusolph Nelson	E,XXc.,No. 685154	1927
Pit Pit	Robert Gilbert	E,XXc.,No. 685205	1927
Pitp Pit	Hans H.Zerlett& Robert Gilbert	D,No. 237	1929

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EXHIBIT 104-p.4

Title:	Authors:	Entry:	
Du und ich, ich und du	Rudolph Neslon	E,XXc.,No. 685156	1927
Katinka	Rudolph Nelson	E,XXc.,No.685157	1927
Mein Schatz ist bei der Artill'rie	Rudolph Nelson	E,XXc.,No. 685159	1927
Mädels die man liebt	Leon Jessel	E,for.,No. 4324	1929
Mädels die man liebt	Leo Kastner & Alfred Möller	D,No. 234	1929
Die sieben Schlager aus Hotellratte	Walter Bromme	E,for.,No. 4323	1929
Die Hotelratte	Fritz Friedamnn-Fredrich & Rich.Rillo	D,No. 5810	1930
Die Schlager aus"Zu Befehl, schöne Frau"	Paul Ottberg	E,for.,No. 3251	1929
Zu Befehl schöne Frau	Richard Kessler & Gust.Kraatz	D,No. 233	1929
Die Schlager a."Arme Ritter"	Walter Kollo	E,for.,No. 11511	1930
Arme Ritter	Franz Arnold & Ernst Bach	D,No. 235	1929
Schatz muss Liebe schön sein	Walter Kollo	E,for.,No. 14735	1930
Die Männer der Manon	Walter W.Götze	D3 For.,No. 21110	1930
Die Männer der Manon	August Neidhart & Robert Gilbert	D,No. 236	1929
Eine Nacht in Kairo	Jean Gilbert	D,XXc.,No. 27469	1929
Eine Nacht in Kairo	Leop.Jacobson & Bruno Hardt-Warden	D,No. 5871	1930
Henriette Sontag	Walter W.Götze	D,XXc.,No. 21169	1930
Henriette Sontag	Günther Bibo	D,No. 5869	1930
Babette,Babette wenn ich dein Herzchen hätte	Arthur Rebner	E,XXc.,No. 592714	1924
Das sind die Nutten von Gross-Berlin	Siegwart Ehrlich	E,XXc.,No. 592711	1924
Bei mir aber nicht	Egon Neumann	E,XXc.,No. 592715	1924
Ich bring dich um die Ecke	Egon Neumann	E,XXc.,No. 592710	1924
Nimm bloss die Hand da weg	Egon Neumann	E,XXc.,No. 592709	1924
Wenn die Rosen blüh'n	Victor Hollaender	E,XXc.,No. 592708	1924
Ach Puppe	Victor Hollaender	E,XXc.,No. 592706	1924
Dolly du sprichst im Schlafe von mir	Victor Hollaender	E,XXc.,No. 592705	1924
Kind dreh dich um denn ich möcht dich mal von hinten(vorne) seh'n	Hufo Hirsch	E,XXc.,No. 592704	1924
Im Lenz wenn alle Mädels träumen	Dr.Richard Hirsch	E,XXc.,No. 685177	1927
Am Abend, am Abend	Fredy Raymond	E.XXc.,No. 685178	1927
Grüss mir die stolzen Burgen amRhein	Fredy Raymond	E,XXc.,No. 685179	1927
No Gold No Silver	Frank Stafford	E,XXc.,No. 685181	1927
Du bist mein Typ	Friedrich Hollaender	E,XXc.,No. 685180	1927
Josefine in der Badekabine	Frank Stafford	E,XXc.,No. 685182	1927
Elisabeth	Walter Kollo	E,XXc.,No. 685183	1927
Der alte Vater Rhein	Franz Doelle	E,XXc.,No. 685185	1927
Geisha, du bist so weiss wie Schnee	Franz Doelle	E,XXc.,No. 685184	1927
Sünden, die man im Rausch nicht bedenkt	Franz Doelle	E,XXc.,No. 685186	1927
Goldrausch-Foxtrot	Marc Roland	E,XXc.,No. 685204	1927
Ich habe im Mai von der Liebe geträumt	Franz Dolle	E,XXc.,No. 685187	1927

Title:	Authors:	Entry:	
Wo hast du mein Schätzchen das Küssen studiert	Franz Doelle	E,XXc.,No. 685188	1927
Am Rüdesheimer Schloss steht eine Linde	Erich Ziegler	E,XXc.,No. 685189	1927
Nein sowas von Liebe	Werner R.Heymann	E,For.,No. 1948	1929
Ich könnt mich in dich verlieben	Otto Lindemann	E,XXc.,No. 685191	1927
Bella Rosa	Otto Stransky	E,XXc.,No.685190	1927
Komm mit mein Lieb ich zeig dir Sanssouci	Bernhard Nitzsche	E,XXc.,No. 685192	[illegible]
Es geht von Mund zu Mund	Hermann Darewski	E,XXc.,No. 685203	1927
Raus mit den Männern	Friedrich Hollaender	E,XXc.,No. 685193.	1927
Juni,Juli und August	Willy Prager	E,XXc.,No. 685195	1927
Berliner sein genügt	Hans May	E,XXc.,No. 685194	1927
Colette und der Mond	Walter Bransen	E,XXc.,No. 685196	1927
Meine Heimat am Rhein	Richard Stauch	E,XXc.,No. 685197	1927
Komm mit mir Karoline	Willy Prager	E,XXc.,No. 685198	1927
~~[illegible]~~	~~[illegible]~~		
Wollt Ihr dass ewig die Sonne euch scheine	Rudolph Nelson	E,XXc.,No. 685199	1927
Mariska	Franz Lehar	E,For.,No. 3871	1927
Du hast den Gustav angeschaut	James Klein	E,XXc.,No. 685201	1927
Wenn sich Hände nahm im Dunkeln	Rudolf Bernauer	E,XXc.,No. 685150	1927
Willst du ein Deutscher sein	Dr.Karl Knauer	E,For.,No. 1931	1929
Sei doch kein Frosch du kleine Kröte	Fred Raymond	E,For.,No. 1930	1929
Amalie geht mit dem Gummikavalier	Siegwart Ehrlich	E,XXc.,No. 685151	1927
Die Frauen sind süss wie die Sünde	Tilmar Springefeld	E,XXc.,No. 685166	1927
Hoch das Bein	Tilmar Springefeld	E,XXc.,No. 685164	1927
Wo die Balalaika klingt	Tilmar Springefeld	E,XXc.,No. 685161	1927
Havanna	Tilmar Springefeld	E,XXc.,No. 685160	1927
Mensch geh stempeln	Tilmar Springefeld	E,XXc.,No. 685165	1927
Perle vom Lido	Tilmar Springefeld	E,XXc.,No. 685162	1927
Verlorne Heimat	Tilmar Springefeld	E,XXc.,No. 685163	1927
Ach Muttchen vor dem Schlafengehn	Will Rollins	E,XXc.,No. 685178	1927
Wenn der Erste kommt brauch ich Marie	Fritz Rotter, Franz Doelle & Otto Stransky	E,XXc.,No. 685172	1927
Streng verboten	James Klein	E,XXc.,No. 685171	1927
Ich hab dich lieb du mein Mädel vom grünen Rhein	Fritz Rotter,Franz Doelle & Otto Stransky	E,XXc.,No. 685170	1927
Freu dich Rosalinde, denn der Lenz istda	Fritz Rotter,Franz Doelle & Otto Stransky	E,XXc.,No. 685169	1927
Ich hab in Pichelsdorf 'nen kleinen Blumengarten	Leo Leux	E,XXc.,No. 685158	1927
Wann werden wir uns wiedersehn	Erich Ziegler	E,XXc.,No. 1929	1929
Wann werden wir uns wiedersehn(Neuarr,)	Erich Ziegler	E,XXc.,No. 11471	1930
Komm in's Grüne Karoline	Walter Kollo	E,For.,No. 1928	1929
Schöne Frau komm zu mir heut Nacht	Walter Kollo	E,For.,No. 1921	1929
Wann und Wo	Walter Kollo	E,For.,No. 1922	1929
Onkel Müller hat'nen Triller	Walter Kollo	E,For.,No. 1923	1929
Wer ist das grösste Pumpgenie	Walter Kollo	E,For.,No. 1924	1929
Banjo, Banjo, sing dein Lied	Walter Kollo	E,For.,No. 1925	1929
So'n bisschen Französisch ist garnicht so schwer	Walter Kollo	E,For.,No. 1926	1929
Das bist du	Friedrich Hollaender	E,For.,No. 1927	1929
Seit wann bläst deine Grossmama Posaune	Friedrich Hollaender	E,For.No. 2999	1929
Die ersten Veilchen	Rolf Röder	E,For.,No. 1920	1929
Fünf Kollo-Schlager a."Wann und Wo"	Walter Kollo	E,For.,No. 1885	1929
Ich träum jede Nacht von Elisabeth	Friedrich Hollaender	E,For.,No. 1919	1929
Komm mit mir nach Venedig	Max Hansen	E,For.,No. 1918	1929

Title:	Authors:	Entry:	
Fünf Schlager aus "Grosse Kleinigkeiten"	Rolf Röder & Felix Werner	E,For.,No. 1886	1929
Gott sei dank heut hab ich blau gemacht	Leo Leux	E,For.,No. 1917	1929
Lass dem Kind den Luftballon	Leo Leux	E,For.,No. 1889	1929
Wir sind Schwestern	Leo Leux	E,For.,No. 1888	1929
Die schönsten Augen hat meine Frau	Ralph Erwin	E,For.,No. 1902	1929
Es ist ein komisch Ding um die Liebe	Willy Prager	E,For.,No. 1903	1929
Wie kommt die matschge Birne auf den Mist	Max Gonda	E,For.,No. 3000	1929
Freut Euch des Lebens	Emil Palm	E,For.,No. 3001	1929
Die 2 Leo Leux-Schlager aus d.Revue; "Gruss und Kuss"	Leo Leux	E,For.,No. 1883	1929
Die Schlager aus"Oeffentlichkeit ausgeschlossen	Siegwart Ehrlich	E,For.,No. 1892	1929
Ralph Benatzky-Schlager aus dem Rep. der Optimosten	Ralph Benatzky	E,For.,No. 1891	1929
Wer hat den Hering am Schlips mir festgemacht	Engelb.Zascka	E,For.,No. 1950	1929
Auch die Kinder haben Sorgen	Theo Mackeben	E,For.,No. 1951	1929
Ichkenne ein Häuschen in Rüdesheim	Emil Palm	E,for.,No. 11478	1930
10 Schlager a.d. Randow-Weininger-Revue:"Freut euch des Lebens"	Emil Palm	E,For.,No. 1887	1929
Bei uns um die Gedächtniskirche rum	Friedrich Hollaender	E,For.,No. 1952	1929
Von dem Zoo bis zu den Linden	Erich Ziegler	E,For.,No. 1901	1929
Zwei dunkle Augen	Friedrich Hollaender	E,For.,No. 1900	1929
Die Schlager a.d.Revue"Jetzt oder Nie"	Felix Hirschberg & Harry Waldau	E,For.,No. 1890	1929
Wie du küsst keine	Karl Pfarschner	E,For.,No. 1914	1929
In Rothenburg am Blütenstrand der Tauber	Eduard Czajanek	E,For.,No. 1937	1929
Die Susi bläst das Saxophon	Rudolph Nelson	E,For.,No. 1936	1929
An der Weser, an der Mosel & am Rhein	Ralph Erwin	E,For.,nO. 1915	1929
Three Jazz-Inspirations	G.N.Erven	E,For.,No. 1916	1929
Wenn du mich magst, ja, dann sag's mir beim Tango	Hans H.Zerlett	E,For.,No, 1935	1929
Was will die Rosalinde in Binz & Swinemünde	Harry Waldau	E,For.,No. 3002	1929
Es grüsst der Stephansturm die Berolina	Harry Waldau	E,For.,No. 1904	1929
Vor Tietz am Alexanderplatz	Max Schulz-Berger	E,For.,No. 1912	1929
Beim kleinen Amanulla	Siegwart Ehrlich	E,For.,No. 1905	1929
Beim Rolandseck am grünen Rhein	Siegwart Ehrlich	E,For.,No. 1906	1929
Alles für Euch	Erich Ziegler	E,For.,No. 1907	1929
Heut spielt mein Sebastian	Charles Amberg & Hugo Wiener	E,For.,No. 1908	1929
Schenk mir nur einen Tag aus meinem Leben	Trojan Welisch	E,for.,No. 11474	1930
Das Lied der Bremen	Hugo Hirsch	E,For.,No. 1909	1929
Fräulein Ping Pong	Willy Rosen	E.,For,No. 1913	1929
Ich kann nicht nein sagen	Willy Rosen	E,For.,No. 1911	1929
5 Schlager a."Es kommt jeder dran	Friedrich Hollaender	E,For.,No. 1894	1929
Liebesgeflüster	Franz Drdla	E,For.,No. 1910	1929
In Bonn am Rhein harrt ein Mädel mein	Willy Geisler	E,For.,No. 1946	1929
Die Schlager a:"Die Reise durch Berlin"	Willy Rosen	E,For.,No. 1893	1929
Bitte sag nicht "Knif" zu mir	Paul Strasser	E,For.,No. 1940	1929
Wer gibt die nächste Lage	Hugo Frais	E,For.,No. 11493	1930
Bei uns im Hinterhaus	Nico Dostal	E,For.,No. 1947	1929
Ich fahr mit meiner Erika	Hugo Hirsch	E,For.,No. 1943	1929
Ich sah die Liesbath im Paradiesbett	Will Rollins	E,For.,No. 1942	1929
Süss singt die Geige Gut Nacht	Will Rollins	E,For.,No. 1899	1929
Sleep you well in die Bettgestell	Hermann Abendroth	,For.,No. 1941	1929

Title:	Authors:	Entry:	
Krause mit dem Saxophon	Hermann Abendroth	E,For.,No. 1939	1929
Wer hat dich bloss so aufgeklärt mein Klärchen?	Gerhard Jacobson	E,For.,No. 1944	1929
Leb wohl mein Schatz auf Wiedersehn	Marc Lavry	E,For.,No. 1945	1929
Ein kleines Häuschen	Rolf Röder	E,For.,No. 1897	1929
Wo ist die Ananas	Rolf Roeder	E,For.,No. 1898	1929
Dies und das	Rolf Röder	E,For.,No. 1896	1929
Keiner wusste, das Auguste	Max Iliess	E,For.,No. 1895	1929
Wat braucht der Berliner um glücklich zu sein	Fritz Paul	E,For.,No. 1934	1929
Ich hab am Rhein einblondes Mädchen	S.P.Erven	E,For.,No. 11484	1930
Sind auch verblüht längst die letzten Rosen	Hanns Arnold	E,For.,No. 11492	1930
An der Waterkant steht ein Fischerhaus	Harry Hauptmann	E,For.,No. 1932	1929
Die Schlager aus "Für jeden etwas"	Siegwart Ehrlich	E,For.,No. 1884	1929
Ein Walzer klingt	Harry Waldau	E,For.,No. 11489	1930
Auf der Rudelsburg	Max Vogel	E,For.,No. 11483	1930
Es brauuht ja nicht immer am Rhein zu sein	Max Vogel	E,For.,No. 11482	1930
Am Montag küsse ich die blonde Erika	R.Marbot	E,For.,No. 1933	1929
Mein Häuschen draussen unter Bäumen	Will Rollins	E,for.No. 11490	1930
Ich nehme Sie im Strum Madame	Siegwart Ehrlich	E,for.,No. 11481	1930
Mein ganzes Herz gehört dir o Deutschland	Ed.May	E,for.,No. 11481	1930
Die Schlager aus "Unter Geschäftsaufsicht"	Lula Lewitsch	E,for.,No. 11510	1930
Ach wär doch Harald Lloyd mein Bräut'- mein Bräutigam	Hans May	E,for.,No. 11476	1930
Ein Wort von dir und ich bin dein	Ed.May	E,for.,No. 11478	1930
Trink Champagner und pfeiff auf die Welt	Ed.May	E,for.,No. 11496	1930
Herbst am Rhein	Heinz Stormberg	E,for.,No. 11488	1930
Mädel komm wir wollen wandern	W.Ritzel	E,for.,No. 11509	1930
O wunderreiche Nacht	Fr.Kark	E,For.,No. 11504	1930
Rassig wie du	Walter Ulfig	E,for.,No. 11470	1930
Du warst gut zu mir	Ralph Erwin	E,for.,No. 11487	1930
Marsch der deutschen Republik	Hugo Hirsch	E,for.,No. 11486	1930
Wenn ich Richard Tauber wär	Krauss-Elka & Charles Amberg	E,for.,No. 11477	1930
Merk dir's	Willi Strehl	E,for.,No. 11508	1930
O du Madonna	Robert Gilbert	E,for.,No. 11507	1930
Was du mir warst	Willi Strehl	E,for.,No. 11506	1930
Sonja, Somja, du mein Glück	Richard Jäger	E,for.No. 11480	1930
Möblierte Zimmer	Walter Ulfig	E,for.,No. 11485	1930
Wie ist das Küssen doch beliebt	Richard Jäger	E,for.,No. 11479	1930
Horch es klappert der Storch	Robby Hers	E,for,.No. 11505	1930
Gehn Sie baden	Percy Milton	E,for.,No. 11503	1930
Tausend und eine Nacht	Erik Meyer-Helmund	E,for.,No. 11502	1930
Einmal hat mir dein Herz gehört	Jack Drooing	E,for.,No. 11501	1930
Kotschambamba	Hanns Arnold	E,for.,No. 11500	1930
Die Isabelle huppt aus der Welle	Siegwart Ehrlich	E,for.,No. 11499	1930
Das Nevamädel	Erik Meyer-Helmund	E,for.,No. 11498	1930
Meine süsse Hannelore	Rudolf Bernauer	E,for.,No. 11497	1930
Wenn dein Mann dich betrügt mit 'ner Kleinen	Robert Winreberg	E,for.,No. 11495	1930
Kokette Frauen	Hans Werner	E,for.,No. 11494	1930
Ich bin verliebt verliebt in dich	Hanns Arnold	E,for.,No. 11772	1930
Ich kenn einen schüchternen jungen Mann	Otto Stransky	E,for.,No. 12815	1930
Ja die Berliner Mädchen	Willy Roden	E,for.,No. 12824	1930
Die tanzenden Fräuleins	Hans H.Zerlett	D,No. 6602	1930
Darüber lässt sich reden	Hellmuth Riedel & Emil Rameau	D,No. 6601	1930

EXHIBIT 104-p.8

Title:	Composer	Entry	
Katja, die Taenzerin	Jean Gilbert	E,XXc,No.586956	1923
Katja, die Taenzerin	Leopold Jacobson& R. Oesterreicher	D,XXC,No.65018	1923
Komm Liebchen wander	Jean Gilbert	E,XXC,No.592725	1924
Komm morgen zu mir in mein kleines Quartier	Jean Gilbert	E,XXc,No.592731	1924
Waer ich frei	Jean Gilbert	E,XXc,No. 592726	1924
Die Welt wird verrueckt	Jean Gilbert	E,XXc,No.592728	1924
Katja, Grosser Walzer	Jean Gilbert	E,XXc,No.592730	1924
Katja, die Taenzerin Potpourri	Jean Gilbert	E,XXc,No.592729	1924
Ja die Liebe hat zwei Trabanten	Jean Gilbert	E,XXc,No.592727	1924
Wie werde ich reich und gluecklich	Felix Joachimson	D,No. 6696	1930
Wie werde ich reich und gluecklich	Mischa Spoliansky	D5,for,No.27958	1930

New York, N.Y.:..Jan. 10, 1933..............

Kurt Alexander Jadassohn
KURT ALEXANDER JADASSOHN
9 - 31st St.
Woodcliff (on Hudson) N.J.

CITY AND STATE OF NEW YORK)
:SS.:
COUNTY OF NEW YORK)

On this 10th day of January, 1933, before me personally appeared KURT ALEXANDER JADASSOHN, to me known and known to me to be the individual described in and who executed the foregoing instrument, and he duly acknowledged to me that he executed the same. (8 pages)

Myron Levin

1934

EXHIBIT 105-p.1

KNOW ALL MEN BY THESE PRESENTS, That EDWARD SCHUBERTH & CO. INC., a New York Corporation, for and in consideration of One ($1.00) Dollar, the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

1. "Original Hesitation Waltz" by McNair Ilgenfritz for Piano Solo; Copyright 1913 by Alice Martin; assigned to Edward Schuberth & Co. Inc., Dec. 11th, 1913 and recorded in the Library of Congress, Washington, D. C., in Book #54, page 142.
2. "Original Hesitation Waltz" by McNair Ilgenfritz for Piano Solo (Dance Edition) with theory by Alice Martin; Copyright 1914 by Edward Schuberth & Co. Inc., Entry Class E, XXc., No. 335306.
3. "Original Hesitation Waltz" by McNair Ilgenfritz for Piano Solo; Arranged by E. J. Bonhomme; Copyright 1918 by Edward Schuberth & Co. Inc., Entry Class E, XXc., No. 424337.
4. "Original Hesitation Waltz" by McNair Ilgenfritz and arranged for orchestra by Gaston Borch; Copyright 1914 by Edward Schuberth & Co. Inc., Entry Class E, XXc., No. 339664.
5. "The Night Has A Thousand Eyes", Music by Ada Weigel Powers; Words by Francis William Bourdillon; for Vocal and Piano; Copyright 1927 by Edward Schuberth & Co. Inc., Entry Class E, No. 673560.
6. "Penance", Music by Otto Wick; Words Anonymous; for Female Trio and Piano, opus 79 #1, Copyright 1921 by Edward Schuberth & Co. Inc., Entry Class E, No. 518906.
7. "Penance" Music by Otto Wick; Words Anonymous; for Vocal and Piano; Copyright 1922 by Edward Schuberth & Co. Inc., Entry Class E, XXc., No. 535885.
8. "As We Part", Music by McNair Ilgenfritz, Words by Frederick Peterson; for Vocal and Piano, Copyright 1916 by Edward Schuberth & Co. Inc., Entry Class E, XXc., No. 389236.
9. "As We Part", Music by McNair Ilgenfritz, Words by Frederick Peterson; Arranged by M. Burg for Orchestra; Copyright 1917 by Edward Schuberth & Co. Inc., Entry Class E, No. 402030.

EXHIBIT 105-p.2

10. "A Valentine", Valentine. Words by Clinton Scollard; German Text by Bertha Firgau; Music by Mary Helen Brown; Vocal and Piano for High and Low Voice; Copyright 1911 by Edward Schuberth & Co. Inc., Entry Class E, XXc., No. 254877.

11. "Three Little Words" Words and Music by Paul Haeussler for Vocal and Piano; Copyright 1925 by Edward Schuberth & Co. Inc., Entry Class E, XXc., No. 612220.

12. "Apple Blossoms", Music by Robert Braine; Words by Carl B. Perlstin or Pearlstin; for Vocal and Piano; Copyright 1928 by Edward Schuberth & Co. Inc., Entry Class E, XXc., No. 690695.

duly copyrighted in the name of EDWARD SCHUBERTH & CO. INC.

AND EDWARD SCHUBERTH & CO. INC. hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical composition and the complete and unconditional and unencumbered title therein and thereto.

IN WITNESS WHEREOF, EDWARD SCHUBERTH & CO. INC., has hereunto set its corporate seal this 13th day of July, 1933.

Signed & Sealed Edward Schuberth & Co. Inc. (L.S.)

By FREDERICK KRAFT
President of EDWARD
SCHUBERTH & CO. INC.

Frederick Kraft

STATE OF NEW YORK)
COUNTY OF NEW YORK)SS:

On the 13th day of July, 1933, before me came FREDFRICK KRAFT, to me known, who, being by me duly sworn, did depose and say that he resides in New York City; that he is the President of EDWARD SCHUBERTH & CO. INC., the corporation described in, and which executed, the foregoing instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation; and that he signed his name thereto by like order.

C. Elmer McGee

C. ELMER McGEE, Notary Public
N. Y. County Clerk's No. 161, Reg. No. 5Mc174
Kings County Clerk's No. 24, Reg. No. 5086
Commission expires March 30, 1936

EXHIBIT 106

This is to certify, *that I* Victor Herbert

of N. Y. *State of* N. Y.

in consideration of One Dollar to me in hand paid

the receipt whereof is hereby acknowledged and of a royalty of ten per cent (10%) of the retail price of all copies sold, said royalty to be payable annually in July

have this day sold and assigned for all times and for all countries to **Edward Schuberth & Co.,** *in the City of New York, all my right title and interest in* my composition

bearing in the manuscript, the title of "Badinage" for Orchestra, Arrangement for Piano by Alex. Rihm.

Dated Aug 9th 1895

In presence of

Victor Herbert

Witness,

Fredk. Emil Meyer

EXHIBIT 106

EXHIBIT 107

Fill out each numbered space

Application for the RENEWAL of a Copyright Subsisting in Any Work

REGISTER OF COPYRIGHTS, Washington, D. C. Date (1) September 11th 1922

Application is hereby made within this the last year of the copyright now subsisting in the work hereinbelow described (in accordance with the provisions of section 24 of the Act of March 4, 1909), for the renewal of the copyright for the renewal term of 28 years from the date when the said copyright will expire. 50 cents (statutory fee) is also inclosed.

The renewal copyright is claimed by me, us, as* (2) the author
(Author, widow, widower, child—SEE OVER)

Name and address of renewal claimant (3) Victor Herbert
(Write name in full)
321 West 108th Street (Street) New York (City) New York. (State)

Class of work (4) musical composition
(State whether the work is a book, musical composition, dramatic composition, etc.)

Title of work (5) Badinage

Name of author (6) Victor Herbert
(Write name in full)

Leave all spaces within these double lines blank

Herbert (Victor) Badinage.	R1 Application for renewal received SEP [illegible] No. Cl. R 21696 37066 SEP 12'22
Fee rec'd $ [illegible]	

Date of original registration of title (7) September 4th 1895. No. (8) 45017 AA.

Name of original claimant (9) Edward Schuberth & Co.

Send certificate of registration to (10) Nathan Burkan
1451 Broadway (Street) New York (City) New York. (State)

Name and address of person or firm sending the fee (11) Nathan Burkan
[illegible] (Street) [illegible] (City) [illegible] (State)

[Please turn this over] (Jan., 1922—5,000)

Application must be filed in the Copyright Office within the 28th year of the original term.

EXHIBIT 107

EXHIBIT 108

KNOW ALL MEN BY THESE PRESENTS, That G. SEYFARTH, of Lwow, Poland, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

St. Niewiadomski	Klatwa, op. 49 #2	1936	E.for.	46703
"	Szumi w gazu brzezina, op. 49 #3	1936	E.for.	46704
"	Siwy koniu, op. 49 #4	1936	E.for.	46705
"	Siedzi ptaszek na drzewie, op. 49 #5	1936	E.for.	46706
"	Przykro, przykro jest debowi, op. 49 #6	1936	E.for.	46707
"	Nie bede cie rwala konwalijko biala, op. 49 #7	1936	E.for.	46708
"	Chlopca mego mi zabrali, op. 49 #8	1936	E.for.	46701
"	Otworz Janku	1936	E.for.	46702

duly copyrighted in the name of G. SEYFARTH, and G. SEYFARTH hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, G. SEYFARTH has executed this assignment this 10th day of March, 1937.

Signed G. SEYFARTH

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney
Kurt A. Jadassohn
Vice-President

STATE OF NEW YORK }
COUNTY OF NEW YORK } SS.:

On this 10th day of March, 1937, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E. Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co Clk's No. 48, Reg. No. 8A-109
Bronx Co. Clk's No. 20, Reg. No. 50A-38
Commission Expires March 30, 1938

EXHIBIT 109-p.1

KNOW ALL MEN BY THESE PRESENTS, That ALFRED THORSINGS MUSIKFORLAG, of Copenhagen, Denmark, for and in consideration of One Dollar ($1.00), the receipt of which sum is hereby acknowledged, granted, sold, assigned and transferred and by these presents does grant, sell, assign and transfer unto the SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the musical compositions entitled:

45582	Manuel	Farbrors Vals	1936
46082	Eiberg	Oh! Tag mig med til Hawaii	1936
45584	Lundgaard	Mindernes Spinet)	
	Frederiksen	Peter og Lise)	1936
45583	Verino	Ved Donauens Bred	1936
45581	Sven Gyldmark	Du	1936
45320	" "	Melodi Amoroso	1936
676867	Juel Frederiksen	Thors Brudefart	1927
676863	" "	Saeterpigens Dromme	1927
676868	" "	Nordisk Stemning	1927
676864	" "	Kong Valdemars Jagt	1927
31110	Gyldmark	Ballet Suite	1933
31112	"	Spansk Marsch	1933
31111	"	Serenade	1933
36172	"	Zigeunermarsch	1934
36171	"	Foraar i Kina	1934
667437	Michailow	Gavotte	1927
676866	Ankerstjerne Bertelsen	Menuett	1927
38936	Gyldmark	Landlig Suite	1935
36173	Henriques	Festmarsch	1934
44946	Thielemann	Canto d'Amore	1936
44947	Gyldmark	Melodi amoroso	1936
44948	"	To Miniaturer	1936
30947	Manuel	Vil du danse en Tyroler	1933
30945	Andersen	Familievalsen	1933
31031	Bonadoni	Tango Humoresque	1933
16530	Pat O'Henry	Charlotte fra Charlottenlund	1931
16318	Jose Lopez	Oh Margot	1931
40039	Anderson	Kalle	1930
30946	Tom Andy	Bedstefars Vals	1933
667434	Yrneh	Der er maaske en lille Pige	1937
5400	Bax	Spilledaasen	1939
676865	Vincent de Costa	Bob en lille blaa	1927
667436	Enrico Moreno	Aftenstemning	1927
16531	Lewitsch	Der findes ikke en	1931
16319	Lopez	Rosen er for hver	1931
16529	Ritz	Herr Politibetjent	1931
14158	Billy Snow	Eskimo 5 Eskifar	1930
14157	Pat O'Henry	Kun Dig	1930
12901	Williams	Bare lidt med det	1930
667435	Costa	Mor kam ikke sove	1927
5168	Yowa	Gaar detikke nok	1929

duly copyrighted in the name of ALFRED THORSINGS MUSIKFORLAG, and ALFRED THORSINGS MUSIKFORLAG hereby grants, sells, assigns and transfers unto said SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., all rights of any kind and character appertaining to said musical compositions and the complete and unconditional and unencumbered title therein and thereto. IN WITNESS WHEREOF, ALFRED THORSINGS MUSIKFORLAG has executed this assignment this 5th day of November, 1936.

Signed ALFRED THORSINGS MUSIKFORLAG

By SOCIETY OF EUROPEAN STAGE AUTHORS
AND COMPOSERS, INC., Attorney

Kurt A Jadassohn

Vice-President

STATE OF NEW YORK)
COUNTY OF NEW YORK) SS:

On this 5th day of November, 1936, before me came KURT A. JADASSOHN, to me known, who, being by me duly sworn, did depose and say that he resides in Woodcliff, N.J.; that he is the Vice-President of SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC., the corporation described in and which executed the above instrument; that he knows the seal of said corporation; that the seal affixed to said instrument is such corporate seal; that it was so affixed by order of the Board of Directors of said corporation, and that he signed his name thereto by like order.

Henry E Alexander

HENRY E. ALEXANDER, Notary Public
N. Y. Co Clk's No. 48, Reg. No. 8A-109
Bronx Co. Clk's No. 20, Reg. No. 50A-38
Commission Expires March 30, 1938

Form No. 88—Consular
(Corrected March, 1914)

EXHIBIT 110-p.1

Certificate of Acknowledgment of Execution of Document

The Spanish Republic,
(Country)
Province of Barcelona,
City of Barcelona,
(County or other political division)
Consulate General of the
United States of America.
(Name of consular office)
ss:

I, BOLARD MORE----------------,---------------Vice-Consul

of the United States of America at BARCELONA, Spain----------------

duly commissioned and qualified, do hereby certify that on this 5th-----

day of December 1936 (Date), before me personally appeared ----------

-------------------M. SURIS----------------------------

me personally known, and known to me to be the individual described in, whose

me is subscribed to, and who executed the annexed instrument, and being

med by me of the contents of said instrument he duly acknowledged to me

th he executed the same freely and voluntarily for the uses and purposes

the mentioned.

In witness whereof I have hereunto set my hand and official seal the day and year last above written.

American Consulate General,
BARCELONA, SPAIN,

AMERICAN CONSULAR SERVICE
$2
FEE STAMP
DEC 5 1936

Bolard More

Bolard More
Vice-Consul of the United States of America

Ser No.2279:
, TWO DOLLARS
Rec Ptas U.S. Cy.

Note. ever practicable all signatures to a document should be included in one certificate 8—178

EXHIBIT 110-p.1

I herewith transfer and assing all title and interest in the copyrights of the following musical compositions

to;

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS
NEW YORK.

Composer		Title
Gil Luaño	- UNION DE COMPOSITORES-	» AMOR DE ESCLAVO»
N. Suris	- UNION DE COMPOSITORES-	» MENTISTE ! »

Barcelona, Spain, 5 Diciembre de 1936.

Nicolás Suris.

Form No. 88—Consular
(Corrected March, 1914)

EXHIBIT 111-p.1

Certificate of Acknowledgment of Execution of Document

he Spanish Republic,
(Country)
Generalidad de Cataluña,
City of Barcelona,
(County or other political division)
onsulate General of the
nited States of America.
(Name of consular office)
ss:

I, Thomas S. Horn ---------------------------------- Consul

the United States of America at Barcelona, Spain -----------------

ly commissioned and qualified, do hereby certify that on this 26th ----------

of -----May, 1936----, before me personally appeared -------------
(Date)

----------------JOSE URGELLES---------------------------------

to m ersonally known, and known to me to be the individual... described in, whose nam is subscribed to, and who executed the annexed instrument, and being info by me of the contents of said instrument he duly acknowledged to me tha ... executed the same freely and voluntarily for the uses and purposes the entioned.

In witness whereof I have hereunto set my hand and

American Consulate General,

...cial seal the day and year last above written.

AMERICAN
CONSULAR SERVICE
MAY 26 1936
FEE STAMP

Thomas S. Horn
Thomas S. Horn

rvi No. 1025

Consul
BARCELONA, SPAIN, ...of the United States of America

NO. TWO DOLLARS U. S. Cy.
o'c tas 14.80

.— ever practicable all signatures to a document should be included in one certificate 1—173

EXHIBIT 111-p.1

EXHIBIT 111-p.2

I herewith transfer and assing all title and interest in the copyrights of the following musical compositions

to

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS
NEW YORK.

COMPOSER	TITLE
José Urgelles	RUMBITA, Rumba
Josée Urgelles	TORERO, Paso-doble

Barcelona, Spain 26 May 1936.

Form No. 88—Consular
(Corrected March, 1914)

EXHIBIT 112-p.1

Certificate of Acknowledgment of Execution of Document

The Spanish Republic,
(Country)
Province of Barcelona,
City of Barcelona,
(County or other political division)
Consulate General of the
United States of America.
(Name of consular office)
ss:

I, DANIEL M. BRADDOCK, Consul *of the United States of America at* BARCELONA, Spain *duly commissioned and qualified, do hereby certify that on this* 21st *day of* August 1936 (Date), *before me personally appeared* J. URGELLES

to me personally known, and known to me to be the individual... described in, whose name is *subscribed to, and who executed the annexed instrument, and being* ...*formed by me of the contents of said instrument* he *duly acknowledged to me* ... he *executed the same freely and voluntarily for the uses and purposes th... mentioned.*

In witness whereof I have hereunto set my hand and ... *the day and year last above written.*

American Consulate General,
BARCELONA, SPAIN,

AMERICAN CONSULAR SERVICE
AUG 21 1936
FEE STAMP

Daniel M. Braddock
Daniel M. Braddock
Consul *of the United States of America*

Serv No.1810
FEE NO. TWO DO
Rec Ptas.20.--

NOTE.—W ver practicable all signatures to a document should be included in one certificate 1—178

EXHIBIT 112-p.1

EXHIBIT 112-p.2

I herewith transfer and assing all title and interest in the Copyrights of the following musical compositions

to;

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS

NEW YORK.

COMPOSER	TITLE	
J.Urgelles	MUCHACHA,	Tango.
J.Urgelles	ROSITA	Tango.

Barcelona ,Spain, 11 Agosto 1936

J Urgelles

Form No. 88—Consular
(Corrected March, 1914)

EXHIBIT 113-p.1

[illegible]ificate of Acknowledgment of Execution of Document

The Spanish Republic,
(Country)
Generalidad de Cataluña,
City of Barcelona,
(County or other political division)
Consulate General of the
United States of America.
(Name of consular office)
} ss:

I, Daniel M. Braddock, Vice-Consul

of the United States of America at Barcelona, Spain

duly commissioned and qualified, do hereby certify that on this 9th

day of June, 1934 (Date), before me personally appeared

A. URMENETA,

[illegible] me personally known, and known to me to be the individual... described in, whose [illegible] is subscribed to, and who executed the annexed instrument, and being [illegible]ed by me of the contents of said instrument he duly acknowledged to me [illegible] executed the same freely and voluntarily for the uses and purposes t[illegible]ein [illegible]tioned.

In witness whereof I have hereunto set my hand and official seal the day and year last above written.

Daniel M. Braddock
Daniel M. Braddock
Vice-- Consul of the United States of America

[illegible]vice [illegible] 1089
[illegible] NO. 33, T[illegible] DOLLARS U. S. Gold
[illegible]ceived[illegible]s 14.80

AMERICAN
$2
FEE STAMP

NOTE.—Wherev[illegible]racticable all signatures to a document should be included in one certificate

GOVERNMENT PRINTING OFFICE

EXHIBIT 113-p.1

EXHIBIT 113-p.2

I herewith transfer and assign all title and interest in the copyrights of the following musical compositions to:

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC.,
113 West 42nd Street
New York, N.Y.

Composer	Title	Entry Nr.	Year
A.Urmeneta	Soy andaluza }	E,for. 28621	1933
A.Urmeneta	Agárrate }	E,for. 28621	1933
A.Urmeneta	Esaboría	E,for. 28622	1933
A.Urmeneta	Angelillo	E,for.30216	1933

Barcelona (España) 9 de Junio de 193[illegible].

A Urmeneta

Form No. 88—Consular
(Corrected March, 1914)

EXHIBIT 114-p.1

Certificate of Acknowledgment of Execution of Document

The Spanish Republic,
Generalidad de Cataluña,
(Country)
City of Barcelona,
Consulate General of the
(County or other political division)
United States of America.
(Name of consular office)
ss:

I, Thomas S. Horn, Consul [illegible] the United States of America at Barcelona, Spain [illegible]y commissioned and qualified, do hereby certify that on this 4th [illegible] of November, 1934, (Date) before me personally appeared A. URMENETA [illegible] personally known, and known to me to be the individual... described in, whose n[illegible] is subscribed to, and who executed the annexed instrument, and being i[illegible] by me of the contents of said instrument he duly acknowledged to me th[illegible] executed the same freely and voluntarily for the uses and purposes th[illegible]ntioned.

In witness whereof I have hereunto set my hand and official seal the day and year last above written.

Thomas S. Horn
Thomas S. Horn
Consul of the United States of America.

Ser[illegible] N[illegible] 2208
FEE [illegible] DOLLARS U.S.Cy.
Rec[illegible] Pta[illegible]. 14.80

NOTE.—Wherever practicable all signatures to a document should be included in one certificate.

AMERICAN CONSULATE GENERAL
AMERICAN CONSULAR SERVICE
DEC [illegible] 1934
$2
FEE STAMP
BARCELONA, SPAIN

EXHIBIT 114-p.1

EXHIBIT 114-p2

I herewith transfer and assign all title and interest in the copyrights of the following musical compositions

to;

SOCIETU OF EUROPEAN STAGE AUTHORS AND COMPOSERS
113 West 42 nd Street
NUEVA YORK.

COMPOSER	TITLE	YEAR
A.Urmeneta	» ESO »	1934 E, for., No 37546
A.Urmeneta	» GITANO Y BATURRO »	1934 E, for., No 37547
A.Urmeneta	» FLAMENQUERIA »	1934 E, for., No 37545
A.Urmeneta	» CLAVELITO »	1934 E, for., No 37548

Barcelona (Spain) 5 de Diciembre de 1934

A. Urmeneta

EXHIBIT 114-p.2

Form No. 88—Consular
(Corrected March, 1914)

EXHIBIT 115-p.1

ertific of Acknowledgment of Execution of Document

T Spanish Republic,
(Country)
G ne alidad de Cataluña,
ty of Barcelona,
(County or other political division) ss:
ons late General of the
nit States of America.
(Name of consular office)

I, omas S. Horn------------------------------Consul----

the ed States of America at Barcelona, Spain------------------

y co issioned and qualified, do hereby certify that on this 12th----------

of - -March, 1935---, before me personally appeared ---------------

----

----------------A. URMENETA-----------------------

to e pers lly known, and known to me to be the individual... described in, whose n ... i scribed to, and who executed the annexed instrument, and being in med b e of the contents of said instrument... he... duly acknowledged to me th he cuted the same freely and voluntarily for the uses and purposes the n men ned.

AMERICAN CONSULATE GENERAL
MAR 12 1935
BARCELONA, SPAIN

In witness whereof I have hereunto set my hand and official seal the day and year last above written.

AMERICAN CONSULAR SERVICE
$2
FEE STAMP

Thomas S. Horn
Thomas S. Horn
Consul of the United States of America

rvice No 59
FEE NO. 23, TW DOLLARS U. S. Cy.
Received ptas 14.80

NOTE.—Wherever practicable all signatures to a document should be included in one certificate 1-173

GOVERNMENT PRINTING OFFICE

EXHIBIT 115-p.2

I herewith transfer and assign all title and interest in the copyrights of the following musical compositions

to:

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS, INC.,
113 West 42nd Street
New York, N.Y.

Composer	Title	Entry Nr.	Year
A.Urmeneta	Manzanilla		1935
A.Urmeneta	Del Candil		1935
A.Urmeneta	Tio Faroles		1935
A.Urmeneta	Currito de Triana		1935

Barcelona, Spain, 12 de Marzo de 1935.

Form No. 88—Consular
(Corrected March, 1914)

EXHIBIT 116-p.1

Certificate of Acknowledgment of Execution of Document

The Spanish Republic,
Province of Barcelona, (Country)
City of Barcelona, (County or other political division)
Consulate General of the
United States of America. (Name of consular office)
ss:

I, LYNN W. FRANKLIN-----------------------------------Consul

of the United States of America at BARCELONA, Spain------------------

duly commissioned and qualified, do hereby certify that on this ---1st------

day of July 1935------ (Date), before me personally appeared ------------

--------------------A. URMENETA-----------------------------

[illegible] me personally known, and known to me to be the individual... described in, whose [illegible]me is subscribed to, and who executed the annexed instrument, and being [illegible]formed by me of the contents of said instrument he duly acknowledged to me t[illegible] he executed the same freely and voluntarily for the uses and purposes th[illegible]in mentioned.

In witness whereof I have hereunto set my hand and official seal the day and year last above written.

AMERICAN CONSULATE GENERAL
BARCELONA, SPAIN

AMERICAN
FEE STAMP
1935

Lynn W. Franklin
Lynn W. Franklin
Consul of the United States of America

Se[illegible]ce No. 939
No. [illegible] Two Dollars U.S.F.P.
Re[illegible] Ptas. 14.80

[illegible]—W[illegible]ever practicable all signatures to a document should be included in one certificate 1—173

GOVERNMENT PRINTING OFFICE

EXHIBIT 116-p. 2

I herewith transfer and assign all title and interest in the copyrights of the following musical compositions

to;

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS
113 West 42 nd street

NEW YORK.

COMPOSER	TITLE	ENTRY Nr	YEAR
C.MILAGROS (A.García)	»MARY-LUZ. (P.doble)	39373	1935.
C.MILAGROS (A.García)	»PASOS LARGOS» id.	39374	1935.
C.MILAGROS (A.García)	»TU MANTILLA» id	39375	1935.
A. URMENETA	»DEL BETIS» Rumba	38962	1935.

Barcelona (Spain-)1 July 1935.

A. Urmeneta

EXHIBIT 117-p.1

Form No. 88—Consular
(Corrected March, 1914)

Certificate of Acknowledgment of Execution of Document

The Spanish Republic,
(Country)
Generalidad de Cataluña,
City of Barcelona,
(County or other political division) } ss:
Consulate General of the
United States of America.
(Name of consular office)

I, Thomas S. Horn------------------------------------Consul

of the United States of America at Barcelona, Spain-----------------

duly commissioned and qualified, do hereby certify that on this 7th----------

day of --October, 1935---*, before me personally appeared* -------------
(Date)

-------------------------AMADO URMENETA--------------------------

to me personally known, and known to me to be the individual... described in, whose name is *subscribed to, and who executed the annexed instrument, and being informed by me of the contents of said instrument* he *duly acknowledged to me that* he *executed the same freely and voluntarily for the uses and purposes therein mentioned.*

In witness whereof I have hereunto set my hand and official seal the day and year last above written.

AMERICAN CO
OCT 1935
BARCELONA, SPAIN

AMERICAN CONSULAR SERVICE
$2
FEE STAMP

Thomas S. Horn
Thomas S. Horn
Consul *of the United States of America*

Service No. 1483
FEE NO. 11, TWO DOLLARS U. S. Cy.
Received ptas 14.80

NOTE.—Whenever practicable all signatures to a document should be included in one certificate 1—178

GOVERNMENT PRINTING OFFICE

EXHIBIT 117-p.1

EXHIBIT 117-p.2

I herewith transfer and assign all title and interest in the copyright of the following musical compositions to;

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS
113 West 42 nd Street

NEW YORK

	Composer	Title	
1935	Amado Urmeneta	"CABO VERDE" Rumba carioca.	41405

Barcelona 7 Octubre 1935.

A. Urmeneta

Form No. 88—Consular
(Corrected March, 1914)

EXHIBIT 118-p.1

Certificate of Acknowledgment of Execution of Document

The Spanish Republic,
(Country)
City of Barcelona,
(County or other political division)
Consulate General of the
United States of America.
(Name of consular office)
} ss:

I, Thomas S. Horn------------------------------------Consul *of the United States of America at* Barcelona, Spain--------------- *duly commissioned and qualified, do hereby certify that on this* 14th--------- *day of* January, 1936---- (Date), *before me personally appeared* ------------ --- -------------------------A. Urmeneta------------------------- *to me personally known, and known to me to be the individual... described in, whose name* is *subscribed to, and who executed the annexed instrument, and being informed by me of the contents of said instrument* he *duly acknowledged to me that* he *executed the same freely and voluntarily for the uses and purposes therein mentioned.*

American Consulate General,

AMERICAN
FEE STAMP
JAN 14 1936

BARCELONA, SPAIN,

In witness whereof I have hereunto set my hand and official seal the day and year last above written.

Thomas S. Horn
Thomas S. Horn

Consul *of the United States of America*

Service No. 16
Fee No. 2 [illegible] TWO DOLLARS U. S. Cy.
[illegible] Ptas. 14.00

Note.—Whenever practicable all signatures to a document should be included in one certificate 1—178

EXHIBIT 118-p.1

EXHIBIT 118-p.2

I herewith transfer and assign all title and interest in the copyrights of the following musical compositions to;

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS
113 West 42nd Street

NEW YORK /

Composer	Title
A. Urmeneta	»Maritornes» Waltz
A.Urmeneta	» Bética» Spanish Dance Clasic.

Barcelona,Spain 14 Januari,1936.

A. Urmeneta

EXHIBIT 119-p.1

I herewith transfer and assign all title and interest in the copyrights of the folowing musical compositions

to;

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS

113 west 42nd Street

NEW YORK.

COMPOSER	TITLE
A.Urmeneta	TU MIRAR, Spanish Waltz.

Barcelona 4 February 1936.

A. Urmeneta

Form No. 88—Consular
(Corrected March, 1914)

EXHIBIT 119-p2

Certificate of Acknowledgment of Execution of Document

The Spanish Republic,
(Country)
Province of Barcelona,
City of Barcelona,
(County or other political division)
Consulate General of the
United States of America.
(Name of consular office)
} ss:

I, THOMAS S. HORN, Consul of the United States of America at BARCELONA, Spain duly commissioned and qualified, do hereby certify that on this 4th day of February 1936 (Date), before me personally appeared A. URMENETA

to me personally known, and known to me to be the individual... described in, whose name is subscribed to, and who executed the annexed instrument, and being informed by me of the contents of said instrument he duly acknowledged to me that he executed the same freely and voluntarily for the uses and purposes therein mentioned.

In witness whereof I have hereunto set my hand and official seal the day and year last above written.

American Consulate General,
FEB 4 1936
BARCELONA, SPAIN.

$2

Thomas S. Horn
Thomas S. Horn
Consul of the United States of America

rvice . 183
F NO. 33, T DOLLARS U.S. Cy.
c'd. P s.14.80

N —Whereve cticable all signatures to a document should be included in one certificate 1—378

EXHIBIT 119-p.2

Form No. 88—Consular
(Corrected March, 1914)

EXHIBIT 120-p.1

tificate of Acknowledgment of Execution of Document

Spanish Republic,
(Country)
ralidad de Cataluña,
of Barcelona,
(County or other political division)
late General of the
d Statesxof America.
(Name of consular office)
ss:

Thomas S. Horn------------------------------------Consul

o he nited States of America at Barcelona, Spain------------------

d o missioned and qualified, do hereby certify that on this 16th----------

d of ---November, 1935 (Date), before me personally appeared ---------------

----

------------------A. Urmeneta-------------------------

to p nally known, and known to me to be the individual... described in, whose

na i ubscribed to, and who executed the annexed instrument, and being

in med me of the contents of said instrument he duly acknowledged to me

th he ecuted the same freely and voluntarily for the uses and purposes

the n m ioned.

In witness whereof I have hereunto set my hand and official seal the day and year last above written.

AMERICAN CONSULATE GENERAL
AMERICAN CONSULAR SERVICE
FEE STAMP
NOV 2 1935
U. S. CY.
BARCELONA, SPAIN

Thomas S. Horn
Thomas S. Horn

Consul of the United States of America

Serv 1740
FEE N , T DOLLARS
Equ to tas 14.80

NOTE.— re racticable all signatures to a document should be included in one certificate 1—175

EXHIBIT 120-p.2

I herewith transfer and assign all title and interest in the copyrights of the following musical compositions

to;

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS
113 West 42nd Street
NEW YORK.

COMPOSER	TITLE
A.Urmeneta	»OJOS NEGROS» Pasodoble

BARCELONA ,Spain,16November,1935

A. Urmeneta

Form No. 88—Consular
(Corrected March, 1914)

EXHIBIT 121-p.1

Certificate of Acknowledgment of Execution of Document

Spanish Republic
Province of (Country) Barcelona
City of Barcelona
Consulate General of the
(County or other political division)
United States of America
(Name of consular office)
} ss:

I, Lynn W. Franklin ----------------, Consul----------------

of the United States of America at Barcelona, Spain ----------------

duly commissioned and qualified, do hereby certify that on this 16 th-------

day of March, 1936-------, (Date) *before me personally appeared*---------------

----------------------A. URMENETA----------------------

----

to me personally known, and known to me to be the individual... described in, whose name is *subscribed to, and who executed the annexed instrument, and being informed by me of the contents of said instrument* he *duly acknowledged to me that* he *executed the same freely and voluntarily for the uses and purposes therein mentioned.*

In witness whereof I have hereunto set my hand and American Consulate General *official seal the day and year last above written.*

AMERICAN
$2
MAR 26 1936
FEE STAMP

Lynn W. Franklin
Lynn W. Franklin
Consul *of the United States of America*

S[illegible]vice [illegible]o. 1460
BARCELONA, SPAIN,
FE[illegible]. 33, T[illegible] DOLLARS U. S. Cy.
[illegible]ive[illegible]tas 14.80

No[illegible] Wherev[illegible]racticable all signatures to a document should be included in one certificate 1—178

GOVERNMENT PRINTING OFFICE

EXHIBIT 121-p.1

EXHIBIT 121-p.2

I herewith transfer and assing all title and interest in the copyrights of the following musical compositions to;

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS
113 West 42nd Street
NEW YORK.

COMPOSER	TITLE	
A.Urmeneta	" 6 de Enero"	Tango
A.Urmeneta	" Reposo"	Tango.

Barcelona ,Spain 16 March 1936.

Urmeneta

EXHIBIT 122-p.1

Form No. 88—Consular
(Corrected March, 1914)

Ce tificate of Acknowledgment of Execution of Document

The Spanish Republic,
Generalidad de Cataluña, (Country)
City of Barcelona,
Consulate General of the (County or other political division) ss:
United States of America.
(Name of consular office)

I, Thomas S. Horn--------------, Consul--------------------

the United States of America at Barcelona, Spain--------------------

commissioned and qualified, do hereby certify that on this ----19th------

of --August, 1936----, *before me personally appeared*----------------
(Date)

-----------------A. URMENETA----------------------------

----

ersonally known, and known to me to be the individual... described in, whose *s ...subscribed to, and who executed the annexed instrument, and being* *by me of the contents of said instrument* he *duly acknowledged to me* *executed the same freely and voluntarily for the uses and purposes* *ei ntioned.*

AMERICAN CONSULATE GENERAL
AUG 19 1936
FEE STAMP
BARCELONA, SPAIN.

In witness whereof I have hereunto set my hand and official seal the day and year last above written.

Thomas S. Horn,
Consul *of the United States of America*

rvis o. 1789
DOLLARS U.S. Cy.
al 20.00 Ptas.

—Whenever practicable all signatures to a document should be included in one certificate 1—179

EXHIBIT 122-p.2

I herewith transfer and assing all title and interest in the Copyrights of the following musical compositions

to;

SOCIETY OF EUROPEAN STAGE AUTHORS AND COMPOSERS
NEVW YORK.

COMPOSER	TITLE
A.Urmeneta.	LOS GITANOS, Paso-doble
A.Urmeneta.	LINDO Danzón Rumba
S.de Ronda	RAYITO DE LUZ, Vals.
C.Milagros	MANDANGA Danzón Rumba
C.Milagros.	CIVILON Spanish Waltz.

Barcelona,Spain, 19.Agosto 1936.

A. Urmeneta

EXHIBIT 123-p.1

FOR AND IN CONSIDERATION of the sum of One ($1.00) Dollar and other good and valuable considerations in hand paid by the M. M. COLE PUBLISHING COMPANY, a corporation, of Chicago, Illinois, to VINCENT & HOWARD LTD., a corporation of 735 SOUTH BROADWAY, LOS ANGELES, CALIFORNIA, the said VINCENT & HOWARD, LTD., a corporation, hereby assigns, transfers, sells and sets over to the said M.M. COLE PUBLISHING COMPANY, a corporation, the copyrights and all renewals thereof, it now has or may have in the future, and all right, title and interest, it now has or may have in the future, in and to the following musical compositions:

~~By A Window At The End of the Lane~~
It's Heaven To Me
On A Sapphire Sea
The Little Girl Dressed In Blue
Sweet Dreams, Sweetheart
When The Bloom Is On the Sage
Wonder Valley
The Strawberry Roan
Old Black Mountain Trail
Rock Me To Sleep In My Rocky Mountain Home
The Steer's Lament
Mellow Mountain Moon
Me and My Burrow
Bring Your Roses To Her Now
Dreamy Tennessee
Golden River
I See Your Daddy In You
I'm Always Running After Rainbows
It's Time to Say Aloha Oe To You
Little Old Rag Doll
Mellow Alabama Moon
My California Moon
Pretty Quadroon
~~Tia Juana Rose~~
There's A Robin Singing In The Old Pine Tree
The Tables Have Turned
Sunny California
We'll See The Hard Times Thru
~~When It's Autumn in the Hills of California~~
On The Shore of Lake Louise
In That Little Old Green Valley School
The Gal on The Flying Trapeze V.H.P. By Fred Howard

The said VINCENT & HOWARD, LTD. a corporation, warrants that it has made no other assignments in toto or in part of any one or all of the musical compositions hereinabove listed, or granted any permission whatsoever to use for any purpose whatsoever in toto or in part any one or all of the musical compositions hereinabove listed; and further warrants and defends and agrees to save harmless the said M. M. COLE PUBLISHING COMPANY, a corporation, from any and every cause or action for infringements, damages, injunctions or any other form or cause of action or damages arising out of the assignments hereinabove made.

(1) The M. M. COLE PUBLISHING COMPANY agrees to pay the VINCENT & HOWARD LTD. on all Pianoforte copies sold and paid for a royalty of Three (3¢) cents per copy, however, on the song "WHEN THE BLOOM IS ON THE SAGE" the royalty shall be four (4¢) cents.

(2) It is understood that all royalties from Phonograph Records and Piano Rolls which were recorded on or before August 15th, 1933 shall go to the VINCENT & HOWARD LTD. However, royalties from Phonograph Records and Piano Rolls recorded after August 15, 1933 shall be divided 50% to VINCENT & HOWARD LTD. and 50% to the M. M. COLE PUBLISHING COMPANY.

EXHIBIT 123-p.2

3-A- However, previous arrangements made between VINCENT & HOWARD Ltd. with Foreign publishers shall be in affect until expiration of the contract. After expiration of the contract, the foreign rights shall revert to the M. M. COLE PUBLISHING COMPANY.

(4) It is understood if the M. M. COLE PUBLISHING COMPANY desires to sell the copyrights they will give the VINCENT & HOWARD LTD. first opportunity.

VINCENT & HOWARD, LTD., a corporation agrees to furnish to the M. M. COLE PUBLISHING COMPANY, a corporation, the copyright number and data on the musical compositions hereinabove listed.

IN WITNESS WHEREOF, the said VINCENT & HOWARD, LTD., a corporation have caused this instrument to be signed by its president and attested by its Secretary this 19th day of December, A.D. 1934 at Chicago, Illinois.

VINCENT & HOWARD LTD., a corporation

by Nat Vincent
President

M.M. COLE PUBLISHING CO. a corporation

by M M Cole
President

Attest:

A Schuham
Secretary

EXHIBIT 124-p.1

I herewith transfer and assing all title and interest in the copyrights of the following musical compositions

to;

Society of European Stage Authors and Composers
113 West 42nd Street
NEW YORK.

COMPOSER	TITLE
Mariano Yanguas	»Caminitos» Paso-doble
Mariano Yanguas	»Cordobesita» Paso-doble
Mariano Yanguas	»EnSevilla» Danza Típica Española.

Madrid,Spain, 12 May 1936.

Mariano Yanguas

Certificate of Acknowledgment of Execution of Document

EXHIBIT 124-p.2

Republic of Spain - Province (Country)
and City of Madrid - Consulate (County or other political division) } ss:
of the United States of America (Name of consular office)

I, Bolard More, Vice Consul *of the United States of America at* Madrid, Spain *duly commissioned and qualified, do hereby certify that on this* 12th *day of* May, 1936 (Date), *before me personally appeared* ------------

--------------------- MARIANO YANGUAS ------------------

----

to me personally known, and known to me to be the individual... described in, whose name is *subscribed to, and who executed the annexed instrument, and being informed by me of the contents of said instrument* he *duly acknowledged to me that* he *executed the same freely and voluntarily for the uses and purposes* *erein mentioned.*

In witness whereof I have hereunto set my hand and official seal the day and year last above written.

Bolard More

Vice Consul *of the United States of America*

rv No.595
s. 90.

AMERICAN CONSULATE

NO. TWO DOLLARS

AMERICAN FOREIGN SERVICE
$2.00
FEE STAMP

N —W er practicable a document should be included in one certificate 1—173

EXHIBIT 124-p.2

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS ★ ★ ★ ★ ★ Vol. 5 - - No. 35
AUG. 19, 1937

Copyright, 1937. The National Association of Broadcasters

McNinch, Craven Appointed To FCC Vacancies

On Tuesday, President Roosevelt sent the names of Frank R. McNinch and T. A. M. Craven to the Senate to fill the vacancies on the Federal Communications Commission created by the death of Anning S. Prall, chairman of the Commission, and Irvin Stewart, who resigned to enter private work.

At the time of the appointment Mr. McNinch was chairman of the Federal Power Commission and Mr. Craven was chief engineer of the Commission. Up to this time the chairman had not been appointed by the President but it is understood that it will be Mr. McNinch.

While nothing official has been made public, the general impression is that McNinch will only remain on the Communications Commission long enough to get some of the present difficulties straightened out.

Mr. McNinch, who was born at Charlotte, N. C., April 27, 1873, was originally appointed to the Power Commission in 1930 by President Hoover and has been chairman since 1933.

He was educated in the high schools of Charlotte and the Barriers Military Institute of the same place and began the practice of law in Charlotte in 1900. He was a member of the House of Representatives of North Carolina in 1905 and was mayor and commissioner of finance of Charlotte for two terms from 1917-1921.

Mr. Craven, who is a retired Lieutenant-Commander in the Navy, was appointed chief engineer of the Commission in November, 1935. He was born January 31, 1893, in Philadelphia and after completing his academic training, he was appointed to the U. S. Naval Academy, where he graduated with the class of 1913.

His first assignment after graduation was as Radio Officer on the U. S. S. *Delaware,* 1913-1915 during the Mexican Campaign. His professional duties since then follow:

Fleet Radio Officer, U. S. Asiatic Fleet, 1915-1917.

In charge U. S. Naval Coastal and Transoceanic Radio Operations, 1917-1920.

U. S. Naval Representative at Provisional Inter-allied Communication Conference at Paris, France, 1919.

Naval Representative on U. S. Government Inter-Departmental Board to arrange for collection and distribution of meteorological data in 1919.

U. S. Naval Radio Technical Adviser at International Conference on electrical communication at Washington, 1920.

Chairman of sub-committee on wave-length allocation at International Conference at Washington, D. C., in 1920.

Battleship Force Radio Officer, 1921.

U. S. Naval Representative at conference of Radio Technical Committee on International Radio Communication at Paris, France, in 1921.

Fleet Radio Officer, U. S. Atlantic Fleet, 1921-1922.

Fleet Radio Officer, United States Fleet, 1922-1923.

In charge of Radio Research and Design Section, Bureau of Engineering, 1923-1926.

Member of Inter-Departmental Radio Advisory Committee.

Radio Technical Adviser for radio frequency allocation at International Radio Conference, Washington, D. C., 1927.

Represented Navy Department on various national conferences (frequency allocation).

He resigned from the Navy in 1930 to engage in private radio practice as a consulting engineer.

His work as an author:

Commander Craven has made notable contributions to radio development in his writings. Among other things he collaborated with Captain Hooper in writing Robinson's Manual of Radio Telegraphy and Radio Telephony.

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Various technical essays on Naval Radio Communications.

He is a member of the following clubs and societies: U. S. Naval Institute. Ends of the Earth. Military Order of the Loyal Legion of the U. S. Army, Navy and Marine Corps Country Club. Kilocycle-Wave Length Club.

SESAC REPORT

The report on the Society of European Stage Authors and Composers (SESAC) is being mailed to members this week.

WORKING DATE OF RULE 981 EXTENDED

The Broadcast Division of the Federal Communications Commission has further extended the working date of Rule 981 for six months from September 15, 1937. This rule requires all relay, international, television, facsimile high frequency and experimental broadcast stations to have a frequency monitor in operation by September 15, 1936. This monitor does not have to be approved by the Commission but must have an accuracy of one half the allowed tolerance of the class of station with which it is to be used. The unavailability of commercial monitors on the market has necessitated this the third extension of the effective date of Rule 981.

NEW WIGGLESWORTH RESOLUTION

Representative Wigglesworth of Massachusetts, who has had so much to say recently on the floor of the House concerning radio and broadcasting, on Wednesday introduced a resolution (H. Res. 321) which has been referred to the House Committee on Interstate and Foreign Commerce, calling on the Federal Communications Commission for information in connection with possible holdings of its employees in any radio company. The resolution is as follows:

Whereas "no member of the Commission or person in its employ shall be financially interested in the manufacture or sale of radio apparatus or of apparatus for wire or radio communication; in communication by wire or radio or in radio transmission of energy; in any company furnishing services or such apparatus to any company engaged in communication by wire or radio or to any company manufacturing or selling apparatus used for communication by wire or radio; or in any company owning stocks, bonds, or other securities of any such company; nor be in the employ of or hold any official relation to any person subject to any of the provisions of this Act, nor own stocks, bonds, or other securities of any corporation subject to any of the provisions of this Act. Such commissioners shall not engage in any other business, vocation or employment. Not more than four commissioners shall be members of the same political party" (the Federal Communications Act of 1934, sec. 4b); and

Whereas addresses have recently been made by members of Congress in both the House and the Senate emphasizing the apparent failure to eliminate the evils of monopoly in the field of communications and more particularly in the radio-broadcasting field despite the intent of Congress manifest in the Communications Act of 1934; and

Whereas it appears possible that television may be added to the virtual monopoly apparently existing in this field; and

Whereas the apparent existence of trafficking in licenses, capitalization of Federal licenses at the expense of the public and other matters referred to, suggest the lack of proper administration, raising squarely the question of whether or not the Federal Communications Commission or the Broadcasting Division of the Commission is being conducted or is in a position to be conducted in accordance with the intent of Congress under the Communications Act of 1934; and

Whereas resolutions are now pending before both the House and the Senate with a view to a thorough-going investigation into the apparent monopoly in the radio-broadcasting field: Therefore be it

Resolved, That the Federal Communications Commission be required to furnish under oath the following information:

1. The name or names, if any, of any member, agent, or employee of the Commission financially interested in the manufacture or sale of radio apparatus or of apparatus for wire or radio communication; in communication by wire or radio or in radio transmission of energy; in any other company furnishing services or such apparatus to any company engaged in communication by wire or radio or to any company manufacturing or selling apparatus used for communication by wire or radio or in any company owning stocks, bonds, or in any other securities of such company.

2. The name or names, if any, of any member, agent, or employee of the Commission in the employ of or holding any official relation to any person subject to any provision of the Communications Act of 1934.

3. The name or names, if any, of any member, agent, or employee of the Commission holding, directly or indirectly, stocks, bonds, or other securities of any corporation subject to any provisions of the Communications Act of 1934; or having other interests profiting such member, agent, or employee, if any, through the action of the Commission in the field of communications; be it further

Resolved, That the above information be furnished the House of Representatives immediately.

RADIO CONFERENCE APPROPRIATION

The Senate has passed the resolution (S. Jt. Res. 197) providing an appropriation of $15,000 for the use of American delegates to the Inter-American Radio Conference to be held at Habana, Cuba, in November.

FORMAL WHITE REPORT

The Senate Committee on Interstate Commerce in making its formal report on the White radio resolution calling for a full survey of the broadcasting and radio situation had the following to say:

"Your committee, having had under consideration Senate Resolution 149, report the same to the Senate with the recommendation that the resolution do pass with an amendment fixing a limit of $25,000 on the expenditures of the committee.

"This resolution contemplates and authorizes a serious study of wireless communication problems with a view to recommendations to the Congress as to the principles and policies to be observed in the regulation of the industry and of radio communications. It directs such fact-finding investigation as is necessary if there is to be an intelligent consideration of these problems.

"In 1912, when the first act to regulate radio communications was enacted by the Congress, the only practical use of radio was for communication between ships and between ship and shore. At that time on the oceans of the world there were about 600 vessels equipped with radio. Transoceanic communication was in its very infancy. Broadcasting was unborn. Amazing developments have come in the intervening years. Wave lengths unknown in 1912 have become of common use. Power undreamed of when Congress first legislated is now projecting energy across the oceans and over continents. We now have facsimile transmission of writing, of printing, and of pictures. Beacon signals and the radio compass are new aids to navigation. Radiotelephony, television, and transmission of power are knocking at our doors.

"In the air hundreds of planes are signaling to and talking with each other and with the earth. Upon the oceans many thousands of ships are warned of ice, storms, and of other dangers. In the United States alone we have 666 broadcasting stations, 47,500 amateur stations, and 6,704 commercial stations. These commercial stations include some 26 different uses to which radio is put. No man knows of other refinements and uses soon to be here.

"This amazing growth has brought problems for the industry and for the Government of the greatest complexity and difficulty. The resolution suggests many of them, and it is unnecessary here to restate them. Except for such study as was given when the 1927 act was passed, there has been no serious study of radio communication by any committee of the Congress in the 25 years which elapsed since the act of 1912 became law. Your committee feel that the situation demands thorough study and that it should be immediately undertaken. The committee express the earnest hope that the resolution may have speedy passage to the end that this important work may be undertaken at the earliest possible moment."

The resolution has been referred to the Senate Committee on Audit and Control because of the provision for a $25,000 appropriation to carry on the investigation.

McFARLANE RADIO RESOLUTION

Representative McFarlane of Texas has introduced a resolution in the House (H. Res. 313) calling for an investigation of radio and broadcasting. It has been referred to the House Committee on Rules and is as follows:

Whereas the Congress, in creating the Federal Radio Commission and in enacting the Communications Act of 1934, expressly reserves to the people of the United States control of all radio frequencies; and

Whereas despite the restriction through the leasing of, the purchase of, the affiliating of, the operation of, or through the possession of contracts giving to a select few the exclusive right to use the more desirable time of these radio-broadcasting stations, there is reason to believe that, contrary to the intent and the spirit, as well as the language, of laws in force, one or more monopolies exist in radio broadcasting, which radio-broadcasting monopolies are believed to be profiting illegally at the expense and to the detriment of the people through the monopolistic control and operation of all clear-channel and other highly desirable radio-broadcasting stations, such as the Columbia Broadcasting System, the National Broadcasting Company, and the Mutual Broadcasting System, or other existing groups; and

Whereas it is believed that neither public interest, convenience, nor necessity is served by permitting virtual radio-broadcasting monopolies to control this property which has been reserved to the control of the American people; and

Whereas it is contrary to public policy, convenience, or necessity to allow any private groups to monopolize the use of a property reserved to and for the people; and

Whereas it has just become publicly known that stock racketeering exists in the sale of radio securities to the possible detriment of the innocent investing public, and wide-open trafficking in the sale and lease of radio licensing is and has taken place contrary to law; and

Whereas it has just become known that the three large radio chains above-mentioned and their lessees own and control 93 per centum of the broadcasting power of the Nation and that some two hundred of the largest radio stations are owned and operated in this chain system by the large daily newspapers of the communities in which said stations are located, thereby forming a combine of radio, motion picture, and press through cross-licensing and patent pooling, which largely control the molding of public opinion in this country; and

Whereas, under a consent decree approved by the Hoover administration and entered as an order of the Federal court in Wilmington, Delaware, November 21, 1932, a monopoly in radio manufacturing, sale, and distribution of all radio equipment was illegally authorized and the said consent decree also is credited with defrauding the stockholders of one corporation of more than $200,000,000: Therefore be it

Resolved, That a committee of seven Members of the House of Representatives shall be appointed by the Speaker, which committee is hereby directed to inquire into and investigate the allegations and charges that a monopoly or monopolies exist in radio broadcasting alleged to be held by the Columbia Broadcasting System, National Broadcasting Company, Mutual Broadcasting System, or others; be it further

Resolved, That the said committee shall make a thorough and exhaustive investigation of all charges and allegations of the existence of a monopoly or monopolies in radio broadcasting, sound motion-picture industry, and radio-newspaper broadcasting combinations and rates charged advertisers, and generally the effect of such monopoly or monopolies on the public, and said committee shall report in whole or in part at any time to the House of Representatives during the Seventy-fifth Congress, together with such recommendations for legislation or otherwise as it deems advisable; and be it further

Resolved, That said committee or any subcommittee thereof is authorized to sit and act during the present Congress at such times and places within the United States whether or not the House is sitting, has recessed, or adjourned; to hold such hearings; to require the attendance of such witnesses and the production of such books, papers, and documents by subpena or otherwise; and to take such testimony as it deems necessary with respect to such monopoly or monopolies and the management and operation of any company or companies being so investigated. Subpenas shall be issued under the signature of the chairman of said committee or any member designated by him and shall be served by any person designated by them or either of them. The chairman of the committee or any member thereof may administer oaths to witnesses. Every person who, having been summoned as a witness by authority of said committee, or subcommittee thereof, willfully makes default, or who, having appeared, refuses to answer any questions pertinent to the matter herein authorized to be investigated, shall be held to the penalties provided in sections 102 103, and 104 of the Revised Statutes of the United States, as amended (U. S. C., title 2, secs. 192, 193, and 194).

BILLY TRUEHART

A number of members have forwarded to NAB headquarters copies of a form letter from Billy Truehart requesting time on broadcasting stations on a per inquiry or percentage basis. Mr. Truehart has been advised that such a proposition is in violation of paragraph 6 of the NAB Code of Ethics and he has been requested to cease and desist from further attempts to obtain radio advertising on this basis.

JERSEY STATION RECOMMENDED

The Press-Union Publishing Company applied to the Federal Communications Commission for a construction permit for the erection of a new station at Atlantic City, N. J., to use 1200 kilocycles, 100 watts and 250 watts LS, and unlimited time on the air.

Examiner John P. Bramhall, in Report No. I-475, recommended that the application be granted. He found that a need for additional service in the area proposed to be served "has been clearly established." The proposed station, the Examiner found, would not cause objectionable interference with Stations WEST, WKBO, WCAU or WSNJ. He states that the granting of the application would be in the public interest.

G. RICHARD HIGHAM—MARK TYME—BOB WHITE

Anyone knowing the whereabouts of G. Richard Higham, often known as Mark Tyme and also as Bob White, please communicate with NAB Headquarters.

RECOMMENDS GEORGIA STATION

Several persons operating as J. K. Patrick & Company applied to the Federal Communications Commission for a construction permit for the erection of a new station at Athens, Ga., to use 1310 kilocycles, 100 watts and 250 watts LS, with unlimited time.

Examiner George H. Hill, in Report No. I-474, recommended that the application be granted, "subject to the selection of an approved transmitter site." He states that "there will be a definite need for radio services such as proposed, in the Athens area, when Station WRFI is removed to Atlanta, Ga., and adequate talent is available to supply the needs of the proposed station." The Examiner states further that the granting of the application would not result in any substantial interference with any existing station "but such interference as would be caused would be only slight."

NEW MONTANA STATION RECOMMENDED

The Roberts-McNab Company and the Gallatin Radio Forum both applied to the Federal Communications Commission for a construction permit for the erection of new stations at Bozeman, Mont., both asking for 1420 kilocycles. The first applicant asked for unlimited time to use 100 watts and 250 watts LS, while the second applicant asked for daytime operation, 250 watts.

Examiner Melvin H. Dalberg, in Report No. 473, recommended that the application of the first named be granted but that of the Gallatin Radio Forum be denied. There is an obvious need for a station at Bozeman, the Examiner states, there being no radio station at that place. He says that the Roberts-McNab Company "by reason of its business interests, is apparently more closely allied and familiar with the broadcasting needs of the population of Bozeman and its surrounding area. These matters, in conjunction with the unlimited hours of operation proposed by the latter applicant, lead the Examiner to the conclusion that it is better qualified to operate such a station in the public interest, convenience and necessity."

RECOMMENDS ON SOUTH DAKOTA STATIONS

Broadcasting station KWTN, Watertown, N. Dak., applied to the Federal Communications Commission to change its frequency from 1210 to 1340 kilocycles, and to increase its power from 100 to 250 watts and 500 watts LS. Also KGDY, Huron, S. Dak., asked the Commission to change its frequency from 1340 to 1210 kilocycles, and to change its power from 250 watts to 100 watts and 250 watts LS. Also station KGDY applied to the Commission for authority to transfer its control.

Examiner Tyler Berry, in Report No. I-471, made the following recommendations:

1. That the application of the Greater Kampeska Radio Corporation (KWTN) for renewal of license be granted subject to compliance, as a condition precedent, with Rules 131, 132, and 139;
2. That the application of the Greater Kampeska Radio Corporation (KWTN) for construction permit be denied;
3. That the application of the Voice of South Dakota for a renewal of license be granted subject to compliance with Rules 131, 132, and 139;
4. That the application of Voice of South Dakota for construction permit be denied; and
5. That the application of Dr. Finn Koren, Robert J. Dean, and M. W. Plowman, Transferors, for authority to transfer control of the Voice of South Dakota, licensee of Radio Station KGDY at Huron, S. Dak., to Greater Kampeska Radio Corporation, Transferee, be granted.

NEW OHIO STATION RECOMMENDED

The Summit Radio Corporation applied to the Federal Communications Commission for a construction permit for the erection of a new station at Akron, Ohio, to use 1530 kilocycles, 1,000 watts, and unlimited time.

Examiner John P. Bramhall, in Report No. I-476, recommended that the application be granted. He states that the need for additional service was established at the hearing and he stated further that the interests of stations WBRY and KXBY "will not be adversely affected by reason of interference should this application be granted." The Examiner states further that the granting of the application will serve the public interest.

BROADCAST ADVERTISING FOR THE FIRST HALF OF 1937 AND FOR JUNE

BROADCAST ADVERTISING FOR THE FIRST HALF OF 1937

PRINCIPAL DEVELOPMENTS

Broadcast advertising for the first six months of the current year amounted to $65,426,432, as compared to $50,802,179 for the corresponding period of 1936, a gain of 28.7%. All portions of the medium showed gains in gross time sales. National non-network volume increased to the greatest extent, rising 43.3% over the level recorded for the first half of 1936.

Radio broadcasting for the first half of this year showed the greatest relative increase of any major medium. Compared to the 28.7% rise on the part of radio broadcasting, national magazine advertising increased 16.2% in volume, national farm paper volume 13.6%, and newspaper lineage 2.9%.

Total non-network advertising exceeded the gross time sales for the first half of last year by 32.8%. The regional station group showed the greatest gain by rising 45.6%. Non-network advertising in the New England-Middle Atlantic Area increased to a greater extent than that in other portions of the country.

Live talent programs enjoyed the principal increase among the types of rendition. Live talent programs increased 37.1%, transcriptions 24.4%, records 25.1%, and announcements 34.0%.

Gross time sales for the first half of the year showed an increase in tobacco and foodstuff advertising in all portions of the medium. National network automotive advertising enjoyed a marked increase, as did regional and national non-network clothing advertising. The other principal gains were in the following groups: National non-network cosmetics and beverages, national network and local household equipment, national network and national non-network soap and kitchen supplies, national and regional network financial, national network and local radio set, and local department store advertising.

TOTAL BROADCAST ADVERTISING

Total broadcast advertising over various portions of the radio broadcasting medium for the first half of the current year as compared to the corresponding period of the preceding year is set forth in Table I.

TABLE I

TOTAL BROADCAST ADVERTISING

Class of Business	*Gross Time Sales First Half* 1936	1937
National networks	$28,181,976	$35,564,039
Regional networks	644,473	669,293
National non-network	11,527,860	16,528,100
Local	10,447,870	12,665,000
Total	$50,802,179	$65,426,432

National non-network advertising for the first half of the current year showed the greatest gain in volume as compared to the first six months of 1936, rising 43.3%. National network and local advertising also recorded marked gains over last year, rising 26.1% and 21.2%, respectively. Regional network advertising rose 3.8% in volume as compared to the first half of 1936. Total broadcast advertising increased 28.7% in volume.

COMPARISON WITH OTHER MEDIA

Radio broadcast advertising for the six-month period showed the greatest rate of increase of any major medium as compared to the corresponding period of last year. Compared to the 28.7% rise on the part of radio broadcasting, national magazine advertising increased 16.2% in volume, national farm paper volume 13.6%, and newspaper lineage 2.9%.

Advertising volume by major media during the first half of 1937 as against the corresponding period of 1936 is set forth in Table II.

TABLE II

ADVERTISING BY MAJOR MEDIA

Advertising Medium	*Gross Time and Space Sales First Half* 1936	1937
Radio broadcasting	$50,802,179	$65,426,432
National magazines[1]	74,756,884	86,922,900
National farm papers[1]	3,730,765	4,238,891
Newspapers[2]	275,706,000	283,725,000
Total	$404,995,828	$440,313,223

[1] Publishers' Information Bureau.
[2] Established.

NON-NETWORK ADVERTISING

As a whole, non-network advertising rose 32.8% in volume over the level recorded for the first half of last year. The greatest relative increase in the non-network field was experienced in the regional station group, advertising on this class of stations rising 45.6%. However, advertising volume in the clear channel and high-powered regional station group rose 26.1% and in the local station group 18.9%. Non-network advertising by power of station is found in Table III.

TABLE III

NON-NETWORK ADVERTISING BY POWER OF STATION

Power of Station	*Gross Time Sales First Half* 1936	1937
Over 1,000 watts	$9,864,340	$12,437,300
250–1,000 watts	8,798,750	12,815,800
100 watts	3,312,640	3,940,000
Total	$21,975,730	$29,193,100

Of the major geographical districts, non-network advertising in the New England-Middle Atlantic Area showed the greatest rate of increase as compared to the first half of the preceding year, rising 56.4% in volume. Advertising in the South Atlantic and South Central Area during the first half of 1937 exceeded that of the previous year by 30.3%. The North Central and Pacific and Mountain Areas also recorded good gains in rising 25.5% and 23.3% in volume, respectively. Non-network advertising by major geographical districts is found in Table IV.

TABLE IV

NON-NETWORK ADVERTISING BY GEOGRAPHICAL DISTRICTS

Geographical District	*Gross Time Sales First Half* 1936	1937
New England-Middle Atlantic Area	$4,802,650	$7,516,100
South Atlantic-South Central Area	4,304,570	5,612,600
North Central Area	8,676,930	10,892,800
Pacific and Mountain Area	4,191,580	5,171,600
Total	$21,975,730	$29,193,100

NON-NETWORK ADVERTISING BY TYPE OF RENDITION

Live talent exhibited the greatest rate of increase among the various types of rendition by rising 37.1% in volume over the first half of 1936. Live talent programs in the national non-network field rose 47.0% in volume and 27.4% in the local field.

Total transcription volume during the first half of 1937 exceeded that of the previous year by 24.4%. This type of rendition increased 27.5% in the national non-network field and 12.3% in the local field.

Records in the national field more than doubled the volume recorded for the first half of 1936 while increasing 15.7% in the local field. Total record volume rose 25.1%. Announcements in the national field rose 72.4% and in the local field 15.2%, the total volume rising 34.0% over the level recorded for the first six months of last year.

Non-network advertising by type of rendition is shown in Table V.

TABLE V

NON-NETWORK BROADCAST ADVERTISING BY TYPE OF RENDITION

	Gross Time Sales First Half					
	National Non-network		*Local*		*Total*	
Type of Rendition	*1936*	*1937*	*1936*	*1937*	*1936*	*1937*
Electrical transcriptions	$4,542,695	$5,794,250	$1,181,255	$1,327,130	$5,723,950	$7,121,380
Live talent programs	5,244,910	7,714,950	5,398,860	6,878,940	10,643,770	14,593,890
Records	39,340	85,110	383,780	444,300	423,120	529,410
Announcements	1,700,915	2,933,790	3,483,975	4,014,630	5,184,890	6,948,420
Total	$11,527,860	$16,528,100	$10,447,870	$12,665,000	$21,975,730	$29,193,100

BROADCAST ADVERTISING SPONSORSHIP

Increases were general in all portions of the medium as compared to the first six months of last year with but a few declines in each field. Outstanding developments have been the marked increases in tobacco and foodstuff advertising, these products having gained in all portions of the medium.

National network automotive advertising increased 51.2% and regional network and national non-network clothing volume 218.3% and 47.4%, respectively. National non-network automotive volume declined 35.9%.

National non-network cosmetic and beverage volume increased 46.8% and 177.8%, respectively. Other important gains were registered in the following fields: national network and local household equipment, national network and national non-network soap and kitchen supplies, national and regional network financial advertising, national network and local radio set volume, and local department store advertising.

Broadcast advertising by various product and service classes for the first half of the current year is set forth in Table VI.

TABLE VI

RADIO BROADCAST ADVERTISING BY TYPE OF SPONSORING BUSINESS

	1937 Gross Time Sales First Half				
Type of Sponsoring Business	*National Networks*	*Regional Networks*	*National Non-network*	*Local*	*Total*
1a. Amusements	———	$1,312	$26,730	$253,340	$281,382
1–2. Automobiles and accessories:					
(1) Automobiles	$3,255,257	4,191	921,850	678,030	4,859,328
(2) Accessories, gas and oil	2,879,033	76,713	1,010,750	452,950	4,419,446
3. Clothing and apparel	147,927	7,374	342,950	1,620,310	2,118,561
4–5. Drugs and toilet goods:					
(4) Drugs and pharmaceuticals	3,192,912	72,422	2,408,390	327,570	6,001,294
(5) Toilet goods	6,332,522	20,396	771,190	126,650	7,250,758
6–8. Food products:					
(6) Foodstuffs	7,415,609	208,282	4,184,870	1,879,440	13,688,201
(7) Beverages	1,871,602	49,993	838,280	688,810	3,448,685
(8) Confections	708,920	8,932	267,960	61,540	1,047,352
9–10. Household goods:					
(9) Household equipment and furnishings	773,869	15,439	579,380	1,343,770	2,712,458
(10) Soap and kitchen supplies	2,972,053	23,994	1,204,980	51,700	4,252,727
11. Insurance and financial	423,898	27,443	121,600	556,700	1,129,641
12. Radios	1,126,755	———	31,530	117,150	1,275,435
13. Retail establishments	———	800	70,490	1,097,640	1,168,930
14. Tobacco products	3,198,131	86,968	993,680	67,410	4,346,189
15. Miscellaneous	1,265,551	65,034	2,753,470	3,341,990	7,426,045
Total	$35,564,039	$669,293	$16,528,100	$12,665,000	$65,426,432

Details as to broadcast advertising trends in various fields of business for the first six months of 1937 as compared to the corresponding period of last year are as follows:

1a. ***Amusements.*** Advertising on regional networks increased from $325 to $1,312. National non-network volume decreased 52.4%, while local volume increased 16.6%.

1. ***Automotive.*** National network volume rose 51.2%. Advertising on regional networks amounted to $4,191 as against no advertising in 1936. National non-network volume declined 35.9% and local volume 7.4%.

2. ***Gasoline and accessories.*** National network volume rose 22.1% and national non-network business 14.0%. Advertising on regional networks declined 14.7% in volume, while local advertising dropped 3.6%.

3. ***Clothing.*** While national network volume declined 22.7%, regional network volume more than tripled, national non-network volume rose 47.4%, and local advertising increased 15.6%.

4. ***Drugs and pharmaceuticals.*** National network volume rose 26.9%, regional network volume 15.1%, and national non-network business 2.7%. Local business declined 15.2%.

5. *Toilet goods.* National network advertising rose 9.3%, regional network volume 3.1%, and national non-network business 46.8%. Local advertising volume remained at approximately the same level.

6. *Foodstuffs.* Advertising increased in volume in all portions of the medium as follows: national networks 40.0%, regional networks 13.5%, national non-network 76.6%, and local 34.9%.

7. *Beverages.* Volume declined 11.5% in both the national and regional network fields. National non-network volume rose 177.8% and local volume 16.2%.

8. *Confectionery.* National network volume rose 6.5%, national non-network business 32.6%, and local advertising 18.4%. Regional network business alone showed a decrease, declining 54.4%.

9. *Household equipment.* Advertising in the national network field rose 236.2%. Regional network volume declined 48.0%. National non-network and local advertising rose 16.9% and 21.5%, respectively.

10. *Soaps and kitchen supplies.* National network volume rose 64.2% and national non-network volume 141.3%. Regional network business declined 37.7% and local business 2.1%.

11. *Insurance and financial.* National network business rose 71.9%, while regional network business increased more than sixfold. Local business increased 22.1%. National non-network volume declined 7.4%.

12. *Radios.* National network volume rose 76.7%. Regional network business amounted to $1,328 in 1936, while there was not any business in 1937. National non-network business decreased 61.9%. Local volume rose 44.6%.

13. *Department and general stores.* In the regional network field, advertising amounted to $800 as against $2,730 in 1936. National non-network business rose 10.2% and local business 34.5%.

14. *Tobacco products.* Marked increases in all portions of the medium as follows: national networks 41.3%, regional networks 55.6%, national non-network 191.4%, and local 51.3%.

15. *Miscellaneous.* National network and regional network volume declined 33.7% and 15.8%, respectively. National non-network business rose 76.5% and local advertising 32.5%.

RETAIL BROADCAST ADVERTISING

Total retail broadcast advertising over individual stations increased 21.4% over the level registered for the first half of last year. All groups registered increases with the exception of the automotive, gasoline and accessories, beauty parlor and grocery store advertising groups. Beauty parlor advertising declined 19.5%, grocery store advertising 35.6%, automotive advertising 10.3%, and gasoline station and accessory store advertising less than 1.0%.

The most significant increases were as follows: clothing and apparel shops 18.4%, drug stores 15.6%, restaurants 40.0%, household equipment dealers 49.4%, furniture stores 24.1%, hardware stores 58.8%, radio retailers 54.3%, and department stores 32.0%.

Broadcast advertising by retail establishments is set forth in Table VII.

TABLE VII

RETAIL BROADCAST ADVERTISING OVER INDIVIDUAL STATIONS

	Gross Time Sales First Half	
Type of Sponsoring Business	*1936*	*1937*
Automobiles and accessories:		
Automobile agencies and used car dealers	$760,600	$682,020
Gasoline stations, garages, etc	259,000	256,450
Clothing and apparel shops	1,475,040	1,747,240
Drugs and toilet goods:		
Drug stores	104,645	121,030
Beauty parlors	55,500	44,630
Food products:		
Grocery stores, meat markets, etc.	398,610	256,570
Restaurants and eating places	127,080	177,920
Beverage retailers	22,810	27,520
Confectionery stores	17,430	44,150
Household goods:		
Household equipment dealers	325,530	486,460
Furniture stores	575,360	714,250
Hardware stores	110,190	175,050
Radio retailers	69,990	108,000
Department and general stores	881,881	1,164,430
Tobacco shops	3,090	———
Miscellaneous	555,140	967,280
Total	$5,741,896	$6,973,000

BROADCAST ADVERTISING IN JUNE

HIGHLIGHTS OF THE MONTH

Total broadcast advertising during the month of June amounted to $10,611,913, a decline of 6.2% from the volume recorded for last month. This decline, a usual seasonal tendency, was much less than the usual downward summer trend. Declines were general throughout the broadcast field, all portions of the medium declining at approximately the same rate. Gross time sales for the month were 34.0% ahead of the level of last June. National non-network volume showed the greatest gain of any portion of the medium, rising 44.2%. National network volume rose 39.5%, regional network volume 21.0%, and local advertising 13.5%.

Although all major media declined in advertising volume as against May, radio broadcasting declined to the least extent. Radio gross time sales declined 6.2%, while national magazine volume dropped 18.0%, national farm papers 13.1%, and newspaper lineage 6.9%. Radio also showed the greatest increase in advertising volume as compared to last June.

Non-network advertising for the month declined 7.2% compared to May but showed a 28.6% gain in volume over last June. Local station volume showed the only gain over last month. While all sizes of stations increased their gross time sales over June 1936, the greatest gain occurred in the clear channel and high-powered regional station group. Among the geographical districts of the country the Pacific and Mountain Area alone showed a gain as compared to last month, while the New England-Middle Atlantic Area continued to show the greatest gains in volume as compared to corresponding periods of last year.

All types of rendition, with the exception of records, showed declines in volume in both the national non-network and local fields as compared to last month. Live talent registered the most important gains in both the national non-network and local fields as compared to last June.

The principal gains over last month occurred in the following groups: national network clothing and financial, regional network beverage and toilet goods, national non-network automotive and financial, and local toilet goods and soap and kitchen supplies. Retail broadcast advertising over individual stations amounted to $1,260,370, a decline of 5.4% from the volume recorded in May but 20.0% greater than that of June 1936.

TOTAL BROADCAST ADVERTISING

Total broadcast advertising for the month of June is found in Table I.

TABLE I
TOTAL BROADCAST ADVERTISING

Class of Business	1937 Gross Time Sales May	June	Cumulative Jan.-June
National networks	$5,875,531	$5,554,987	$35,564,039
Regional networks	137,734	128,126	669,293
National non-network	2,962,200	2,716,000	16,528,100
Local	2,349,700	2,212,800	12,665,000
Total	$11,325,165	$10,611,913	$65,426,432

Total broadcast advertising volume declined 6.2% from the level of last month. Declines were general over the entire medium, national network volume declining 5.4%, regional network volume 6.9%, national non-network business 8.3%, and local advertising 5.8%.

Broadcast advertising for the month showed a 34.0% gain over the volume recorded for last June. National non-network volume continued to show the greatest gains over corresponding periods of last year, rising 44.2% in volume. National network volume rose 39.5%, regional network volume 21.0%, and local business 13.5%.

COMPARISON WITH OTHER MEDIA

All major media showed declines in advertising volume as compared to last month. Radio broadcasting, however, declined only 6.2%, while national magazine volume dropped 18.0%, national farm paper volume 13.1%, and newspaper lineage 6.9%.

Compared to June of last year, all major media showed increases in advertising volume, with radio again leading the field. National magazine volume increased 18.7%, national farm paper volume 13.7%, and newspaper lineage less than 1.0%.

Advertising volume by major media is shown in Table II.

TABLE II
ADVERTISING BY MAJOR MEDIA

Advertising Medium	1937 Gross Time and Space Sales May	June	Cumulative Jan.-June
Radio broadcasting	$11,325,165	$10,611,913	$65,426,432
National magazines[1]	17,863,997	14,640,608	86,922,900
National farm papers[1]	686,534	596,243	4,238,891
Newspapers[2]	52,138,000	48,531,000	283,725,000
Total	$82,013,696	$74,379,764	$440,313,223

[1] Publishers' Information Bureau.
[2] Estimated.

NON-NETWORK ADVERTISING

Total non-network advertising declined 7.2% as compared to May. Local station volume alone showed an increase in advertising volume, rising 3.7%. Non-network advertising over clear channel and high-powered regional stations declined 8.9%, while non-network gross time sales over regional stations decreased 8.8% in volume.

All sizes of stations experienced marked gains when compared to June of the preceding year. Non-network advertising over clear channel and high-powered regional stations showed a gain of 33.3%. Regional station volume rose 24.6% and local station volume 27.6%. Total non-network advertising rose 28.6% in volume over last June.

Non-network advertising by power of station is found in Table III.

TABLE III
NON-NETWORK ADVERTISING BY POWER OF STATION

Power of Station	1937 Gross Time Sales May	June	Cumulative Jan.-June
Over 1,000 watts	$2,261,000	$2,058,200	$12,437,300
250–1,000 watts	2,335,500	2,128,500	12,815,800
100 watts	715,400	742,100	3,940,000
Total	$5,311,900	$4,928,800	$29,193,100

Non-network advertising in the Pacific and Mountain Area alone showed an increase in volume as against last month, rising 3.5%. Advertising volume in the New England-Middle Atlantic Area declined 6.4%, in the South Atlantic-South Central Area 5.7%, and in the North Central Area 13.1%.

The New England-Middle Atlantic Area continued to show the greatest gains in volume as compared to corresponding periods of last year. Non-network advertising increased 54.1% in this region as compared to last June. South Atlantic-South Central non-network advertising rose 30.6%, North Central non-network advertising 19.9%, and Pacific and Mountain advertising 15.7%.

Non-network advertising by geographical districts is found in Table IV.

TABLE IV
NON-NETWORK ADVERTISING BY GEOGRAPHICAL DISTRICTS

	1937 Gross Time Sales		
Geographical District	*May*	*June*	*Cumulative Jan.-June*
New England-Middle Atlantic Area.......	$1,382,800	$1,293,400	$7,516,100
South Atlantic-South Central Area.......	1,010,500	952,800	5,612,600
North Central Area...	2,035,200	1,767,900	10,892,800
Pacific and Mountain Area..............	883,400	914,700	5,171,600
Total..........	$5,311,900	$4,928,800	$29,193,100

NON-NETWORK ADVERTISING BY TYPE OF RENDITION

Among the various types of rendition, only records showed a gain in volume compared to last month. Total record volume increased 16.2% over May, while total transcription volume declined 8.9%, live talent 5.7%, and announcements 10.1%. However, as against last June all types showed increases in volume. Total transcriptions rose 23.4%, live talent 38.8%, records 20.4%, and announcements 15.6%.

In the local field, transcriptions declined 1.7%, live talent 7.7%, and announcements 4.8% compared to May. Record volume increased 2.4%. As compared to last June, transcriptions rose 3.9%, live talent 20.8%, records 12.3%, and announcements 6.5%.

In the national non-network field, transcription volume declined 10.6%, live talent volume 3.8%, and announcements 17.9% as against last month. Records tripled in volume. Live talent showed the most important gain in the national non-network field as compared to last June in rising 59.9% in volume. Transcriptions rose 29.8%, records 81.1%, and announcements 35.1%.

Non-network broadcast advertising by type of rendition is found in Table V.

TABLE V
NON-NETWORK BROADCAST ADVERTISING BY TYPE OF RENDITION

	1937 Gross Time Sales						
	National Non-network		*Local*		*Total*		*Cumulative*
Type of Rendition	*May*	*June*	*May*	*June*	*May*	*June*	*Jan.-June*
Electrical transcriptions.............	$1,075,100	$960,900	$256,900	$252,500	$1,332,000	$1,213,400	$7,121,380
Live talent programs...............	1,376,400	1,323,000	1,272,800	1,174,000	2,649,200	2,497,000	14,593,890
Records...........................	5,800	17,800	80,200	82,200	86,000	100,000	529,410
Announcements....................	504,900	414,300	739,800	704,100	1,244,700	1,118,400	6,948,420
Total......................	$2,962,200	$2,716,000	$2,349,700	$2,212,800	$5,311,900	$4,928,800	$29,193,100

SPONSOR TRENDS IN JUNE

Declines were general in the national network field as compared with last month. Clothing and financial advertising showed the only gains of importance, while automotive and household equipment advertising showed the most marked declines. In the other portions of the medium, national non-network automotive, regional network and local toilet goods, regional network beverage volume, local soap and kitchen supplies, and national non-network financial advertising showed the most pronounced increases. Regional network household goods, national non-network and local confectionery volume, and national non-network and local radio set advertising declined to the greatest extent.

Compared to the preceding June, increases were fairly general, with the following outstanding gains: national network household equipment, financial and tobacco advertising; regional network toilet goods, soap and kitchen supplies and financial advertising; national non-network clothing, foodstuffs and tobacco advertising; and local tobacco and department store advertising.

Broadcast advertising by major sponsor groups is found in Table VI.

Details as to trends in the various product and service groups sponsoring radio advertising are as follows:

1a. ***Amusements.*** National non-network business two and one-half times as great as last month. Local volume up 6.2%. Compared to last June, national non-network down 49.1% and local business up 17.1%.

1. ***Automotive.*** National network volume declined 19.6% from May. Regional network volume amounted to $3,651. National non-network and local advertising rose 18.6% and 11.8%, respectively. Compared to last June, national network volume up 41.7%, while national non-network and local advertising declined 9.2% and 11.5%, respectively.

2. ***Gasoline and accessories.*** National network volume declined 11.3% from the May level. Regional network volume rose 6.7%, national non-network business 10.3%, and local advertising 15.7%. As against last June, national network volume rose 47.1%, national non-network business 41.3%, and local advertising 8.4%. Regional network advertising declined 40.5%.

3. ***Clothing.*** National network advertising 23.9% over May and national non-network advertising up 6.2%. Regional network and local volume declined 22.0% and

TABLE VI

RADIO BROADCAST ADVERTISING BY TYPE OF SPONSORING BUSINESS
(JUNE, 1937)

	Gross Time Sales				
Type of Sponsoring Business	*National Networks*	*Regional Networks*	*National Non-network*	*Local*	*Total*
1a. Amusements	—	—	$6,360	$59,260	$65,620
1–2. Automobiles and accessories:					
(1) Automobiles	428,208	$3,651	209,860	143,540	785,259
(2) Accessories, gas and oil	476,180	11,961	208,870	96,880	793,891
3. Clothing and apparel	32,268	712	82,070	243,820	358,870
4–5. Drugs and toilet goods:					
(4) Drugs and pharmaceuticals	462,065	11,371	263,110	48,220	784,766
(5) Toilet goods	1,029,554	5,868	122,270	27,560	1,185,252
6–8. Food products:					
(6) Foodstuffs	1,115,717	34,156	697,870	362,660	2,210,403
(7) Beverages	287,288	10,568	158,670	124,600	581,126
(8) Confections	105,228	250	25,130	4,820	135,428
9–10. Household goods:					
(9) Household equipment and furnishings	118,244	2,022	62,680	250,260	433,206
(10) Soap and kitchen supplies	560,084	8,554	203,330	9,110	781,078
11. Insurance and financial	71,450	7,509	26,910	93,760	199,629
12. Radios	111,197	—	1,990	19,020	132,207
13. Retail establishments	—	—	4,340	191,710	196,050
14. Tobacco products	615,807	20,800	209,300	15,700	861,607
15. Miscellaneous	141,697	10,704	433,240	521,880	1,107,521
Total	$5,554,987	$128,126	$2,716,000	$2,212,800	$10,611,913

14.5%, respectively. Gains over last June as follows: national networks 24.5%, national non-network 114.8%, and local 1.9%.

4. ***Drugs and pharmaceuticals.*** Decreases from May level as follows: national networks 1.0%, regional networks 19.8%, national non-network 12.5%, and local 20.0%. As against last June, national network volume increased 43.3% and regional network volume 38.1%. National non-network volume declined 9.4% and local advertising dropped 10.7%.

5. ***Toilet goods.*** Gains over May as follows: national networks 1.2%, national non-network 6.2%, and local 31.2%. Regional network volume more than tripled. Increases over last June as follows: national networks 38.4%, national non-network 57.6%, and local 33.3%. Regional network volume more than tripled.

6. ***Foodstuffs.*** Compared to last month, national network volume declined 8.4%, regional network volume 17.6%, and national non-network business 11.3%. Local advertising rose 11.0%. Gains over June 1936 as follows: national networks 41.4%, regional networks 25.4%, national non-network 72.4%, and local 28.3%.

7. ***Beverages.*** Regional network volume 35.9% ahead of last month. National network volume declined 4.3%, national non-network 2.3%, and local advertising 12.6%. Compared to last June, national non-network volume tripled. National network volume declined 8.3%, regional network volume 32.8%, and local advertising 17.5%.

8. ***Confectionery.*** Compared to May, national network volume declined 4.7%, national non-network business 40.3%, and local volume 64.2%. Regional network volume increased 25.0%. As against last June, national network volume rose 46.1% and national non-network volume 41.4%. Local advertising declined 14.9% from the level of June 1936.

9. ***Household equipment.*** Declines from preceding month as follows: national networks 30.9%, regional networks 43.4%, national non-network 54.4%, and local 12.7%. Compared to the preceding June, national network volume tripled. Regional network volume dropped 50.9%, and national non-network business 2.7%. Local advertising rose 14.4%.

10. ***Soaps and kitchen supplies.*** National network volume 6.1% greater than during May. Regional network and national non-network business down 30.9% and 15.7%, respectively. Local advertising rose 29.0%. As against the preceding June, national network volume rose 67.4% and regional network volume more than tripled. National non-network business rose 7.7% and local advertising remained the same.

11. ***Insurance and financial.*** National network volume rose 17.0% over May. Regional network volume declined 6.3% and local advertising 10.3%. National non-network volume increased 34.1%. Gains over last June as follows: national networks 82.9%, national non-network 61.1%, and local 11.6%. Regional network advertising increased materially.

12. ***Radios.*** Declines from May levels as follows: national networks 8.2%, national non-network 63.8%, and local 24.1%. Compared to last June, national network volume increased 7.5% and local volume 57.1%. National non-network business declined 79.3%.

13. ***Department and general stores.*** Compared to May, national non-network and local advertising declined 36.1% and 2.9%, respectively. As against last June, national non-network volume rose 53.9% and local advertising 16.4%.

14. *Tobacco products.* National network volume dropped 0.8% and regional network volume 2.8% as compared to May. National non-network volume rose 11.6% and local advertising 10.8%. Gains over last June as follows: national networks 56.5% and local 42.8%. Both regional network and national non-network volume more than doubled.

15. *Miscellaneous.* Declines from preceding month as follows: national networks 13.3%, regional networks 23.1%, national non-network 14.9%, and local 12.6%. Compared to last June, national network volume and regional network volume declined 22.1% and 25.4%, respectively. National non-network advertising rose 77.6% and local advertising 32.7%.

RETAIL BROADCAST ADVERTISING

Retail broadcast advertising over individual stations during the month of June declined 5.4% from the volume recorded for May but remained 20.0% ahead of June 1936. All groups, except the automotive, gasoline and accessory, beauty parlor and the miscellaneous groups, showed declines as against last month. Only the automotive and grocery store groups failed to show a gain as compared to the preceding June.

Broadcast advertising by various types of retail establishments is set forth in Table VII.

TABLE VII

RETAIL BROADCAST ADVERTISING OVER INDIVIDUAL STATIONS

Type of Sponsoring Business	*1937 Gross Time Sales* *May*	*June*
Auotomobiles and accessories:		
Automobile agencies and used car dealers	$131,890	$145,720
Gasoline stations, garages, etc.	46,060	76,070
Clothing and apparel shops	302,950	258,120
Drugs and toilet goods:		
Drug stores	32,950	23,230
Beauty parlors	7,000	9,900
Food products:		
Grocery stores, meat markets, etc.	39,260	38,720
Restaurants and eating places	36,090	34,260
Beverage retailers	7,620	2,830
Confectionery stores	12,270	3,350
Household goods:		
Household equipment dealers	123,530	94,840
Furniture stores	133,380	121,530
Hardware stores	43,910	37,750
Radio retailers	25,450	19,420
Department and general stores	204,400	196,040
Tobacco shops	—	—
Miscellaneous	186,420	198,590
Total	$1,333,180	$1,260,370

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3198. Unfair methods of competition in connection with the sale of silverware and earthenware or chinaware are alleged in a complaint issued against **Matthew A. Willis,** 419-427 Lumber Exchange Building, **Minneapolis,** trading as **Rogers Redemption Bureau.**

Willis is said to market his silverware by selling to merchants gift cards, in minimum lots of 10,000, which he redeems in such wares when they are returned by customers of the merchants distributing the cards.

In certain contracts which merchants sign, the complaint alleges, appear the words "Wm. A. Rogers Silverware" and "Wm. A. Rogers, Ltd.", while the gift cards bear the advertisement of the merchant and the words "Wm. A. Rogers silverware to our customers".

It is charged that use of these words is false and misleading in that prospective purchasers are led into the erroneous belief that Rogers Redemption Bureau is connected with Oneida Ltd., manufacturer of the genuine Wm. A. Rogers silverware. According to the complaint, no such connection exists, except that the respondent purchases Oneida, Ltd., products through a jobber.

Among other representations which the respondent allegedly makes, and which the complaint charges are false, are that a 26-piece set of silverware is furnished free to every merchant purchasing the minimum quantity of cards; that merchants will be refunded the money paid for gift cards when a certain number has been redeemed, and that customers of such merchants will receive articles of silverware without any additional cost upon sending to the respondent a designated number of cards for redemption.

No. 3199. Use of unfair methods of competition in the sale of mattresses is alleged in a complaint issued against **Abraham** and **Benjamin Sohn,** trading as **Sohn Bros.,** 1320 Roosevelt Road, **Chicago.**

It is charged that the respondents manufacture mattresses from materials obtained from old, second-hand, and discarded mattresses, and from other sources. Such mattresses, the complaint alleges, are covered by the respondents with new material and have the appearance of being new, but are not labeled or marked to indicate that they are made from old, used, and secondhand materials.

No. 3200. Misrepresentation of the character and quality of wrist watch buckles is alleged in a complaint issued against **Algren Manufacturing Company, Inc.,** 8 Washington Place, **New York.**

Buckles sold by the respondent company to jobbers and retailers, and resold to the purchasing public, allegedly are branded "Gold-Filled", when, the complaint charges, they do not contain a layer or coating of gold of such substantial thickness as to be properly and accurately represented or designated as "Gold-Filled".

No. 3201. Chenille Corporation of America, 3945 North Western Ave., **Chicago,** is named respondent in a complaint charging use of unfair methods of competition in connection with the interstate sale of rugs.

The respondent company allegedly represents to retail store customers that its rugs are hand-hooked or hand-made, and pursuant to such representations certain stores also advertise the rugs as being hand-hooked and hand-made, using such assertions as "Every rug is a work of art, hand-hooked, requiring hours and hours to produce."

According to the complaint, the respondent company's rugs are not made by hand so as to be properly represented and designated as hand-hooked, hand-made, or as hooked rugs, but are produced by machine and are of lower cost than rugs which actually are hand-made or hand-hooked.

No. 3202. In a complaint, **Fee & Stemwedel, Inc.,** 4949 Pulaski Road, **Chicago,** is charged with representing that certain weather-indicating instruments it sells in interstate commerce are manufactured in the United States, when such is not a fact.

The respondent company, it is alleged, assembles various models of weather-indicating instruments, some being a combination of thermometer, hygrometer and barometer, and others being merely barometers. According to the complaint, the complete barometer mechanism, to which the respondent company adds a dial and indicator, is enclosed in a case bearing the words "Made in U. S. A. by Fee & Stemwedel, Inc., Chi."

No. 3203. A complaint alleging use of certain unfair methods of competition in violation of Section 5 of the Federal Trade Commission Act has been issued against **Joy Package Company, Inc.,** 37 East 12th St., **New York,** engaged in the sale and distribution of candy.

Representations made by the respondent company in advertising literature and by its agents allegedly are to the effect that it controls and operates factories and manufactures the merchandise in which it deals. According to the complaint, the respondent company is not a manufacturer but only purchases and repacks the candy and other merchandise which it sells.

No. 3204. Misrepresentation of the merit of certain life preservers is alleged in a complaint issued against **Acme Products Company,** 152 Brewery St., **New Haven, Conn.**

Certain of the respondent company's life preservers, of the cushion type, allegedly are branded as follows: "Guaranteed to comply with the rules and regulations of the Steamboat Inspection Service; allowing cushions as life preservers on pleasure boats."

Rules and regulations of the United States Steamboat Inspection Service are that a life preserver must be capable of sustaining afloat for a continuous period of 24 hours a weight so arranged as to provide a continuous downward gravitation pull of 20 pounds.

Stipulations

The Commission has entered in the following stipulations:

No. 01835. D. Borovitz, 1612 Summit Lake Blvd., Akron, Ohio, trading as Puritan Laboratories, will stop representing that Kwik-Silver is a preparation which will plate pure silver on silver articles, that it contains no injurious ingredients, and that the plating is permanent. The respondent also will eliminate the word "Laboratories" from his trade name, and cease making unmodified representations of earnings in excess of the average earnings achieved by his active, full-time salesmen or dealers under normal business conditions.

No. 01836. The House of Gurney, Inc., Yankton, S. Dak., engaged in selling baby chickens, agreed to discontinue advertising that it owns or controls a hatchery, incubators, a chick nursery, or laying flocks which supply eggs for hatching purposes.

No. 01837. Howard D. and Robert B. Blackburn, 316 College St., Dayton, Ohio, operating under the firm name of The Sulfex Company, stipulated that they will cease advertising that Sulfex, said to contain sulphur as one of its ingredients, is a competent treatment or an effective remedy for pimples, acne, or any other skin condition, unless such representation is limited to those conditions which actually are relieved by the use of the preparation. The respondent also will cease representing that every physician approves Sulfex, and that lack of sulphur in the diet will "wreck" a complexion and cause certain skin ailments.

No. 01838. False and misleading representations in advertising Silvercote Insulation Fabric will be discontinued by **Silvercote Products, Inc.,** 161 East Erie St., **Chicago,** under a stipulation.

The respondent company will refrain from advertising that its product represents 100 per cent more insulation value than other insulating materials and that one layer of Silvercote Fabric equals the efficiency of two commercial thicknesses of ordinary insulation board.

No. 01839. Sego Milk Products Company, 159 West First South St., Salt Lake City, stipulated that it will cease advertising that Sego milk will prevent rickets, unless this representation is limited to indicate that it will prevent rickets only when the product is used by normal babies; that it will insure alertness, vigor, or physical fitness in infants, and that its vitamin D content is "the same as sun's rays".

No. 01840. Quisenberry-Hobbs Company, Third and Washington Streets, Kansas City, Kans., selling Gold Bond Chick Starter Feed, agreed to stop representing that such product will cause chicks to grow quicker and make chickens lay earlier than any other feed; that it supplies every need for bones, body, health or quick maturity; that through use of the feed the egg yield will be doubled, and that no other feed will produce equal results.

No. 01841. Pictorial Statues of America, Inc., Janesville, Wis., has entered into a stipulation to discontinue false and misleading advertising in connection with the sale of photographs which it designates as statues.

The respondent corporation will cease representing that its photographs are statues or statuettes unless qualified by the word "pictorial" or other words of like import, or that they are fade-proof and everlasting.

No. 01842. Trading as **The Nu Lac Yeaston Company, Mrs. W. J. Johnson** and **M. J. Maystadt, Jefferson, Iowa,** have entered into a stipulation to cease making false and misleading representations in advertising certain poultry and livestock feeds which they sell in interstate commerce. Their feeds are known as Nu Lac for Cattle, Horses and Sheep, Special Necro Treatment, and Nu Lac Poultry Mixture.

No. 2030. Charles Mostow, 2333 Chicago Ave., **Chicago,** trading as **Majestic Electric Supply Company,** has entered into a stipulation to discontinue certain unfair methods of competition in the interstate sale of radio sets branded with the name "Majesco".

The respondent agreed to stop using as a trade name or brand for radio sets the word "Majesco", or any other simulation of the name "Majestic", so as to imply that such sets are made by Grigsby-Grunow Company, the original manufacturer of Majestic sets, or by its successor in business, Majestic Radio and Television Corporation of Chicago, when such is not a fact.

No. 2032. City of Paris, Ltd., 878 Broadway, New York City, selling toilet powders and perfumes, will discontinue the use in its corporate name of the word "City" printed in script so as to simulate the word "Coty," thus tending to cause customers to believe that its products are those of a competitor, Les Parfums Coty. The company also stipulated that it will desist from use of the words "London," "Sydney," and "Paris" in any manner so as to imply that it has offices or business connections in those foreign cities named, and from use of the word "Paris" in its corporate name, or otherwise, implying that its products are of French origin, when such are not the facts.

Cease and Desist Orders

The Commission has issued the following cease and desist orders:

Nos. 2417-2446. Orders to cease and desist from representing that they are distillers of spirituous beverages, when such is not a fact, have been entered against two **Chicago** corporations, **Lionel Distilled Products, Inc.,** 1919-1927 West Pershing Road, and **Paramount Distilling Corporation,** 512 South Peoria St.

The respondent companies are ordered to discontinue representing, through use of some form of the word "distilling" in their corporate names, in advertising matter, on labels, or otherwise, that they distill whiskies, gins or other spirituous beverages; that they manufacture such products through the process of distillation, or that they own or operate distilleries, unless and until they do own or operate such places.

No. 2607. An order to cease and desist from the use of certain methods of unfair competition in the interstate sale of radio sets, pen and pencil sets, cameras and similar merchandise has been entered against **J. K. Levy,** alias **J. K. Lee** and **David Levy,** both of 130 North Wells St., **Chicago,** trading as **Levore Company,** or otherwise.

Selling or otherwise disposing of merchandise by the use of punch, push or pull cards, or by means of any device involving the use of a lottery scheme or game of chance, is ordered discontinued. The respondents are prohibited from shipping to their agents or to members of the public lottery devices, through the use of which such persons are enabled to sell the respondent's merchandise.

No. 2748. Arpaul Company, Inc., 333 West 52nd St., **New York,** has been ordered to cease and desist from certain unfair methods of competition in connection with the sale of Ortosan, recommended as a facial treatment preparation.

Prohibited by the order are representations that the product is five creams in one and the most highly praised skin cream in the world, having the endorsements of leading medical authorities and beauty specialists; and that its use will restore youthful contours to the face, chin and neck, erase wrinkles and blemishes, banish large pores and fine lines, and immediately produce a fresh, healthy skin.

No. 2887. Trading as **Everlast Suit Case & Bag Co.,** 130 West Bleeker St., **New York, Israel Zaveloff** and **Harry Bernstein** have been ordered to cease and desist from misbranding certain leather luggage they sell in interstate commerce.

The respondents are ordered to discontinue representing, through use of the words "Genuine Leather" or "Leather," or any other words of similar import and effect, stamped on labels or on the luggage itself, that luggage manufactured in whole or in part from the underlayers or flesh side of the hide, known as split leather, is made from the outside layer of the hide.

No. 2889. Misbranding of certain leather luggage sold in interstate commerce is prohibited under an order entered against **Mutual Brief Case Company,** 133-135 Kossuth St., **Newark, N. J.**

Findings are that the two general types of leather employed in the manufacture of luggage are top grain leather and split leather, and that the purchasing public generally has a pronounced preference for leather goods manufactured from the former type.

Nos. 3180-3181. Orders to cease and desist from the use of lottery schemes to promote the sale of merchandise have been entered against two **Chicago** dealers, **E. I. Donahue,** trading as **Donahue Advertising Company,** 407 South Dearborn St., and **Carlton, Inc.,** trading as **Carlton Sales Company,** 17 North Wabash Ave., **Chicago.**

The orders direct the respondents to discontinue selling or otherwise disposing of merchandise by the use of push cards or similar devices, and to stop shipping such devices so prepared and printed as to enable others to sell merchandise by the use thereof. The respondents are further prohibited from disposing of merchandise free of charge or at varying prices, depending upon lot or chance.

FEDERAL COMMUNICATIONS COMMISSION ACTION

No hearings are scheduled at the Commission in broadcast cases during the week beginning August 23.

The Broadcast Division has taken the following action:

APPLICATIONS GRANTED

WISN—Hearst Radio, Inc., Milwaukee, Wis.—Granted C. P. to move former main transmitter to the present location of the main transmitter and operate as an auxiliary transmitter.

WRGA—Rome Broadcasting Corp., Rome, Ga.—Granted C. P. to make changes in equipment.

WTOC—Savannah Broadcasting Co., Inc., Savannah, Ga.—Granted C. P. to make changes in antenna, install new equipment and increase day power from 1 KW to 5 KW; **1260 kc.,** unlimited time.

KVOX—Robert K. Herbst, Moorhead, Minn.—Granted modification of C. P., approving transmitter site at 14th St. and 12th Ave. So., Moorhead; studio at 722 Center Ave., Moorhead; change type of equipment; increase daytime power to 250 watts, and increase hours of operation to unlimited time.

WHAS—The Louisville Times Co., Louisville, Ky.—Granted modification of C. P. to extend completion date from September 5 to December 5, 1937.

National Broadcasting Co., Inc., New York City—Granted extension of authority to transmit programs to Canadian stations CFCF and CRCT and the Canadian Radio Broadcasting Commission.

Columbia Broadcasting System, Inc., New York City—Granted extension of authority to transmit programs to Canadian Stations CFRB and CKAC and to stations of Canadian Broadcasting Corp.

National Broadcasting Co., Inc., New York City—Granted extension of authority to transmit recorded programs to all broadcast stations in Canada licensed to operate by the Canadian Government, which may be heard consistently in the United States.

WIP—Penna. Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to operate with 1 KW power for the period, September 1, 1937 to March 1, 1938.

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Granted authority to install new automatic frequency control equipment.

WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—Granted authority to determine operating power by direct measurement of antenna power.

WJBO—Baton Rouge Broadcasting Co., Inc., Baton Rouge, La.—Granted license to cover C. P.; **1120 kc.,** 500 watts, unlimited time except from 8 to 9 p. m., CST, Mondays.

KGLO—Mason City Globe Gazette Co., Mason City, Ia.—Granted license to cover C. P. as modified; **1210 kc.,** 100 watts night, 250 watts day, unlimited time.

WIND—Johnson Kennedy Radio Corp., Gary, Ind.—Granted license to cover C. P.; **560 kc.,** 1 KW night, 5 KW day, unlimited time, employing directional antenna.

WPRA—Puerto Rico Advertising Co., Mayaguez, P. R.—Granted license to cover C. P. as modified; **1370 kc.,** 100 watts night, 250 watts day, specified hours.

KSUB—Harold Johnson & Leland M. Perry, d/b as Johnson & Perry, Cedar City, Utah.—Granted license to cover C. P.; **1310 kc.,** 100 watts, unlimited time.

WASJ—City of New York, Dept. of Plant & Structures—Mobile—Granted license to cover C. P.; frequencies **1622, 2058, 2150** and **2790 kc.,** 40 watts.

WCKY—L. B. Wilson, Covington, Ky.—Granted license to cover C. P.; **1490 kc.,** 10 KW, unlimited time.

WGTM—H. W. Wilson & Ben Farmer, Wilson, N. C.—Granted license to cover C. P. as modified; **1310 kc.,** 100 watts, daytime only.

WTAR—WTAR Radio Corp., Norfolk, Va.—Granted license to cover C. P. as modified; **780 kc.,** 1 KW, employing directional antenna nighttime for emergency purposes only.

WRDW—Augusta Broadcasting Co., Augusta, Ga.—Granted license to cover C. P. as modified; **1500 kc.,** 100 watts night, 250 watts day, unlimited.

KOCA—Oil Capital Broadcasting Assn., James G. Ulmer, Pres., Kilgore, Tex.—Granted license to cover C. P.; **1210 kc.,** 100 watts night, 250 watts day, unlimited.

KTKC—Tulare-Kings Counties Radio Assn., Visalia, Cal.—Granted license to cover C. P. as modified; **1190 kc.,** 250 watts, daytime only.

WTHT—The Hartford Times, Inc., Hartford, Conn.—Granted license to cover C. P. as modified; **1200 kc.,** 100 watts, unlimited time.

WFLA-WSUN—Clearwater Chamber of Commerce, Clearwater, Fla.—Granted modification of license to sever the license new issued to joint licensees in order to form two separate stations under the call letters WFLA and WSUN to operate specified hours as follows: WFLA—Unlimited Monday, Wednesday and Friday, share with WSUN Sunday. WSUN—Unlimited Tuesday, Thursday and Saturady, share with WFLA Sunday; **620 kc.,** 1 KW night, using directional antenna, 5 KW day. Also granted voluntary assignment of license of WFLA to Florida West Coast Broadcasting Co., Inc.

NEW—Charleston Broadcasting Co., Mobile—Granted C. P. for low frequency relay broadcast station; frequencies **1622, 2058, 2150** and **2790 kc.,** 40 watts.

NEW—Columbia Broadcastnig System, Inc., Portable-Mobile—Granted C. P. for new relay high frequency broadcast station; frequencies **39700, 39900, 40800** and **41400 kc.,** on experimental basis, 5 watts.

NEW—Columbia Broadcasting System, Inc., Portable-Mobile—Granted C. P. for new relay high frequency broadcast station; frequencies **39700, 39900, 40800** and **41400 kc.,** on experimental basis, 55 watts.

NEW—Columbia Broadcasting System, Inc., Portable-Mobile—Granted C. P. for new high frequency relay broadcast station; frequencies **31100, 34600, 37600** and **40600 kc.,** 15 watts.

NEW—KLZ Broadcasting Co., Mobile—Granted C. P. for new high frequency relay broadcast station; frequencies **31100, 34600, 37600** and **40600 kc.,** 1 watt.

NEW—Tri-State Broadcasting Co., Inc., Portable-Mobile—Same except 3 watts power.

NEW—The Yankee Network, Inc., Vicinity of Boston—Granted C. P. for high frequency broadcast experimental station; frequency **41200 kc.;** 50 KW, unlimited time. Special emission.

NEW—The Yankee Network, Inc., Boston—Granted C. P. for experimental relay broadcast station; frequencies **130000, 135000, 140000** and **145000 kc.,** 250 watts.

W8XOA—WJW, Inc., Mobile—Granted C. P. to make changes in equipment and increase power from 20 to 40 watts; also granted license to cover same.

W3XPF—Farnsworth Television, Inc., Springfield, Pa.—Granted modification of C. P., extending completion date from September 5 to November 5, 1937.

W2XMN—Edwin H. Armstrong, New York City—Granted modification of C. P., extending commencement date to December 15, 1937 and completion date to 6 months thereafter.

W8XNU—The Crosley Radio Corp., Cincinnati, Ohio—Granted modification of C. P., authorizing changes in equipment; increase in power from 200 watts to 1 KW; extend commencement date to within 30 days after granting and completion date to 120 days thereafter.

NEW—National Broadcasting Co., Inc., Portable (New York vicinity).—Granted C. P. and license for new station, frequency **83500 kc.,** on experimental basis, 1 KW night-day, unlimited, according Rule 983(a).

NEW—National Broadcasting Co., Inc., Portable (New York vicinity).—Granted C. P. and license for new station, frequency **150000 kc.,** on experimental basis, 500 watts night-day, unlimited, according Rule 983(a).

SET FOR HEARING

NEW—Hollenbeck Heights Christian Church, Los Angeles.—C. P. for new station, **1170 kc.,** 100 watts night and day, limited time.

NEW—Shirley D. Parker, Yakima, Wash.—C. P. for new station, **1310 kc.,** 100 watts night, 250 watts day, unlimited time, transmitter and studio sites and type of antenna to be determined.

NEW—Times Printing Co., Chattanooga, Tenn.—C. P. for new station, **1120 kc.,** 500 watts night, 1 KW day, unlimited time, employing directional antenna system day and night.

NEW—Gila Broadcasting Co., Safford, Ariz.—C. P. for new station, **1420 kc.,** 100 watts night, 250 watts day, unlimited.

NEW—WWPO, Inc., Pittsburgh, Pa.—C. P. for new station, **1120 kc.,** 250 watts, unlimited time, employing directional antenna system for day and night use.

NEW—Chas. F. Engle, Natchez, Miss.—C. P. for new station, **1210 kc.,** 100 watts night, 250 watts day, unlimited time, transmitter and studio sites to be approved.

NEW—Burl Vance Hedrick, Salisbury, N. C.—C. P. for new station, **1340 kc.,** 1 KW, daytime only.

NEW—Northwestern Broadcasting Co., Vernon, Tex.—C. P. for new station, **1500 kc.,** 100 watts, unlimited.

NEW—J. F. Rodgers, Harlingen, Tex.—C. P. for new station, **1370 kc.,** 100 watts night, 250 watts day, unlimited time, exact transmitter and studio sites to be determined with Commission's approval.

NEW—Floyd A. Parton, San Jose, Calif.—C. P. (already in hearing docket) amended to request **1170 kc.,** 250 watts, daytime only, exact transmitter site to be determined with Commission's approval.

NEW—Richland Broadcasting Co., Mansfield, Ohio.—C. P. (already in hearing docket) amended to request **1370 kc.,** 100 watts, daytime only, exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

WJSV—Columbia Broadcasting System, Inc., Washington, D. C.—C. P. to change transmitter site approximately 14.7 miles, from Mt. Vernon Highway near Potomac Yards, 1½ miles north of center of Alexandria, to 0.4 of a mile due east of Wheaton Four Corners, Wheaton, Md., install new equipment and directional antenna system for day and nighttime use, and increase power from 10 to 50 KW.

KSTP—National Battery Broadcasting Co., St. Paul, Minn.—C. P. to install new equipment and directional antenna system for day and nighttime operation, and increase power from 10 KW night, 25 KW day, to 50 KW unlimited time.

KFBI—The Farmers & Bankers Broadcasting Corp., Abilene, Kans.—C. P. to move station to Wichita, Kans., and install new equipment and vertical radiator. Exact transmitter and studio sites to be determined with Commission approval.

WGAR—The WGAR Broadcasting Co., Cleveland, Ohio—C. P. (already in hearing docket), amended to request installation of new equipment and directional antenna for nighttime use and increase in power from 500 watts night, 1 KW day to 1 KW night, 5 KW day, using directional antenna for nighttime use.

WMFJ—W. Wright Esch, Daytona Beach, Fla.—Modification of C. P. to change transmitter site to N. Ridgewood Ave., Fort Grange, Fla., install new equipment and vertical radiator, change frequency from **1420 kc.** to **1240 kc.,** and increase power from 100 watts to 1 KW.

KRRV—Red River Valley Broadcasting Corp., Sherman, Tex.—C. P. to install new equipment, change frequency from **1310 kc.** to **1450 kc.,** and increase power and time of operation from 250 watts, daytime only, to 500 watts, unlimited time; request contingent upon granting of KTBS's application for change in frequency.

KTBS—Tri-State Broadcasting System, Inc., Shreveport, La.—C. P. to change frequency from **1450 kc.** to **620 kc.** and install directional antenna system for day and night operation.

WKBZ—Karl L. Ashbacker, Muskegon, Mich.—Modification of license to change frequency from **1500 kc.** to **1200 kc.**

KVEC—Christina M. Jacobson, tr/as The Valley Electric Co., San Luis Obispo, Calif.—Modification of license to change power from 100 watts night, 250 watts day and time of operation to unlimited.

KFDM—Sabine Broadcasting Co., Inc., Beaumont, Tex.—Voluntary assignment of license to Beaumont Broadcasting Corp.; **560 kc.,** 500 watts night, 1 KW day, unlimited time.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KFDY, Brookings, S. Dak.; KFEL, Denver, Colo.; KFKA, Greeley, Colo.; KFNF, Shenandoah, Iowa; KFPY, Spokane, Wash.; KFRC, San Francisco and auxiliary; KFRU, Columbia, Mo.; KFSD, San Diego; KFYR, Bismarck, N. Dak.; KGFX, Pierre, S. Dak.; KGHL, Billings, Mont.; KGKO, Wichita Falls, Texas; KGW, Portland, Ore.; KHJ and auxiliary, Los Angeles; KLX, Oakland, Calif.; KOAC, Corvallis, Ore.; KPOF, Nr. Denver; KPRC, Houston, Texas; KSAC, Manhattan, Kans.; KSFD, San Francisco; KTAR, Phoenix, Ariz.; KTSA, San Antonio, Texas; KWTO, Springfield, Mo.; WAAF, Chicago; WBAA, W. Lafayette, Ind.; WBEN, Buffalo, N. Y., and auxiliary; WCAO and auxiliary, Baltimore, Md.; WCOC, Meridian, Miss.; WDBO, Orlando, Fla.; WEAN, Providence, R. I.; WEEI, Boston; WFIL, Philadelphia and auxiliary; WGBF, Evansville, Ind.; WGR, Buffalo, N. Y.; WGST, Atlanta, Ga.; WHJB, Greensburg, Pa.; WIBW, Topeka, Kans.; WICC, Bridgeport, Conn.; WILL, Urbana, Ill.; WIND, Gary, Ind.; WIS, Columbia, S. C.; WJAY, Cleveland; WKBN, Youngstown, Ohio; WKRC, Cincinnati; WKZO, Kalamazoo, Mich.; WLBZ, Bangor, Maine; WMAL and auxiliary, Washington, D. C.; WMCA, New York City and auxiliary; WNAX, Yankton, S. Dak.; WOSU, Columbus, Ohio; WOW, Omaha; WPHR, Petersburg, Va.; WPRO, Providence, R. I.; WQAN and auxiliary, Scranton, Pa.; WSPA, Spartanburg, S. C.; WSUI, Iowa City, Iowa; WSYR-WSYU, Syracuse, N. Y.; WWNC, Asheville, N. C.

KARK—Ark. Radio & Eqpt. Co., Little Rock, Ark.—Granted renewal of license on a temporary basis only subject to whatever action may be taken upon pending application for renewal.

KFUO—Evangelical Lutheran Synod of Mo., Etc., Clayton, Mo.—Granted renewal of license on a temporary basis only subject to whatever action may be taken upon pending application for renewal.

KSD—The Pulitzer Publishing Co., St. Louis, Mo.—Granted renewal of license on a temporary basis subject to whatever action may be taken upon application for renewal and upon application of station KFUO.

WDEV—Chas. B. Adams, Adm. of Harry C. Whitehill Estate and Executor of Mary M. Whitehill Estate, Waterbury, Vermont.—Granted renewal of license on a temporary basis only, subject to whatever action may be taken upon application for renewal of license and upon application of WBZA.

ORAL ARGUMENTS GRANTED

The Commission granted oral arguments in the following cases: Ex. Rep. 1-405, Monterey Peninsula Broadcasting Co., Del Monte, Cal., and Salinas Newspapers, Inc., Salinas, Cal., to be held October 21, 1937.

On October 28, 1937, the following: Ex. Rep. 1-432, The Bend Bulletin, Bend, Ore.; Ex. Rep. 1-435, West Texas Broadcasting Co., Wichita Broadcasting Co. and Faith Broadcasting Co., Wichita Falls, Tex.; KFPL, Dublin, Tex., and WFTX Inc., Wichita Falls. Ex. Rep. 1-439, Chase S. Osborn, Jr., Fresno, Cal.; Ex. Rep. 1-441, Waterloo Times-Tribune Publishing Co., Waterloo, Iowa.

On November 4, 1937, the following: Ex. Rep. 1-442, Schuylkill Broadcasting Co., Pottsville, Pa., and Pottsville News & Radio Corp.; Ex. Rep. 1-444, William W. Ottaway, Port Huron, Mich.; Ex. Rep. 1-449, W. E. Whitmore, Hobbs, N. Mex.; Ex. Rep. 1-451, Royal Miller (KROY), Sacramento, Cal.

On November 18, 1937, the following: Ex. Rep. 1-452, The Pulitzer Publishing Co. (KSD), St. Louis, Mo., and KFUO, Clayton, Mo.; Ex. Rep. 1-453, Pacific Radio Corp. (KOOS), Marshfield, Ore.; Ex. Rep. 1-454, T. E. Kirksey, Waco, Tex.; Ex. Rep. 1-460, Broadcasting Service Organization, Inc., Boston (WORL).

SPECIAL AUTHORIZATIONS

W2XDG—National Broadcasting Co., Inc., New York City—Granted special temporary authority to operate on 38.65 megacycles until definite allocations are made in ultra-high frequency bands, for a period not to exceed 30 days.

W9XVP-W9XVQ—Minn. Broadcasting Corp., Minneapolis, Minn.—Granted extension of special temporary authority to operate two mobile high frequency relay broadcast transmitters, RCA Model ATR, on frequencies **31100, 34600, 37600, 40600 kcs.,** power of 1 watt, for period August 1 to September 16, for relay broadcast of Minn. State Fair, for rebroadcast over WTCN.

WEST—Asso. Broadcasters, Inc., Easton, Pa.—Granted extension of special temporary authority to operate simultaneously with WKBO from 10 to 11 a. m. and from 5 to 6 p. m., EST, for period, August 23 to September 21, inclusive, due to adoption of Daylight Saving Time in Easton.

KFOX—Nichols & Warriner, Inc., Long Beach, Cal.—Granted special temporary authority to operate a 200 watt test transmitter between the hours of 12 midnight and 6 a. m., PST, in order to make filed strength tests from new transmitter site, on **1250 kc.**, for period not exceeding 30 days.

KMO—KMO, Inc., Tacoma, Wash.—Granted special temporary authority to rebroadcast program descriptive of an anti-aircraft bombardment from a U. S. Army plane at Fort Lewis, Wash., between 9 and 10:30 p. m., on August 22, 1937.

KPRC—Houston Printing Corp., Houston, Texas—Granted extension of special temporary authority to operate with power of 5 KW night, for period, August 22 to September 20, 1937.

KUSD—Univ. of So. Dak., Vermillion, S. Dak.—Granted special temporary authority to remain silent from 3 a. m., EST, September 1 to September 13, 1937, inclusive, during summer vacation.

WAXB-WAXC—Alford J. Williams, Pittsburgh, Pa.—Granted extension of special temporary authority to operate RCA Type H., aircraft transmitter, 5 watts power on board NR-1050 on frequencies **1646, 2090, 2190** and **2820 kc.**, as a relay broadcast station, for period September 1 to September 30, 1937, for testing and transmission of program communication service between plane and portable unit RCA Type AVT-7 on ground in connection with flight demonstrations and Jr. Aviator activities at various locations over the United States.

KFRO—Voice of Longview, Texas, Longview, Texas—Granted special temporary authority to operate from local sunset (6:30 p. m.) to 9 p. m., CST, using power of 100 watts on Sundays, September 5, 12, 19 and 26, 1937, in order to broadcast church services of the Kelly Memorial Methodist Church, Longview, Texas.

KGEK—Elmer C. Boehler, Sterling, Colo.—Granted special temporary authority to operate from 2 p. m. to 2:30 p. m., MST, Sunday, September 19, and from 12:15 to 1 p. m., MST, September 26, in order to broadcast Special Religious programs.

WTCN—Minn. Broadcasting Corp., Minneapolis, Minn.—Granted special temporary authority to operate from 7 to 7:30 p. m., CST, Friday, September 24, 1937 (provided WLB remains silent) in order to permit WTCN to schedule the NBC Robert Ripley program.

WLB—Univ. of Minnesota, Minneapolis, Minn.—Granted special temporary authority to operate from 8 to 8:30 p. m., CST, (Provided WTCN remains silent).

KGGF—Powell & Platz, Coffeyville, Kans.—Granted special temporary authority to operate from 8:15 to 9:15 p. m., CST, September 1, 8, 15, 22, 29 and from 7:15 to 9:15 p. m., CST, September 2, 7, 9, 14, 16, 21, 23, 28 and 30, 1937 (provided WNAD remains silent), in order that KGGF may broadcast during time WNAD is silent for summer vacation of Okla. Univ.)

WNAD—Univ. of Oklahoma, Norman, Okla.—To remain silent on the above dates in order to observe summer vacation.

WCAL—St. Olaf College, Northfield, Minn.—Granted extension of special temporary authority to operate from 2 to 3 p. m., CST, the following Sundays, September 5, 12 and 19 (provided WTCN remains silent), in order to continue to schedule NBC programs with the commencement of daylight saving time in New York.

WTCN—Minnesota Broadcasting Corp. Minneapolis, Minn.—Granted extension of special temporary authority to operate from 3 to 4 p.m., CST, the following Sundays, September 5, 12 and 19, in order to continue to schedule NBC programs with the commencement of daylight saving time in New York (provided WCAL remains silent).

Out West Broadcasting Co., Colorado Springs, Colo.—Granted special temporary authority to operate a relay broadcast transmitter on frequencies **1622, 2058, 2150** and **2790 kc.;** 40 watts, for relaying programs of Pike's Peak Auto Races and the Will Rogers Rodeo from Polo Field, Broadmoor, Colo., September 6, to be rebroadcast over station KVOR.

KOOS—Pacific Radio Corp., Marshfield, Ore.—Granted special temporary authority to remain silent on Monday, September 6, in order to give staff benefits of holiday.

APPLICATIONS RETIRED TO FILES

Frank Ryan, Detroit, Mich.—Special temporary authority to transmit to CKLW program of ceremonies in connection with the arrival of Archbishop Mooney in Detroit, Monday, Evening, August 2, at 7:10 p. m. for approximately 45 minutes.

Dr. A. H. Schermann.—Application for C. P. to construct a new relay station retired to closed files inasmuch as further extension of time or for a license has not been filed.

Radio Service Corp. of Utah.—Application for C. P. requesting authority to construct a new relay broadcast station was retired to closed files for want of prosecution.

Intermountain Broadcasting Corp.—Application for authority to construct a new relay broadcast experimental station was retired to the closed files for want of prosecution.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

WKEU—Radio Station WKEU, Griffin, Ga.—**1310 kc.**, 100 watts, 100 watts LS, unlimited time.

NEW—WDSU, Inc., New Orleans, La.—**1500 kc.**, 100 watts, 250 watts LS, unlimited time.

WFBR—The Baltimore Radio Show, Inc., Baltimore, Md.—**1270 kc.**, 5 KW, 5 KW LS, unlimited time.

NEW—Hearst Radio, Inc., Albany, N. Y.—**1240 kc.**, 1 KW, 1 KW LS, unlimited time.

KGA—Louis Wasmer, Spokane, Wash.—**950 kc.**, 1 KW, 5 KW LS, unlimited time.

NEW—WKY Radiophone Co., Oklahoma City, Okla.—C. P. for experimental relay broadcast station.

WBNO—The Coliseum Place Baptist Church, New Orleans—Voluntary assignment of license to WBNO, Inc.

NEW—Carolinas Radio, Inc., Charlotte, N. C.—C. P.; **880 kc.**, 1 KW, unlimited time.

WCMI—Ashland Broadcasting Co., Inc., Ashland, Ky.—C. P.; **1120 kc.**, 250 watts night, 1 KW LS, unlimited time, install new transmitter and make antenna changes.

NEW—Evening News Press, Inc., Port Angeles, Wash.—C. P.; **1400 kc.**, 250 watts, unlimited time.

WDZ—WDZ Broadcasting Co., Tuscola, Ill.—C. P. to move to Decatur, Ill.

The following application, heretofore set for hearing, was denied as in cases of default, for failure of applicant to file an appearance in accordance with Rule 104.6 (c):

NEW—A. I. Beaird, Jasper, Ala.—**1500 kc.**, 100 watts, 100 watts LS, unlimited time.

MISCELLANEOUS

W. E. Whitmore, Hobbs, N. Mex.—Denied motion to strike exceptions to Ex. Rept. 1-449 involving application for new station to operate on **1500 kc.**, 100 watts, daytime only. Docket 4174.

NEW—Ann Arbor Broadcasting Co., Inc., Ann Arbor, Mich.—Granted motion for extension of time within which to file exceptions to Ex. Rept. 1-461.

NEW—Old Colony Broadcasting Corp., Lawrence, Mass.—Denied petition requesting extension of effective date of Commission's decision on the applications of Hildreth & Rogers Co. (Docket 3940) and Old Colony Broadcasting Corp. (Docket 4056.)

WAVE—WAVE, Inc., Louisville, Ky.—Granted petition to intervene in the hearing of application of WCRC, New Albany, Ind., for C. P. to change frequency from **1370** to **880 kc.**, and increase hours from daytime to unlimited. (Docket 4654.)

WIRE—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Granted petition to intervene in the hearing on the application of G. Bruce McConnell for C. P. to erect a new station at Indianapolis, to operate on frequency 1500 with 100 watts night, 250 watt-LS, specified hours. (Docket 4618.)

WFBM—Indianapolis Power & Light Co., Indianapolis, Ind.—Granted petition to intervene in the hearing on the application of G. Bruce McConnell for C. P. to erect a new station at Indianapolis, to operate on frequency 1500 with 100 watts night, 250 watt-LS, specified hours. (Docket 4618.)

WSBT—South Bend Tribune, South Bend, Ind.—Granted petition to intervene in the hearing on application of Walker & Chapin, Oshkosh, Wis., for C. P. to operate a new station on **1010 kc.**, with power of 250 watts, unlimited time. (Docket 4588).

WTCC—Savannah Broadcasting Co., Inc., Savannah, Ga.—Granted petition to intervene in the hearing on the application of Seaboard Broadcasting Corp. for C. P., to erect a new station at Savannah, to operate on frequency **1310 kc.**, 100 watts night, 250 watts LS, unlimited time. (Docket 4625.)

WOW—Woodman of the World Life Ins. Co., Omaha, Neb.—Granted petition to intervene in the hearing of the application of The Great Western Broadcasting Co. for C. P., to erect a new station at Omaha, to operate on frequency of **1420 kc.**, with 100 watts, unlimited time. (Docket 4641)

WTAQ—WHBY, Inc., Green Bay, Wis.—Granted petition to intervene in the hearing on the application of Walker & Chapin for C. P. to erect a new station at Oshkosh, Wis., **1010 kc.**, 250 watts, unlimited time. (Docket 4588)

NEW—Ann Arbor Broadcasting Co., Inc., Ann Arbor, Mich.—Granted motion for extension of time within which to file exceptions to Ex. Rept. 1-461.

NEW—Old Colony Broadcasting Corp., Lawrence, Mass.—Denied petition requesting extension of effective date of Commission's decision on the applications of Hildreth & Rogers Co. (Docket 3940) and Old Colony Broadcasting Corp. (Docket 4056).

WAVE—WAVE, Inc., Louisville, Ky.—Granted petition to intervene in the hearing of application of WCRC, New Albany, Ind., for C. P. to change frequency from **1370** to **880 kc.**, and increase hours from daytime to unlimited. (Docket 4654)

WIRE—Indianapolis Broadcasting Inc., Indianapolis, Ind.—Granted petition to intervene in the hearing on the application of G. Bruce McConnell for C. P. to erect a new station at Indianapolis, to operate on frequency **1500 kc.**, with 100 watts night, 250 watts LS, specified hours. (Docket 4618)

WFBM—Indianapolis Power & Light Co., Indianapolis, Ind.—Granted petition to intervene same as above.

WSBT—South Bend Tribune, South Bend, Ind.—Granted petition to intervene in the hearing on application of Walker & Chapin, Oshkosh, Wis., for C. P. to operate a new station on **1010 kc.**, with power of 250 watts, unlimited time. (Docket 4588)

WTCC—Savannah Broadcasting Co., Inc., Savannah, Ga.—Granted petition to intervene in the hearing on the application of Seaboard Broadcasting Corp. for C. P. to erect a new station at Savannah, to operate on frequency of **1310 kc.**, 100 watts night, 250 watts LS, unlimited time. (Docket 4625)

WOW—Woodman of the World Life Ins. Co., Omaha, Neb.—Granted petition to intervene in the hearing of the application of The Great Western Broadcasting Co. for C. P. to erect a new station at Omaha, to operate on frequency of **1420 kc.**, with 100 watts, unlimited time. (Docket 4641)

WTAQ—WHBY, Inc., Green Bay, Wis.—Granted petition to intervene in the hearing on the application of Walker & Chapin for C. P. to erect a new station at Oshkosh, Wis., **1010 kc.**, 250 watts unlimited time. (Docket 4588)

WIBG—Seaboard Radio Broadcasting Corp., Glenside, Pa.—Denied petition to reconsider and grant without a hearing application to install vertical antenna transmitter and increase power from 100 watts daytime to 5 KW-LS at Chicago.

KGBW—Black Hills Broadcast Co., Rapid City, S. Dak.—Denied petition of applicant to reconsider and grant without a hearing application for voluntary assignment of license.

NEW—T. E. Kirksey, Waco, Tex.—Denied applicant's petition to remand for further hearing application for C. P. to use **930 kc.**, 250 watts, 500 watts LS, unlimited time.

WHBF—Rock Island Broadcasting Co., Rock Island, Ill.—Denied request for authority to use the following station identification announcement: "This is WHBF, Rock Island, Moline, and Davenport".

NEW—United Theatres, Inc., San Juan, P. R.—Granted petition to postpone hearing on application for C. P. to operate on **570 kc.**, with 1 KW power, unlimited, from September 17 to September 24, 1937.

KOY—Salt River Valley Broadcasting Co., Phoenix, Ariz.—Granted petition to accept answer in the matter of the hearing on application of Arkansas Broadcasting Co., Little Rock, Arkansas, for C. P. to install directional antenna and increase power from 2½ KW-LS to 5 KW-LS, in which case applicant is respondent.

NEW—Jules J. Rubens.—Granted petition to waive Rule 104.6(b) and accept respondent's answer in the matter of the proceeding on application of Evanston Broadcasting Co. for C. P. to erect a new station at Evanston, Ill., to operate on **1020 kc.**, 250 watts, daytime only (Docket 4509).

KRKD—Radio Broadcasters, Inc., Los Angeles, Cal.—Denied petition of Frank P. Doherty, transferer, for dismissal without prejudice of application of Radio Broadcasters, Inc. (KRKD) for authority to transfer control; and, the Commission, on the basis of the sworn statements in the petition, acted on its own motion and dismissed the application with prejudice.

WKBB—Sanders Bros. Radio Station, E. Dubuque, Ill.—Denied request to furnish applicants with certain documents submitted by Examining, Engineering and Law Departments relative to application of Telegraph-Herald, Dubuque, Iowa, for C. P. to use frequency **1340 kc.**, 500 watts, daytime hours.

Gross & Shields, Saginaw, Mich.—Granted extension of time within which to file application for approval of transmitter site from July 18, 1937, to 60 days after disposition of the Saginaw Broadcasting Company's appeal now pending in U. S. Court of Appeals.

WBNO—Coliseum Place Baptist Church, New Orleans, La.—Granted in part petition for authority to move transmitter and studio sites locally, install new antenna and equipment (authority to change frequency from **1200 kc.** to **1420 kc.** and increase power and hours of operation to 100 watts night, 200 watts day, unlimited time, to remain in Dockets for hearing).

NEW—Chase Osborn, Jr., Fresno, Calif.—Denied petition for rehearing under Sec. 405, before the full Commission, upon application of George Harm for a new station at Fresno, Calif. (Docket 3944) to operate on **1310 kc.**, 100 watts, unlimited time, which was granted by the Commission July 2, 1937.

WKBB—Sanders Bros. Radio Station, E. Dubuque, Ill.—Denied petition for extension of effective date of Commission's decision upon the application of Telegraph-Herald for a new station at Dubuque, Iowa, to operate on **1340 kc.**, 500 watts, daytime only, which was granted July 2, 1937.

NEW—E. Anthony & Sons, Inc., Pawtucket, R. I.—Denied petition for rehearing on application for C. P. to erect a new station to operate on **1200 kc.**, 100 watts night, 250 watts LS, unlimited.

NEW—Garrett Telephone Co., Garrett, Ind.—Denied petition of Company for rehearing before the Commission, and entered its order in re Docket 3344, effective October 1, 1937.

NEW—Voice of Greenville, Greenville, Tex.—Dismissed petition of Voice of Greenville and the Southland Industries, Inc., for rehearing in the matter of the application of Hunt Broadcasting Assn. for new station at Greenville, Tex., to use **1200 kc.**, 100 watts, daytime only (Docket 3242), which was granted by the Commission on May 18, 1937, and was carried to the Court of Appeals of D. C. by the Southland Industries, Inc., on August 2, 1937.

EXAMINERS' REPORTS RELEASED SINCE JULY 30, 1937

NEW—Ex. Rep. 1-470: WRBC, Inc., Cleveland, Ohio.—Examiner M. H. Dalberg recommended denial of application for new station to operate on **880 kc.**, 1 KW, unlimited time.

KWTN—Ex. Rep. 1-471: Greater Kampeska Radio Corp., Watertown, S. Dak.—Examiner Tyler Berry recommended grant of renewal of license for KWTN but denial of C. P. to change frequency from **1210 kc.** to **1340 kc.**, 100 watts, unlimited time to 250 watts night, 500 watts day, unlimited time.

KGDY—Voice of So. Dakota, Huron, S. Dak.—Examiner Berry recommended grant of renewal of license but denial of C. P. to change frequency from **1340** to **1210 kc.**, 250 watts, daytime operation to 100 watts night, 250 watts day, unlimited, make changes in equipment, install a vertical antenna and move transmitter and studios.

KGDY—Dr. Finn Koren. Robert J. Dean and M. W. Plowman, Transferers; Greater Kampeska Radio Corp., Transferee, Huron, S. Dak.—Examiner Berry recommended grant of application for authority to transfer control of KGDY to the Greater Kampeska Radio Corp.

WEAN—Ex. Rep. 1-472: The Yankee Network, Inc., Providence, R. I.—Examiner John P. Bramhall recommended grant of C. P. to increase power from 1 KW night and day, to 1 KW night, 5 KW-LS.

NEW—Ex. Rep. 1-473: Roberts McNab Co., Bozeman, Mont.—Examiner M. H. Dalberg recommended grant of C. P. to operate a station on **1420 kc.**, 100 watts night, 250 watts LS, unlimited time.

NEW—Gallatin Radio Forum, Bozeman, Mont.—Examiner Dalberg recommended denial of C. P. to erect a new station to operate on **1420 kc.**, 250 watts, daytime.

NEW—Ex. Rep. 1-474: J. K. Patrick & Co., Athens, Ga.—Examiner Geo. H. Hill recommended grant of C. P. for new station to operate on **1310 kc.**, 100 watts, 250 watts LS, unlimited time.

NEW—Ex. Rep. 1-475: Press-Union Publ. Co., Atlantic City, N. J. —Examiner John P. Bramhall recommended grant of C. P. to erect a new station to operate on **1200 kc.**, 100 watts, 250 watts LS, unlimited time.

NEW—Ex. Rep. 1-476: Summit Radio Corp., Akron, Ohio.—Examiner John P. Bramhall recommended grant of application for C. P. for new station to operate on **1530 kc.**, 1 KW, unlimited time.

RATIFICATIONS

The Commission ratified the following actions taken on the dates shown:

KTKC—Tulare Kings Counties Radio Assn., Visalia, Calif.—Granted extension program test period 30 days from August 16, 1937.

WGTM—H. W. Wilson & Ben Farmer, Wilson, N. C.—Granted same as above except from August 18.

WPRA—Puerto Rico Adv. Co., Mayaguez, P. R.—Granted same as above except from August 18.

WRDW—Augusta Broadcasting Co., Augusta, Ga.—Same except 30 days from August 10.

WTHT—The Hartford Times, Inc., Hartford, Conn.—Same except 30 days from August 18.

WLAW—Hildreth & Rogers Co., Lawrence, Mass.—Granted special temporary authority to operate a crystal controlled 100 watt transmitter on **680 kc.**, in vicinity of Lawrence, during daytime hours, for period August 15 to September 13, 1937.

WSAL—Frank M. Stearns, Salisbury, Md.—Granted special temporary authority to operate a 40 watt C. W. test transmitter, master oscillator control, between 1 and 6 a. m. EST for period August 16 to September 14, 1937, in order to determine transmitter site.

W9XXC—Rock Island Broadcasting Co., Rock Island, Ill.—Granted special temporary authority to operate a Barr transreceiver, as relaybroadcast station on frequency **40800 kc.**, for the period August 16 to Aug. 21, to relay broadcast program from Miss. Valley Fair Grounds to be rebroadcast over WHBF.

WIRE—Ind. Broadcasting Inc., Indianapolis, Ind.—Granted special temporary authority to operate a 75 watt test transmitter on **1400 kc.**, between hours 1 and 6 a. m., for period not to exceed 2 weeks.

KFNF—KFNF, Inc., Shenandoah, Iowa.—Granted special temporary authority to rebroadcast over KFNK the Naval Observatory Arlington Time Signals at 11 a. m. CST daily, except Sunday, for period ending no later than August 31, 1937.

KGW—Oregonian Publishing Co., Portland, Ore.—Granted authority to determine operating power by direct measurement of antenna input in compliance with Rule 137.

WCBS—WCBS, Inc., Springfield, Ill.—Granted special temporary authority to operate from 10 to 12 p. m. CST, for period August 14 to August 20, 1937, in order to broadcast Illinois State Fair.

KUMA—Albert H. Scherman, Yuma, Ariz.—Granted special temporary authority to remain silent for period not to exceed 10 days pending filing and action on C. P. to move transmitter.

Denied motion of Continental Radio Co., for a 30-day extension of the effective date of decision upon application of Continental Radio Co. Docket 3301; Community Broadcasting Co., Docket 2667, and WALR Broadcasting Corp., Docket 2486.

APPLICATIONS RECEIVED

First Zone

WGAN—Portland Broadcasting System, Inc., Portland, Ore.—Au-
640 thority to transfer control of corporation from Estate of George W. Martin to Lloyd C. Greene and Wm. N. Campbell, 251 shares common stock (84 shares to L. C. Greene, 167 shares to W. N. Campbell.

WESG—Cornell University, Ithaca, N. Y.—Modification of license
1040 to change frequency from **1040 kc.** to **850 kc.** and hours of operation from 6 a. m. to sunset at Hot Springs to 6 a. m. to sunset at New Orleans, La.

WIBX—WIBX, Inc., Utica, N. Y.—License to cover construction
1200 permit (B1-P-1426) as modified for new equipment, change in power, and move of transmitter.

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—License
1210 to cover construction permit (B1-P-1570) for new antenna and move of transmitter.

WFAB—Fifth Avenue Broadcasting Corp., New York, N. Y.—
1300 Voluntary assignment of license from Fifth Avenue Broadcasting Corp. to Debs Memorial Radio Fund, Inc.

WBNX—WBNX Broadcasting Co., Inc., New York, N. Y.—Con-
1350 struction permit to install a new transmitter and directional antenna for day and night use, increase power from 1 KW to 5 KW, and move transmitter from 138 Pine St., Cliffside Park, N. J., to near Secaucus, N. J. Amended to change requested power from 5 KW to 1 KW night, 5 KW day.

WAGM—Aroostook Broadcasting Corp., Presque Isle, Maine.—
1420 Authority to make changes in automatic frequency control apparatus.

NEW—World Wide Broadcasting Corp., New York, N. Y.—Construction permit for a new international station to be operated on **6040, 11790, 15250 kc.**, 10,000 watts.

Second Zone

NEW—Kentucky Broadcasting Corp., Louisville, Ky.—Construc-
1210 tion permit for a new station to be operated on **1210 kc.**, 100 watts night, 250 watts day, unlimited time. Amended to change name of applicant from D. E. Kendrick (individual) to Kentucky Broadcasting Corp. (a corporation).

WOMI—Owensboro Broadcasting Co., Owensboro, Ky.—Modifi-
1500 cation of construction permit (B2-P-1013) for a new station, requesting changes in authorized equipment, increase power from 100 watts to 100 watts night, 250 watts day, approval of vertical antenna, approval of transmitter site and change of studio site. Amended to omit request for increase in power.

W8XXD—The Fort Industry Co., Toledo, Ohio.—Modification of construction permit (B2-PRE-21) for changes in equipment.

W8XXD—The Fort Industry Co., Toledo, Ohio.—License to cover above.

WAAJ—The Fort Industry Co., Toledo, Ohio.—Modification of construction permit (B2-PRY-46) for changes in equipment

WAAJ—The Fort Industry Co., Toledo, Ohio.—License to cover above.

NEW—Ashland Broadcasting Co., Ashland, Ky.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 10 watts.

Third Zone

WCOC—Mississippi Broadcasting Co., Inc., Meridian, Miss.—
880 Modification of construction permit (B3-P-1434) as modified for changes in equipment, requesting extension of completion date from 9-10-37 to 11-10-37.

WGST—Georgia School of Technology, Atlanta, Ga.—Construc-
890 tion permit to use old composite (1 KW) transmitter as an auxiliary transmitter. Amended to make changes in and move transmitter from Third and Cherry Streets to Cheshire Bridge Road and Seaboard Railway, Atlanta, Ga.

KRLD—KRLD Radio Corp., Dallas, Tex.—License to cover con-
1040 struction permit (B3-P-1520) for changes in equipment.

WAYX—E. F. Sapp and S. F. Sapp, d/b as Waycross Broadcast-
1200 ing Co., Waycross, Ga.—Voluntary assignment of construction permit (B3-P-1682) and license from E. F. Sapp and S. F. Sapp, d/b as Waycross Broadcasting Co., to Jack Williams.

WMFR—Radio Station WMFR, Inc., High Point, N. C.—Modifi-
1200 cation of license to change hours of operation from daytime to unlimited time, using 100 watts power.

WSIX—WSIX, Inc., Nashville, Tenn.—Construction permit to
1210 install a new transmitter and increase power from 100 watts to 100 watts night, 250 watts day.

WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—Au-
1280 thority to determine operating power by direct measurement of antenna.

WSJS—Piedmont Publishing Co., Winston-Salem, N. C.—Con-
1310 struction permit to install new transmitter and directional antenna for night use; change frequency from **1310 kc.** to **900 kc.**; increase power from 100 watts to 1 KW night, 5 KW day; move transmitter from 416-420 N. Marshall Street, Winston-Salem, N. C., to ⅛ mile west of O. E. Holder homeplace, Oldtown Township, North Carolina.

WLAK—Lake Region Broadcasting Co., Lakeland, Fla.—Con-
1310 struction permit to make changes in equipment and increase power from 100 watts to 100 watts night, 250 watts day.

NEW—Broward Broadcasting Co., Fort Lauderdale, Fla.—Con-
1370 struction permit for a new station to be operated on **1370 kc.**, 100 watts night, 250 watts day, unlimited time.

KABC—Alamo Broadcasting Co., Inc., San Antonio, Tex.—Au-
1420 thority to transfer control of corporation from Ethel Bowen Barrett, Thurman Barrett, R. E. Willson, Louise Hillje Taylor, Henry Lee Taylor and Harvis H. Hillje to Elliott Roosevelt, 1,000 shares common stock.

KOMA—Hearst Radio, Inc., Oklahoma City, Okla.—Construction
1480 permit to install a new transmitter, make changes in antenna and increase power from 5 KW to 10 KW.

WKEU—Radio Station WKEU, Griffin, Ga.—Construction permit
1500 to make changes in equipment; install vertical antenna; change frequency from **1500 kc.** to **1310 kc.**, hours of operation from daytime to unlimited, power from 100 watts to 100 watts night, 250 watts day; and move transmitter and studio from Griffin Hotel, W. Solomon St., Griffin, Ga., to Cherry Street and Cotton Avenue, Macon, Ga. Amended to change transmitter site to site to be determined, Macon, Ga.

NEW—James F. Hurley, Jr., Salisbury, N. C.—Construction per-
1500 mit for a new station to be operated on **1500 kc.**, 100 watts, daytime.

W4XBW—WDOD Broadcasting Corp., Chattanooga, Tenn.—License to cover construction permit (B3-PHB-17) for move of transmitter.

Fourth Zone

NEW—Wm. F. Huffman, Wisconsin Rapids, Wis.—Construction
580 permit for a new station to be operated on **580 kc.**, 250 watts, unlimited time. To use directional antenna at night.

WJBL—Commodore Broadcasting, Inc., Decatur, Ill.—Construc-
1200 tion permit to install a vertical antenna; change frequency from **1200 kc.** to **1310 kc.**, hours of operation from S-WJBC to unlimited; move transmitter from 301 N. Water Street, Decatur, Ill., to Route 48, Decatur, Ill. Requests facilities of WBOW, contingent upon the granting of WBOW's application for change of frequency.

WDWS—The Champaign News-Gazette, Inc., Champaign, Ill.—
1370 Construction permit to make changes in equipment; increase power from 100 watts to 100 watts night, 250 watts day: change hours of operation from daytime to unlimited.

NEW—Madison Broadcasting Co., Madison, Wis.—Construction
1450 permit for a new station to be operated on **1450 kc.**, 250 watts, unlimited time. To use directional antenna day and night.

KSAL—R. J. Laubengayer, Salina, Kans.—Authority to determine
1500 operating power by direct measurement of antenna.

KIGA—National Battery Broadcasting Co., Minneapolis, Minn.—Construction permit to install a new transmitter and increase power from 7.5 watts to 16 watts.

KIGA—National Battery Broadcasting Co., Minneapolis, Minn.—License to cover above.

NEW—Indianapolis Power & Light Co., Indianapolis, Ind.—Construction permit for a new relay broadcast station to be operated on **31100, 24600, 37600, 40600 kc.**, 40 watts.

W9XQV—Rockford Broadcasters, Inc., Rockford, Ill.—License to cover construction permit (B4-PRE-77) as modified for a new relay broadcast station.

NEW—National Battery Broadcasting Co., St. Paul, Minn.—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.**, 2 watts.

NEW—National Battery Broadcasting Co., St. Paul, Minn.—License to cover above.

NEW—Everett L. Dillard, d/b as Commercial Radio Equipment Co., Kansas City, Mo.—Construction permit for a new high frequency broadcast station to be operated on **31600, 35600, 38600, 41000 kc.**, 250 watts.

NEW—The Champaign News-Gazette, Inc., Champaign, Ill.—Construction permit for a new relay broadcast station to be operated on **1606, 2022, 2102, 2758 kc.**, 100 watts.

Fifth Zone

NEW—C. P. Sudweeks, Spokane, Wash.—Construction permit for
950 a new station to be operated on **950 kc.**, 500 watts night, 1 KW day, unlimited time. Amended to change requested transmitter site from Pleasant Prairie, Wash., to southeast quarter of Sec. 34, Twp. 26, Range 42 East, near Spokane, Wash.

KLAH—Barney Hubbs, A. J. Crawford, Jack Hawkins, Harold
1210 Miller, d/b as Carlsbad Broadcasting Co., Carlsbad, N. Mex.—Voluntary assignment of license from Barney Hubbs, A. J. Crawford, Jack Hawkins, Harold Miller, d/b as Carlsbad Broadcasting Co., a partnership, to Jack W. Hawkins and Barney Hubbs.

KHUB—Anna Atkinson, Executrix, Watsonville, Calif.—Voluntary
1310 assignment of license from Anna Atkinson, Executrix, to John P. Scripps.

KAST—Astoria Broadcasting Co., Astoria, Ore.—Construction
1370 permit to make changes in equipment; install vertical antenna; increase power from 100 watts to 100 watts night, 250 watts day; change frequency from **1370 kc.** to **1200 kc.**; change hours of operation from daytime to unlimited time; and move transmitter from 611 Commercial Street, Astoria, Ore., to site to be determined, Astoria, Ore.

KMED—Mrs. W. J. Virgin, Medford, Ore.—Construction permit
1410 to increase power from 250 watts to 1 KW and install new transmitter.

KLBM—Harold M. Finlay and Mrs. Eloise Finlay, La Grande,
1420 Ore.—Modification of construction permit (B5-P-1078) for a new station, requesting changes in transmitting equipment, approval of antenna, approval of studio site at 1402 Adams Avenue, La Grande, Ore., and transmitter at State Highway, 1.3 miles from town, La Grande, Ore.

KELA—Central Broadcasting Corp., Centralia-Chehalis, Wash.—
1440 Modification of construction permit (B5-P-1477) for a new station, requesting changes in equipment, approval of vertical antenna, and approval of transmitter site between Centralia and Chehalis, Wash., and studio site at Pacific Highway, between Centralia and Chehalis, Wash.

NEW—Tom Olsen, Port Angeles, Wash.—Construction permit for
1500 a new station to be operated on **1500 kc.**, 250 watts, daytime. Amended to make changes in requested equipment.

NEW—Church of Jesus Christ of Latter Day Saints, near Salt Lake City, Utah.—Construction permit for a new international broadcast station to be operated on **15250, 21460 kc.**, 50 KW. Amended to add frequency **6020 kc.** (daytime but remaining silent at night when interference might be caused to service of DJC, Zeesen, Germany); **9510 kc.** (subject to operation only at such times when interference is not caused to service of GSB, Daventry, England), and **11710 kc.**

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

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NEW FCC COMMISSIONERS CONFIRMED

The Senate before adjournment confirmed Frank R. McNinch and T. A. M. Craven as members of the Federal Communications Commission to fill the vacancies left by the death of Chairman Anning S. Prall, and Dr. Irvin Stewart, resigned.

Mr. Craven was sworn in as a member of the Commission on Wednesday. It is reported that Mr. McNinch will not take the oath of office for a short time owing to the fact that he has some matters at the Federal Power Commission which he wishes to clear up first.

NEBRASKA BROADCASTERS ELECT OFFICERS

The Nebraska Broadcasters Association held its annual meeting at Grand Island on August 9. The officers and directors elected for the ensuing year are: John M. Henry, KFAB-KFOR-KOIL, President; Clark Standiford, KGFW, Vice-President; Art Thomas, WJAG, Secretary-Treasurer; Frank Manchester, WAAW, and L. L. Hilliard, KGKY, Directors.

CHANGE IN POWER AND FREQUENCY RECOMMENDED

Broadcasting Station KABR, Aberdeen, S. Dak., applied to the Federal Communications Commission for a construction permit to change its frequency from 1420 kilocycles to 1390 kilocycles and to increase its power from 100 watts, unlimited hours to 500 watts night-time and 1,000 watts LS, with unlimited hours of operation.

Examiner R. H. Hyde, in Report No. I-481, recommended that the application be granted. He stated that due to the unusually large geographical area and the long distances between larger communities, the additional facilities applied for are needed to improve the service now available in Aberdeen and to extend it to a greater area and he added that the proposed changes would not cause interference to other stations on the same or adjacent frequencies.

STATUS OF FEDERAL RADIO LEGISLATION

The resolution of Senator White of Maine calling for an investigation of the radio industry was not passed during the closing hours of the first session of the Seventy-Fifth Congress which adjourned Saturday, August 21.

A Special Bulletin concerning the A. F. of M. situation will be issued later this week following a meeting of the NAB Executive Committee.

The White resolution was favorably reported by the Senate Committee on Interstate Commerce but an appropriation of $25,000 was added to defray the expenses of the investigation which necessitated its reference to the Senate Audit and Control Committee. As the session ended the resolution had not been reported out by the latter committee.

All bills introduced during the present session will retain their status when Congress reconvenes for the second session of the Seventy-Fifth Congress.

There follows a tabulation of the status of all federal bills of importance to broadcasters, separated as to Senate and House of Representatives.

SENATE

S. 5: Copeland (N. Y.): Food, Drug and Cosmetics. Passed Senate and referred to House Interstate and Foreign Commerce Committee.

S. 7: Duffy (Wisc.): Copyrights. To Patents Committee, January 6. No action.

S. 1353: Walsh (Mass.): Radio operators. To Interstate Commerce Committee, February 1. No action.

S. 1369: Capper (Kans.): Prohibits radio liquor advertising. To Interstate Commerce Committee, February 5. No action.

S. 2031: Sheppard (Texas): Copyrights. To Patents Committee, March 29. No action.

S. 2240: Guffey (Pa.): Copyrights. To Patents Committee, April 22. No action.

S. 2407: Sheppard (Texas): Radio operators minimum age provision. Passed Senate and referred to House Interstate and Foreign Commerce Committee.

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S. 2755: Schwellenbach (Wash.): Requires periods for broadcasts on social and political matters. To Interstate Commerce Committee, July 8. No action.

S. 2756: Schwellenbach (Wash.): Requires broadcasters to keep records of applications for time and reasons for any rejections. To Interstate Commerce Committee, July 8. No action.

S. 2757: Schwellenbach (Wash.): Radio censorship. To Interstate Commerce Committee, July 8. No action.

S. 2758: Wheeler (Mont.): Prohibits transmission of gambling information by radio. To Interstate Commerce Committee, July 8. No action.

S. Res. 93: Pittman (Nev.): Provides for broadcasts of Congressional proceedings. To Interstate Commerce Committee, March 15. No action.

S. Res. 149: White (Me.): Investigation of radio broadcasting industry. Reported favorably by Interstate Commerce Committee. No action by Senate.

S. J. Res. 197: Pittman (Nev.): Appropriation for Habana radio conference. Passed by Senate.

HOUSE

H. R. 13: Culkin (N. Y.): Prohibits liquor advertising by radio. To Interstate and Foreign Commerce Committee, January 5. No action.

H. R. 30: Dickstein (N. Y.): Alien actors. Hearings held by Immigration and Naturalization Committee. No action by House.

H. R. 300: Chapman (Ky.): Food, Drug and Cosmetic (Companion bill to S. 5). To Interstate and Foreign Commerce Committee, January 5. No action.

H. R. 2695: Moser (Pa.): Copyrights. To Patents Committee, January 12. No action.

H. R. 3004: Bloom (N. Y.): Copyrights. To Patents Committee, January 12. No action.

H. R. 3033: Scott (Calif.): Broadcast records (Companion bill to S. 2756). To Interstate and Foreign Commerce Committee, January 14. No action.

H. R. 3038: Scott (Calif.): Radio censorship (Companion bill to S. 2757). To Interstate and Foreign Commerce Committee, January 14. No action.

H. R. 3039: Scott (Calif.): Periods for social and political broadcasts (Companion bill to S. 2755). To Interstate and Foreign Commerce Committee, January 14. No action.

H. R. 3140: Culkin (N. Y.): Prohibits liquor advertising by radio. To Interstate and Foreign Commerce Committee, January 14. No action.

H. R. 3892: Wearin (Iowa): Prohibits radio monopoly. To Interstate and Foreign Commerce Committee, January 28. No action.

H. R. 3898: Lea (Calif.): Requires all radio operators to be licensed by FCC. Became Law.

H. R. 4281: Celler (N. Y.): Provision for Government broadcasting station. To Naval Affairs Committee, February 3. No action.

H. R. 4738: Culkin (N. Y.): Prohibits liquor advertising by radio. To Interstate and Foreign Commerce Committee, February 15. No action.

H. R. 4960: Martin (Mass.): Broadcast advertising of foreign-made goods. To Interstate and Foreign Commerce Committee, February 19. No action.

H. R. 5038: Anderson (Mo.): Provision for five-year broadcasting licenses. To Interstate and Foreign Commerce Committee, February 24. No action.

H. R. 5275: Daly (Pa.): Copyrights. To Patents Committee, March 3. No action.

H. R. 5300: Maloney (La.): Personal endorsement of articles by radio. To Interstate and Foreign Commerce Committee, March 3. No action.

H. R. 5336: Welch (Calif.): Minimum age requirement for radio operators. To Interstate and Foreign Commerce Committee, March 4. No action.

H. R. 5376: Welch (Calif.): Minimum age requirement for radio operators. To Interstate and Foreign Commerce Committee, March 5. No action.

H. R. 5548: Dickstein (N. Y.): Alien actors. To Immigration and Naturalization Committee, March 11. No action.

H. R. 6072: Whelchel (Ga.): Copyrights. To Patents Committee, April 1. No action.

H. R. 6440: Boylan (N. Y.): Wattage tax on radio stations. To Ways and Means Committee, April 15. No action.

H. R. 8230: Bernard (Minn.): Radio freedom of speech. To Interstate and Foreign Commerce Committee, August 13. No action.

H. Res. 61: Connery (Mass.): Investigation of radio industry. To Rules Committee, January 13. No action.

H. Res. 92: Connery (Mass.): Investigation of radio industry. To Rules Committee, January 28. No action.

H. Res. 313: McFarlane (Texas): Investigation of radio industry. To Rules Committee, August 13. No action.

H. Res. 321: Wiggleworth (Mass.): Ownership of stocks of radio corporations by FCC employees. To Interstate and Foreign Commerce Committee, August 18. No action.

H. Res. 342: Bacon (N. Y.): Investigation of lobbying interests at FCC. To Rules Committee, August 21. No action.

H. J. Res.: McReynolds (Tenn.): Appropriation for Habana radio conference (same as S. J. Res. 197). Passed by House.

RECOMMENDS POWER INCREASE FOR WMMN

Broadcasting station WMMN, Fairmont, W. Va., operating unlimited time on 890 kilocycles, applied to the Federal Communications Commission for an increase in power from 500 watts night, 1,000 watts LS, to 1,000 watts night, 5,000 watts LS.

Examiner Robert L. Irwin recommended that the application be granted. He stated that there is a need for additional service in the area, that the increase will not cause interference with any existing or proposed stations and that the granting of the application will be in the public interest, convenience and necessity.

ANTENNA TOWER MARKING

The Federal Communications Commission has issued the following in connection with the marking of antenna towers.

It has come to the attention of the Commission that the effectiveness of the antenna marking of many radio stations is considerably below normal, due to employing improper lamps and covers, failure to keep covers clean and deterioration of the tower paint.

In order to increase the effectiveness of this marking, thereby reducing the hazard to air navigation, the following instructions are issued:

(a) All antenna marking fixtures now equipped with lamps of 100 watts or less shall be equipped with 100 watt traffic signal lamps, Type A-21 clear, medium screw base. All lamps must be enclosed in aviation red prismatic obstruction light globes.

(b) All 200 watt code beacons shall be equipped with 200 watt general lighting service lamps, Type PS-30, clear, mogul prefocus base (where mogul prefocus base sockets are not now installed, these shall be installed).

(c) All 500 watt code beacons shall be equipped with 500 watt general lighting service lamps, Type PS-40, clear, mogul prefocus base (where mogul prefocus base sockets are not now installed, these shall be installed).

(d) All 500 watt rotating beacons shall be equipped with 500 watt aviation lighting service lamps, Type T-24 clear, mogul bi-post base.

(e) All 1000 watt rotating beacons shall be equipped with 1000 watt aviation lighting service lamps, Type T-20 clear, mogul bi-post base.

Attention is invited to the fact that these lamps which are particularly designed for the services specified, having considerably longer life than ordinary lamps of similar wattage, and in addition are much more efficient for these services. The use of the proper lamps as above stated, should materially increase the effectiveness and reduce the cost and inconvenience of maintenance.

(f) The tower paint shall be kept in good condition and repainted as often as necessary to maintain this condition. Towers now painted black and yellow shall when repainting is necessary, be painted in accordance with the present standards as follows:

"Each tower shall be painted throughout its height with alternate bands of international orange (orange yellow No. 5 of Color Card Supplement to the United States Army Quartermaster Corps Specifications No. 3-1) (see color card attached) and white, terminating with international orange bands at both top and bottom. The width of the international orange bands shall be one-seventh the height of the structure (if towers are over 250 feet, bands should be from 30 to 40 feet). The white bands shall be one-half the width of the international orange bands."

These instructions are effective immediately and the licensees of all stations where antenna marking is required shall proceed immediately to comply therewith.

WGL POWER INCREASE RECOMMENDED

Radio sation WGL, Fort Wayne, Ind., operating unlimited time on 1370 kilocycles applied to the Federal Communications Commission to increase its power from 100 watts to 100 watts night and 250 L. S.

Examiner Tyler Berry, in Report I-477, recommended that the application be granted. He states that there is a need for additional service in that area and that no objectionable interference will be caused by the proposed increase in day power.

APPROPRIATION FOR RADIO CONFERENCE

Just before adjournment the House of Representatives passed S. J. Res. 197, providing for an appropriation of $15,000 for the use of the American delegation to the Inter-American Radio Conference to be held at Habana, Cuba, beginning in November. The resolution had already passed the Senate.

RECOMMENDS AGAINST NEW ILLINOIS STATION

Robert Raymond McCulla applied to the Federal Communications Commission for a construction permit for a new broadcasting station at Oak Park, Ill., to be operated on 1500 kilocycles, 100 watts power and daytime operation.

Examiner Tyler Berry, in Report No. I-480, recommended that the application be denied. He found that the applicant was not technically or financially qualified to construct and operate the proposed station, that the area is now receiving satisfactory primary service and that the site selected for the station was not satisfactory from an engineering standpoint.

DENIAL RECOMMENDED ON ILLINOIS APPLICATION

The Key City Broadcasting Company applied to the Federal Communications Commission for a construction permit for the erection of a new broadcasting station at Kankakee, Ill., to operate on 1500 kilocycles, 100 watts power, unlimited time.

Examiner Tyler Berry, in Report No. I-479, recommended that the application be denied. He stated that the applicants were not financially and technically qualified to construct and operate the proposed station, that the area now receives primary service from a number of stations, and the proposed station would cause objectionable interference with Station WHIP.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3205. A complaint has been issued against **S. C. Ross,** 64 West Randolph St., **Chicago,** trading as **Ideal Gift Company,** alleging unfair methods of competition in promoting the sale of rotary clocks, fountain pen and pencil sets, and other merchandise through use of lotteries or gift enterprises.

The complaint alleges that the respondent furnishes customers with pushcards, the use of which involves the distribution of merchandise to ultimate consumers wholly by lot or chance. The pushcard, it is alleged, permits the drawing of prizes by chance through selection of a certain name from among a number of feminine names appearing on the cards.

No. 3206. Misrepresentation of certain piece-goods as silk, when in fact they are composed of other materials, is alleged in a complaint issued against **H. Kluger, Inc.,** 180 Madison Ave., **New York.**

On labels and in advertising matter, the respondent allegedly describes and refers to products not composed of silk as "Pur'Di", "100% pure dye", "pure silk filled", "100% pure dye crepe" and "crepe".

Dress goods and other items of wearing apparel to which such descriptive words and phrases are applied, the complaint charges, have for a long time been associated in the public mind with a fabric commonly known as and understood generally to be silk.

No. 3207. Use of lotteries or gift enterprises to promote the sale of bed and table linen, silverware, wearing apparel and other merchandise is alleged in a complaint against **John C. Merritt,** 1321 South 22nd St., **Birmingham, Ala.,** trading as **Merco Sales Company.**

The respondent is charged with furnishing customers with pushcards, the use of which involves the distribution of merchandise to ultimate consumers wholly by lot or chance. The pushcard, it is alleged, permits the drawing of prizes by chance through selection of a certain name from among a number of feminine names appearing on the card.

No. 3208. Corrugated Container Corporation, 230 Third Ave., **Brooklyn,** is respondent in a complaint alleging use of unfair methods of competition in the sale of corrugated paper fiber boxes.

The case involves the company's alleged improper stamping of its products in violation of rules on file with the Interstate Commerce Commission relating to the construction requirements of corrugated paper boxes used in shipments by rail.

No. 3209. The William M. Hardie Company, 1584 East 19th St., **Cleveland,** is charged in a complaint with unfair competition in the sale to dealers of candies so packed and assembled as to involve use of a lottery scheme when such products are resold to ultimate consumers.

No. 3120. Charging false and misleading representations in the sale of men's and women's wearing apparel, a complaint has been issued against **Samuel Stores, Incorporated,** 460 Fourth Ave., **New York.**

In advertisements and sales talks, the respondent company is alleged to have represented that with purchases amounting to $25, certain gifts would be awarded, consisting of a choice of a $6.95 dress, an all-weather sport coat, or a pair of men's shoes.

Stipulations

The Commission has entered into the following stipulations:

No. 2031. The Stetson Pants Company, 212 East 8th St., Cincinnati, selling men's clothing, agreed to discontinue use of the word "free" as descriptive of garments which actually are not given free but are given as a consideration to persons for services performed by obtaining new customers. The company also will cease using the phrase "tailored-to-fit" or words of similar meaning so as to imply that the garments to which such words refer are made to the individual measure or order of customers, when this is not true. The Stetson Pants Company also trades as The Manhattan Neckwear Company, Gibson Sweater Company and The Burton Pants & Garment Co.

No. 2033. Silverman & Grean, Inc., 231 West 29th St., New York, selling fur coats, will stop using in advertising matter as a brand or label for its products, the word "seal" or the word "Bioseal" alone or in connection with the explanatory phrase "the aristocrat of dyed coney," so as to imply that such coats are made from seal. The company also will discontinue employing such descriptive words or phrase in any manner tending to confuse purchasers as to the kind of fur from which its coats are manufactured.

No. 2034. False and misleading advertising will be discontinued under a stipulation entered into by **Samuel T.** and **Dora Schwartz,** trading as **Chas. Schwartz & Son.,** 708 Seventh St., N. W., **Washington, D. C.,** dealers in jewelry and other merchandise.

The firm agreed to desist from the use in advertising matter of the word "free" as descriptive of merchandise represented to be given away with the purchase of other merchandise, when, in fact, the so-called "free" article is included in the price asked for the goods sold.

No. 2035. Les Parfums Marly, Inc., 525 Broadway, New York, agreed to cease using the word "Paris" or "France" or the phrase "Made in France", alone or in connection with each other on its packaged perfume products, or otherwise, so as to directly assert or imply that such perfumes are of French origin and imported from France as finished perfumes. Use of the word "Paris" or of the address "Paris, 24 Rue Caumartin" on packaged products or in any manner implying that the company has an office at such place, when this is not a fact, will be discontinued. According to the stipulation, the company is engaged in compounding perfumes in this country from imported essential oil and essences, to which is added denatured alcohol as a diluting agent.

No. 2036. Busch Jewelry Company, Inc., 35 West 14th St., New York, stipulated that in advertising certain radio sets it sells it will stop employing the word "General" in connection with the statement "Headquarters for General Electric Radios", and will no longer use the word "General" as a trade name so as to imply that the sets so branded are manufactured by General Electric Company, Schenectady, N. Y., when such is not a fact.

No. 2037. M. Milstone, trading as Acme Liquor Store, 927 Pennsylvania Ave., N. W., Washington, D. C., will desist from representing in advertising matter of otherwise that rum produced in the Virgin Islands and which he sells under the name "Three Saints" is either distilled, aged or bottled under the supervision of the United States Government, when such is not a fact.

No. 01843. Under a stipulation entered into, **The R. L. Watkins Company,** 170 Varick St., **New York,** engaged in the interstate sale of Dr. Lyon's Tooth Powder, will discontinue certain false and misleading representations in advertising such dentifrice.

The respondent company stipulated that it will stop advertising that Dr. Lyon's Tooth Powder has twice the cleansing properties of tooth paste, is doubly efficient, and costs only half as much to use; that there is nothing known that will clean, whiten or polish teeth so quickly or effectively as powder; that dentists everywhere recommend Dr. Lyon's, and that people by the thousands or millions are discarding other methods of teeth cleansing and are using powder instead.

No. 01844. A stipulation to cease the use of false and misleading advertising in the sale of bunion and arch appliances, medicated soaps and preparations for the relief of foot trouble, has been entered by **The Scholl Manufacturing Company, Inc.,** 211 West Schiller St., **Chicago.**

Among the representations to be discontinued are that the respondent company's bunion appliances build up crippled structures and tissues, or are recognized by orthopedic surgeons as practical in every detail, and that by use of any of Dr. Scholl's products one may obtain permanent or immediate relief from whatever foot trouble one has, or that any or all of such products tone up the feet or enable one to wear smaller shoes.

No. 01845. Desider Rosenberg, trading as **Seboline Co.,** Post Office Box 2408, **Kansas City, Mo.,** has entered into a stipulation to discontinue false and misleading advertising in connection with the sale of his New Improved Seboline Treatment, a preparation for the skin consisting of a facial cleanser, an over-night application and a soothing powder.

Cease and Desist Orders

The Commission has issued the following cease and desist orders:

No. 2293. Prohibiting unfair competition through certain misrepresentations in the sale of cigars, an order has been issued to cease and desist against **John F. Bolon,** 89½ South Summit St., **Bethesda, Ohio,** trading as **John F. Bolon Cigar Co.**

Bolon is directed to discontinue representing, through use of the words "Vuelta Abajo" or other words of similar meaning, as descriptive of cigars, that they are made from tobacco grown in and imported from Cuba and the Cuban Province of Pinar Del Rio, unless this is a fact. Vuelta Abajo is the name of a district in Pinar Del Rio Province, Cuba.

Use of the phrase "cured in rum", or other words of similar meaning to represent that cigars have been cured, flavored or sweetened with rum, unless such is a fact, is also barred by the order.

No. 2998. An order to cease and desist from certain false representations concerning Birconjel, a feminine hygiene preparation sold with a patented appliance, has been entered against **Birconjel Corporation, Inc.,** having places of business at 420 Lexington Ave. and 37 East 28th St., **New York.**

The representations ordered discontinued are that use of the preparation will prevent conception; that it is a scientific prophylactic and a protection against disease, and that it may be used with safety and without deleterious effects in all cases.

No. 2390. An order to cease and desist from representing that it is a distiller of spirituous beverages, when such is not a fact, has been entered against **Distillers Brands, Inc.,** formerly of **Cincinnati** but now of **Jacksonville, Fla.**

The respondent company is ordered to discontinue representing, through use of the word "distillers" in its corporate name, in advertising matter, on labels, or otherwise, that it distills whiskies, gins or other spirituous beverages; that it manufactures such products through a process of distillation, or that it owns or operates a distillery, unless and until it does own or operate such a place.

No. 3043. Prohibiting certain misrepresentations in the sale of correspondence courses designed to prepare students for civil service examinations, an order to cease and desist has been entered against **Public Service Institute, Inc.,** 425 DeBaliviere Ave., **St. Louis.**

Among representations prohibited by the order are those to the effect that enrollment for the respondent's courses constitutes enrollment for a civil service examination or position; that the respondent is connected with or represents the United States Government; that it conducts a residence school, and that the number of its students who have successfully passed civil service examinations or obtained government positions and the number of instructors on its staff are greater than the facts warrant.

No. 3053. An order to cease and desist has been issued against **Maryland Baking Co.,** 1200 South Eutaw St., **Baltimore,** directing discontinuance of certain lottery methods in the sale of ice cream cones.

The respondent is ordered to stop selling to wholesalers and retailers cones so packed and assembled that their sale to ultimate purchasers may be made by means of a gaming device.

Packages or assortments of ice cream cones are not to be supplied dealers when, without alternation or rearrangement of their contents, they may be used to conduct a game of chance in the sale of cones to the public.

No. 3082. The Solvotone Co., 4303 Cottage Grove Ave., **Chicago,** and its president, **Jessie Rogers,** have been ordered to cease and desist from misrepresenting the therapeutic effects and properties of Solvotone, a medicine consisting of three preparations which users are directed to take together in the treatment of conditions for which they are recommended.

Prohibited by the order are representations that the preparations constitute a cure, remedy or competent and adequate treatment for gall-stones, ailments of the gall-bladder, or for diseases of the stomach or liver; that they are useful or effective in the treatment of gall-stones, ulcers or cancer of the stomach, or any other serious pathological condition, or will prevent an operation when any such condition exists; and that their use will end suffering and relieve tightness around the waist or pain in the right side, regardless of the cause thereof, or when such symptoms are due to any serious pathological condition.

No. 3097. An order to cease and desist from certain unfair competitive practices has been entered against **Wesleyan Diesel Service, Inc.,** 2906 Leavenworth St., **Omaha, Nebr.,** engaged in selling correspondence courses of instruction in the installation, care and maintenance of Diesel engines.

The order prohibits the respondent from representing that students finishing the course are qualified to install, maintain and service Diesel engines and that a free employment service is operated for the benefit of such students; that a limited number of students are to be selected and trained in Diesel engine work and that the demand for such trained men is greater than it actually is; and that the tuition fee paid by a student will be refunded if he is not satisfied with the results obtained after completing the course.

No. 3112. Keeley's, Inc., 258 South State St., **Salt Lake City, Utah,** has been ordered to cease and desist from selling candy so packed and assembled that sales to ultimate purchasers may be made by means of a lottery, gaming device or gift enterprise.

The order prohibits the respondent company from packing in the same assortments for sale to the public at retail, boxes of candy together with punchboard devices which may be used in the retail sale of candy to the public.

No. 3160. Oppenheim, Collins & Co., Inc., 33 West 34th St., **New York,** has been ordered to discontinue using the words "silk", "crepe", "taffeta" or "satin", as descriptive of women's garments which are not composed of silk, but of other materials.

The respondent company, which operates department stores, was found to have falsely represented in newspaper advertisements, through use of the words mentioned, that certain articles of wearing apparel were made of silk, when such was not a fact.

No. 3163. F. B. Washburn Candy Corporation, Forest St., **Brockton, Mass.,** has been ordered to cease and desist from selling and distributing to dealers candy so packed and assembled that sales of such candy to the general public are to be made, or may be made, by means of a lottery, gaming device or gift enterprise.

FTC CASES DISMISSED

Nos. 2592 and **2601.** Complaints against **Harford Frocks, Inc.,** and **Fashion Frocks, Inc., Cincinnati** concerns selling women's wearing apparel, have been dismissed by the Federal Trade Commission.

Harford Frocks, Inc., was charged with misrepresenting the conditions of employment and the earnings of agents who sell its goods. The complaint in the other case also alleged misrepresentation of earnings, and that **Fashion Frocks, Inc.,** contrary to its representations, did not give free dresses to sales persons, except when they had earned a certain commission.

FEDERAL COMMUNICATIONS COMMISSION ACTION

No hearings are scheduled at the Commission in broadcast cases during the week beginning August 30.

The Broadcast Division has taken the following action subject to ratification at its next regular meeting:

APPLICATIONS GRANTED

WBHP—Wilton Harvey Pollard, Huntsville, Ala.—Granted extension program test period for period of 30 days from August 16.

WIBX—WIBX, Inc., Utica, N. Y.—Granted extension program test peroid for period of 30 days from August 22.

KAAX—Columbia Broadcasting System, New York City.—Granted special temporary authority to operate a mobile low frequency pack relay broadcast transmitter on frequency **2830 kc.,** 5 watts, for the period August 20 to 28, to relay broadcast National Amateur Golf Tournament at Alderwood Country Club, Portland, Ore.

WJAR—The Outlet Company, Providence, R. I.—Granted extension special temporary authority to operate 1 KW auxiliary transmitter as regular transmitter for the period August 18 to September 16, pending installation of new 5 KW transmitting equipment as authorized under C. P.

WMBD—Peoria Broadcasting Co., Peoria, Ill.—Granted special temporary authority to rebroadcast over WMBD conversation carried on between experimental stations W5XAR and W5XAS of the Western Radio Telegraph Co., for a period of not more than 1 hour, between August 22 and August 27, flying weather permitting.

KUMA—Albert H. Schermann, Yuma, Ariz.—Granted extension special temporary authority to remain silent for period August 22 to September 20, 1937, pending action on application for C. P. to move transmitter.

MISCELLANEOUS

Granted petition of Don Lee Broadcasting System (KGB), San Diego, Calif., to intervene in the proceedings upon the application of David G. Adams, d/b as Adams Recording Studio, for authority to make electrical transcriptions and manufacture records for stations XEBG and XEMO, at Tia Juana, Mexico.

Granted petition of William Penn Broadcasting Co. (WPEN) and WRAX Broadcasting Co. (WRAX) for waiver of Rule 104.6 (b) and accepted their answer to the appearance of Southern Minnesota Broadcasting Co., Rochester, Minn., in Docket No. 4642.

Granted motion of West Virginia Broadcasting Corp., Wheeling, W. Va., for continuance of the hearing upon its application for C. P., Docket 4716, now scheduled for September 15, until November 15, 1937.

Denied petition of Falls City Broadcasting Corp., Falls City, Nebr., requesting reconsideration and grant in part for daytime hours of its application for C. P. for new station, Docket 4217, which was denied on July 6, 1937.

EXAMINER REPORT RELEASED SINCE AUGUST 18

WGL—Ex. Rep. 1-477: Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—Examiner Tyler Berry recommended grant of C. P. to increase power from 100 watts to 100 watts, 250 watts LS.

APPLICATIONS RECEIVED

First Zone

WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—Construction
550 permit to reinstate W.E. Type D-87737, 1-KW transmitter and use as an auxiliary transmitter.

WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—Construction
550 permit to make adjustments in WKBW's present licensed transmitter and use as WGR's main transmitter.

WJAR—The Outlet Co., Providence, R. I.—License to cover con-
890 struction permit (B1-P-1285) for changes in equipment and increase in power.

WKBW—Buffalo Broadcasting Corp., Buffalo, N. Y.—Construc-
1480 tion permit to make changes in equipment and increase power from 5 KW to 10 KW of the present licensed transmitter of WGR, to be used as the main transmitter of WKBW.

WCNW—Arthur Faske, Brooklyn, N. Y.—Construction permit to
1500 move transmitter from 1525 Pitkin Avenue, Brooklyn, N. Y., to 180 Morgan Avenue, Brooklyn, N. Y.

W1XAL—World Wide Broadcasting Corporation, Boston, Mass.—Modification of license to cancel frequencies **6040, 11790, 15250, 21460 kc.** and add **9550, 11730, 15130** and **21500 kc.,** on a temporary provisional basis.

Second Zone

WIP—Pennsylvania Broadcasting Company, Philadelphia, Pa.—
610 Construction permit to use old W.E.106-B transmitter as an auxiliary, power of 1 KW, and move transmitter 200 feet (same address).

NEW—Fred B. Fitch, tr/as Thumb Broadcasting Co., Sandusky,
950 Mich.—Construction permit for a new station on frequency not stated, 500 watts night and 1 KW day power, unlimited time. Amended: Specifying **950 kc.** frequency, and studio site as East Sanilac Ave., and transmitter site as Section 3, township of Watertown, Mich.; change name from Thumb Broadcasting Co., Inc., by Fred B. Fitch, to Fred B. Fitch, tr/as Thumb Broadcasting Company.

NEW—Arlington Radio Service, Inc., Arlington, Va.—Construc-
1140 tion permit for a new station to be operated on **1510 kc.**, 250 watts, unlimited time. Amended to make changes in requested equipment, change requested frequency from **1510 kc.** to **1140 kc.**, power from 250 watts to 1 KW, and hours of operation from unlimited time to daytime.

NEW—Cuyahoga Valley Broadcasting Co., Warren, Ohio.—Con-
1200 struction permit for a new station to be operated on **1200 kc.**, 100 watts, unlimited time.

WBLY—Herbert Lee Blye, Lima, Ohio.—Voluntary assignment of
1210 license from Herbert Lee Blye to The Fort Industry Co.

WMBG—Havens & Martin, Inc., Richmond, Va.—Construction
1210 permit to make changes in equipment and increase power from 500 watts to 500 watts night, 1 KW day, using directional antenna.

WMBG—Havens & Martin, Inc., Richmond, Va.—Construction
1210 permit to make changes in equipment and increase power from 500 watts to 500 watts, 1 KW day. Amended to change requested power from 500 watts, 1 KW day, to 1 KW.

NEW—Cuyahoga Valley Broadcasting Co., Cleveland, Ohio.—Con-
1500 struction permit for a new station to be operated on **1500 kc.**, 100 watts, daytime. Amended to change hours of operation from daytime to unlimited time, using 100 watts power.

W3XIW—Reading Broadcasting Co., Reading, Pa.—License to cover construction permit (B2-PRE-122) for a new relay broadcast station.

WAAH—West Virginia Broadcasting Corporation, Wheeling, W. Va. —License to cover construction permit (B2-PRY-8) for a new relay broadcast station.

WAAH—West Virginia Broadcasting Corporation, Wheeling, W. Va. —Modification of construction permit (B2-PRY-8) to make changes in equipment.

W8XKB—West Virginia Broadcasting Corp., Wheeling, W. Va.—Modification of construction permit (B2-PRE-22) as modified to make changes in transmitter.

W8XKB—West Virginia Broadcasting Corp., Wheeling, W. Va.—License to cover construction permit (B2-PRE-22) for a new relay broadcast station.

Third Zone

WDBO—Orlando Broadcasting Co., Inc., Orlando, Fla.—Modifica-
580 tion of construction permit (B3-P-1717) for equipment changes and increase in power, further requesting changes in equipment.

WOLS—O. Lee Stone, Florence, S. C.—Modification of construc-
1200 tion permit (B3-P-1104) for a new station, requesting changes in equipment and move of transmitter from 121 Evans Street, Florence, S. C., to Charleston Highway, ⅛ mile south of Florence, S. C.

KVSO—The Ardmoreite Publishing Co., Inc., Ardmore, Okla.—
1210 Construction permit to make changes in equipment and increase power from 100 watts to 100 watts night, 250 watts day.

WSMB—WSMB, Inc., New Orleans, La.—License to cover con-
1320 struction permit (B3-P-1446) as modified for a new transmitter and directional antenna and move of transmitter.

WMFJ—W. Wright Esch, Daytona Beach, Fla.—Modification of
1420 construction permit (B3-P-1518) for a new transmitter, requesting extension of completion date from 9-19-37 to 3-19-38.

WAPO—W. A. Patterson, Chattanooga, Tenn.—License to cover
1420 construction permit (B3-P-1509) for changes in equipment, increase in power, and change in hours of operation.

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—Con-
1420 struction permit to install a new transmitter and increase power from 100 watts to 100 watts night, 250 watts day.

NEW—Amarillo Broadcasting Corp., Amarillo, Tex.—Construc-
1500 tion permit for a new station to be operated on **1500 kc.**, 100 watts, unlimited time. Amended to change requested transmitter site from outside of city limits, Amarillo, Tex., to site to be determined, Amarillo, Tex.

NEW—The National Life & Accident Insurance Co., Inc., Mobile in area of Nashville, Tenn.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 2 watts.

NEW—The Constitution Publishing Co., Atlanta, Ga.—Construc-
1240 tion permit for new station to be operated on **1240 kc.**, 1 KW night and 5 KW day, unlimited time. Directional antenna night use.

WACO—KTSA Broadcasting Co., Waco, Tex.—Construction per-
1420 mit to make changes in equipment and increase power from 100 watts to 100 watts night, 250 watts day.

KNOW—KUT Broadcasting Co., Austin, Tex.—Construction per-
1500 mit to make changes in equipment and increase power from 100 watts to 100 watts night and 250 watts day; also make changes in antenna.

Fourth Zone

WLBL—State of Wisconsin, Department of Agriculture and Mar-
900 kets, Stevens Point, Wis.—License to cover construction permit (B4-P-1220) as modified for new equipment, increase in power, and change in hours of operation.

KSO—Iowa Broadcasting Co., Des Moines, Iowa.—Construction
1430 permit to make changes in transmitting equipment; install directional antenna for night use; increase power from 500 watts, 2½ KW day, to 1 KW night and 5 KW day.

NEW—Sam Klaver and Nathan Belzer, d/b as The Great Western
1500 Broadcasting Co., Omaha, Nebr.—Construction permit for a new station to be operated on **1420 kc.**, 100 watts, unlimited time. Amended to change frequency from **1420 kc.** to **1500 kc.**

NEW—Woodmen of the World Life Insurance Assn., Omaha, Nebr. —Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.**, 100 watts.

W9XRS—WDAY, Inc., Fargo, N. Dak.—License to cover construction permit for a new relay broadcast station.

W9XSO—WDAY, Inc., Fargo, N. Dak.—License to cover construction permit (B4-PRE-119) for a new relay broadcast station.

WIRE—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Con-
1400 struction permit to install new transmitter and move transmitter from Millersville Road and Groveland Avenue, Indianapolis, Ind., to Ralston Road, Indianapolis, Ind.

NEW—South Bend Tribune, South Bend, Ind.—Construction permit for high frequency broadcast station, **25950 kc.**, 100 watts, unlimited time.

NEW—South Bend Tribune, South Bend, Ind.—License to cover above.

W9XPU—WDZ Broadcasting Co., Tuscola, Ill.—Construction permit for changes in equipment and increase in power from 10 watts to 30 watts.

W9XPU—WDZ Broadcasting Co., Tuscola, Ill.—License to cover above.

Fifth Zone

KTFI—Radio Broadcasting Corp., Twin Falls, Idaho—Construc-
1240 tion permit changes in transmitter, install vertical antenna, increase power from 1 KW to 1 KW night, 5 KW day and move transmitter from 143 Second St., W. Twin Falls, Idaho, to on Highway 30, 4 miles W. of Twin Falls, Idaho. Amended: To omit request for changes in transmitter, and increase in day power, and change requested transmitter site from on Highway 30, 4 miles W. of Twin Falls, Idaho, to U. S. Highway 30, West of Twin Falls, Idaho.

KCRJ—Charles C. Robinson, Jerome, Arizona.—License to cover
1310 construction permit (B5-P-1711) for changes in equipment, vertical antenna, increase in power, change in hours of operation and move of transmitter.

KID—KID Broadcasting Co., Idaho Falls, Idaho.—Construction
1320 permit to make changes in equipment and increase power from 500 watts night, 1 KW day to 500 watts night, 5 KW day.

KUMA—Albert H. Schermann, Yuma, Ariz.—Construction permit
1420 to install a vertical antenna and move transmitter from Fourth Avenue and Eighth Street, Yuma, Ariz., to 30 Fourth Street, Yuma, Ariz.

KVOE—The Voice of the Orange Empire, Inc., Ltd., Santa Ana,
1500 Calif.—License to cover modification of construction permit (B5-MP-377) for changes in equipment.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS

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Copyright, 1937. The National Association of Broadcasters

SITTIN' BULL

Broadcasting stations are warned about a potential infringement suit contained in Brunswick Record No. 7378. One side of this record (LA 318) is entitled "Sittin' Bull", and "Shine" by Mack-Brown-Dabney.

The LA 318 side of the record begins with an eight bar introduction of "Indian Love Call" which *is* included under an ASCAP license, followed by "Sittin' Bull" which is *not* included under an ASCAP license, and ending with "Shine" which *is* included under an ASCAP license.

The NAB has been informed that suits for infringement have been instituted in connection with the playing of this record containing the musical selection "Sittin' Bull". The NAB has conducted an investigation into the copyrights involved and any member station now engaged in controversy concerning this composition may obtain the results of the investigation upon request.

POWER INCREASE FOR KFNF RECOMMENDED

Station KFNF, Shenandoah, Iowa, which shares time with Station KUSD on 890 kilocycles, applied to the Federal Communications Commission for an increase in power from 500 watts, 1000 watts LS to 1000 watts, 5000 watts LS.

Examiner John P. Bramhall in Report No. I-486 recommended that the application be granted. He stated that there was a definite need for additional service in the area and that the interests of other existing stations will not be adversely affected by reason of interference.

POWER INCREASE RECOMMENDED FOR KGKO

Broadcasting station KGKO, Wichita Falls, Texas, which had previously been granted authority by the Federal Communications Commission to move the station to a site near Fort Worth, Texas, applied to the Commission for a modification of the construction permit to allow them to change their operation from 570 kilocycles with 250 watts, 1000 watts LS, unlimited hours, to 570 kilocycles with 1000 watts, 5000 watts LS and unlimited hours.

Examiner George H. Hill in Report No. I-485 recommends that the application be granted. He points out that the granting of the present request will be consistent with the prior decision, that the proposed increase in power will cause no interference in the daytime and that at night it will not be the predominant cause of interference to other existing stations. The examiner concludes that the added power will result in an increased service to the city of Dallas as well as Fort Worth without injury to any Dallas station as it is not proposed to solicit any local advertising in that city.

50 KW FOR KGO RECOMMENDED

Broadcasting Station KGO, San Francisco, Calif., operating on 790 kilocycles, unlimited time applied to the Federal Communications Commission for an increase from its present power of 7500 watts to 50,000 watts.

Examiner John P. Bramhall, in Report No. I-488, recommended that the application be granted. He found that there is a need for additional service proposed to be rendered and that although a slight increase in interference to Station KEHE will result, it is not sufficiently serious to warrant the denial of the application.

WBNS POWER INCREASE RECOMMENDED

Radio Station WBNS, Columbus, Ohio, operating on 1430 kilocycles, unlimited time, applied to the Federal Communications Commission for a construction permit for an increase in power from 500 watts, 1000 watts LS to 1000 watts, 5000 watts LS.

Examiner Robert L. Irwin, in Report No. I-489, recommended that the application be granted. He stated that there is a need for additional service in the area, that the increased power will not cause increased interference to existing stations nor result in objectionable

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interference to the facilities requested in pending applications.

RECOMMENDS AGAINST NEW WEST VIRGINIA STATION

George W. Taylor Company, Inc., applied to the Federal Communications Commission for a construction permit for a new station at Williamson, W. Va., to operate on 1370 kilocycles, daytime, with 100 watts power.

Examiner Robert L. Irwin, in Report No. I-487, recommended that the application be denied. He based his adverse recommendation mainly on the ground that the record indicated that the application was filed with the intention of transferring control of any license or permit that might be acquired to parties who were not applicants and who did not appear at the hearing and he added that the granting of the application would not serve the public interest, convenience and necessity.

RECOMMENDS NEW MISSOURI STATION

Don M. Lidenton and A. L. McCarthy applied to the Federal Communications Commission for a construction permit for a new station at Poplar Bluff, Missouri, to operate on 1310 kilocycles, 100 watts power and daytime operation.

Examiner Robert L. Irwin, in Report No. I-482, recommended that the application be granted. He found that the applicants were qualified to construct and operate the proposed station, that there is a need for daytime service in the area, that the site and equipment are satisfactory and that the granting of the application will serve the public interest, convenience and necessity.

NEW NORTH CAROLINA STATION

The Hickory Broadcasting Company has applied to the Federal Communications Commission for a construction permit for a new station at Hickory, North Carolina, to be operated on 1370 kilocycles, with 100 watts power and daytime operation.

Examiner Robert L. Irwin, in Report No. I-483, recommended that the application be granted, subject to the approval by the Commission of a satisfactory transmitter site. He stated that there was need for daytime service in that area, that there would be no objectionable interference with existing stations during the greater part of the day, that the applicants are in all respects qualified to construct and operate the proposed station and that they have indicated their willingness to locate the transmitter at an approved site.

NEW MASSACHUSETTS STATION RECOMMENDED

John W. Haigis applied to the Federal Communications Commission for a construction permit for a new station at Greenfield, Mass., of 250 watts power to operate daytime on 1210 kilocycles.

Examiner Tyler Berry in Report No. I-484 recommended that the application be granted. He found that the applicant is qualified to construct and operate the proposed station, that there is need for daytime service in the area and that no objectionable interference is expected to the service of existing stations.

APPELLATE COURT UPHOLDS FCC GRANT

The United States Court of Appeals for the District of Columbia affirmed the action of the Federal Communications Commission which had on May 1, 1936, granted a construction permit to the Portland Broadcasting System, Inc. for a new station at Portland, Maine, to operate on 640 kilocycles, with 500 watts, limited time, using directional antenna. Pursuant to the mandate of the Court, the Commission directed that the C. P. be issued to the Portland Broadcasting System, Inc.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

Nos. 3211 and 3212. Use of lottery methods in the sale of miscellaneous merchandise is alleged in two complaints, one against **Jack Rosenfeld,** 2316 Locust St., **St. Louis,** trading as **J. Rose & Co.,** and the other against **James I. Silver,** 2868 Elston Ave., **Chicago,** trading as **Silver Manufacturing Company, Silver Sales Company,** and **World-Wide Radio Company.**

Rosenfeld sells candy, radios, lamps, clocks and watches. Silver deals in the same articles, and also in silverware, fountain pen and pencil sets, bedding, luggage, dishes, electric fans and cameras.

The complaints allege that both respondents employ various merchandising plans, in accordance with which they furnish customers with pushcards, punchboards or pullcards which enable purchasers of chances to win prizes by selecting certain numbers or feminine names appearing on the devices. It is alleged that distribution of merchandise in this manner is made wholly by lot or chance, and constitutes a practice long deemed contrary to public policy.

The complaint against Silver charges that through use of his trade name, Silver Manufacturing Company, and by other means, he represents that he is a manufacturer, when, in fact, he neither owns nor operates a factory and does not make the merchandise sold by him.

In newspapers and magazines, Silver allegedly advertises that certain of his radios are free, that salesmen make money giving them away, and that persons purchasing them save 50 per cent, when according to the complaint, these representations are false.

No. 3213. A complaint has been issued charging **The Paradise Company,** 325 West Ohio St., **Chicago,** with certain unfair methods of competition in promoting the sale of cosmetics and toilet preparations by conducting prize contests.

Other respondents named in the complaint are Albert L. Bisson, president of the corporation; Sylvan B. Heininger, secretary-treasurer; Martha A. Boeing, a director, and Leta M. Clanton and G. G. Grant, stockholders.

The complaint alleges that the prize contests are not bona fide contests calculated to promote the taking of orders for the respondent company's merchandise and to reward those who have taken the most orders. The contests allegedly are merely sales promotion schemes by which contestants are induced, through alleged misleading representations, to make outright purchases of merchandise, with the result that, in many cases, they have goods on hand which they cannot use or resell.

No. 3215. Cherry Specialty Company, 4722 Augusta Boulevard, **Chicago,** is charged in a complaint with selling to dealers assortments of candy so packed as to involve the use of a lottery scheme when resold to ultimate consumers.

According to the complaint, the assortments are composed of 24 one-pound boxes of candy, together with an electric lamp and a display circular.

It is alleged that the lamp is to be given as a prize to the purchaser of one of the boxes of candy, while the circular is for use of the retail dealer in disposing of boxes of candy by a sales plan involving a game of chance, lottery scheme or gift enterprise.

No. 3216. J. W. Pincus and **J. Dan Silver,** copartners trading as **The Novelcrafts Company,** 1534 Center Ave., **Pittsburgh,** are charged in a complaint with using lottery methods to promote the sale of candy and chewing gum. Lou Roth, manager of the business conducted by the partnership, also is named as a respondent.

The respondents allegedly sell to dealers for resale, assortments composed of a number of pieces of candy of uniform shape and size, together with other merchandise. According to the complaint, an ultimate purchaser who selects a piece of candy with a center colored differently from the centers of the majority of pieces wins an article of merchandise as a prize.

Substantially the same method is used in the sale of chewing gum, the complaint alleges, except that pennants are specified as the prizes to be awarded purchasers who select a stick of gum having a color different from that of the majority of sticks.

No. 3217. Use of certain false and misleading representations in connection with the sale of Kondi Worm Specific and Conditioner, a medicine for dogs, is alleged in a complaint issued against **J. E. Miller, Atlanta, Ga.,** trading as **Kondi Company.**

Advertising in newspapers and magazines, on labels, and otherwise, the respondent, the complaint alleges, falsely represents that his preparation is "doing wonders" as a conditioner for dogs and will positively expel or destroy all intestinal parasites, including hook, tape and round worms, in from 5 to 30 minutes; that it is an effective and safe treatment for distemper and is effective in treating dogs for barking or fright fits and a run-down state, which conditions, the respondent represents, are indicated by dull eyes, pale mouth membranes, rough coat, and other symptoms.

Cease and Desist Orders

The Commission has issued the following cease and desist orders:

No. 1772. An order to cease and desist entered against **Heidelberger Confectionery Company,** 1720 North Second St., **Philadelphia,** has been vacated and set aside and an amended and supplemental complaint has been issued. The company is engaged in the manufacture and sale of candy.

The original complaint charged the respondent company with use of the so-called "break and take" lottery method in promoting the sale of candy, and the order, now vacated and set aside, prohibited such practice as constituting unfair competition in violation of Section 5 of the Federal Trade Commission Act.

The amended and supplemental complaint contains the same allegation, and, in addition, charges the respondent company with employing other lottery schemes in connection with the sale of its products, among which is the use of pushcards.

No. 3101. Certain unfair methods of competition in the sale of medicinal preparations are prohibited under an order to cease and desist against **Oliver L. Von Bachelle,** 2148 North Halsted St., **Chicago,** trading as **H. Shade's Laboratories** and as **Bureau of Education, H. Shade's Laboratories.** The products sold by the respondent are Shade's Cones, Shade's Suppositories and Shade's Antiseptic Powder, represented by him to be preparations for use in the treatment of ailments peculiar to women.

The respondent is barred from representing that his products are safe for general use and efficacious in the treatment and cure of those diseases or ailments arising out of so-called problems of feminine hygiene.

No. 3168. Clement A. DeGrace, trading as **Social Security Counselors,** Davis Building, **Portland, Ore.,** has been ordered to cease and desist from certain unfair methods of competition in the sale of correspondence courses of instruction designed to educate students for positions in the United States Government.

Representing, through use of the words "Social Security Counselors" or otherwise, that the respondent is connected with the United States Social Security Board or the United States Government, is ordered discontinued.

Stipulations

The Commission has entered into the following stipulations:

No. 01846. Under a stipulation, **Eli Sperry Leffler,** 741 Walnut Ave., **St. Louis,** agreed to stop false and misleading advertising in selling Bromo-Phos, a medicinal preparation offered as a remedy for the ill-effects of over-indulgence in food and drink and for stomach disorders and other ailments. The respondent operates his business under the trade name Bromo-Phos.

Four dealers have entered into stipulations to discontinue false and misleading advertising in connection with the interstate sale of medicinal preparations.

No. 01848. R. Schiffmann Company, 1734-36 North Main St. at Gibbons St., Los Angeles; Asthmador, Nasaldor and Expectorant for hay fever, asthma, nose colds, head colds, and nasal irritations.

No. 01849. Walgreen Company, 744 Bowen Ave., Chicago; 20-Minute Dandruff Treatment, for dandruff and the scalp.

No. 01850. Rex L. Jones, Tulsa, Okla., trading as Zn-Bor Laboratories; Zn-Bor, for hay fever, sinus trouble, colds, croup and asthma. This respondent agrees to discontinue using the word "laboratories" in his trade name until such time as he actually owns or operates a laboratory.

No. 01851. Frank A. Urban, 149 Metropolitan Ave., Brooklyn, trading as Novogen Laboratories; Aidone Tablets, for headaches, neuralgia, colds and muscular pains. The respondent stipulates that he will cease using the word "laboratories" in the trade name under which his product is marketed.

FEDERAL COMMUNICATIONS COMMISSION ACTION

The Broadcasting Division took the following actions subject to ratification at its next regular meeting:

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KEHE and auxiliary, Los Angeles; KHQ, Spokane, Wash.; KMJ, Fresno, Calif.; KMTR, Los Angeles; KOMO and auxiliary, Seattle; KSEI, Pocatello, Idaho; KUSD, Vermillion, S. Dak.; KVI, Tacoma, Wash.; KVOD, Denver, Colo.; WDAF, Kansas City, Mo.; WELI, New Haven, Conn.; WFMD, Frederick, Md.; WIP, Philadelphia; WJAR and auxiliary, Providence, R. I.; WKY, Oklahoma City, Okla.. and auxiliary; WMMN, Fairmont, W. Va.; WMT, Cedar Rapids, Iowa; WORL, Boston; WQAM and auxiliary, Miami, Fla.; WREC, Memphis, Tenn.; WSVA, Harrisonburg, Va.; WTAD, Quincy, Ill.; WTAG, Worcester, Mass., and auxiliary; WTMJ, Milwaukee, Wis.; WWJ, Detroit, Mich.; WCHS, Charleston, W. Va.; WGBI and auxiliary, Scranton, Pa.; WMC, Memphis, Tenn.; WPEN, Philadelphia, Pa., and auxiliary; WTAR and auxiliary, Norfolk, Va.; KLZ, Denver.

KGFI—Eagle Broadcasting Co., Inc., Corpus Christi, Tex.—Granted renewal of license for the period ending January 1, 1938.

KFBI—The Farmers & Bankers Broadcasting Corp., Abilene, Kans. —Granted renewal of license for the period ending February 1, 1938.

KGBU—Alaska Radio & Service Co., Inc., Ketchikan, Alaska.—Present license extended on a temporary basis only for the period ending October 1, 1937.

The following station licenses were extended on a temporary basis only for the period ending October 1, 1937, pending receipt and/or action on applications for renewal:

WFLA, Clearwater, Fla.; WJAX, Jacksonville, Fla.; WLBL, Stevens Point, Wis.; WMC (auxiliary), Memphis, Tenn.; WSUN, St. Petersburg, Fla.

MISCELLANEOUS

WCAX—Burlington Daily News, Inc., Burlington, Vt.—Granted special temporary authority to operate from 11 to 11:30 a. m., DST, August 28 to September 4, inclusive, excepting

Sunday; 2 to 4 p. m., DST, September 1 to September 11, daily except Sunday; 7 to 9 p. m., DST, September 1 to 11, daily except Friday, Saturday and Sunday, to broadcast events of Champlain Valley Fair, Essex Junction, Vt., and sponsored Northern League baseball games; and from 7 to 8 p. m., DST, September 11 to 30, inclusive, to broadcast sponsored sports review.

W3XJ—McNary and Chambers, Washington, D. C.—Granted extension special temporary authority to extend testing period of experimental broadcast station by additional time 6 a. m. to 10 a. m., EST, on mornings beginning August 27 and ending September 4, 1937, inclusive. Station to operate simultaneously with broadcast station WBAL for the purpose of making measurements.

WTOL—Community Broadcasting Co., Toledo, Ohio.—Granted special temporary authority to operate a 100-watt test transmitter on **1200 kc.** between hours of 12 midnight and local sunset, for a period August 28 to September 7, 1937, incl., between 1 and 5:45 p. m., EST, provided power does not exceed 50 watts and no interference is caused to stations maintaining regular schedules.

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted extension special temporary authority to operate from 8:30 to 9 a. m., EST, Morning News Roundup; 9 to 9:30 a. m., EST, Morning Musical; 9:30 to 9:45 a. m., EST, Band Music; 9:45 to 10 a. m., EST, Organ Program; 2 to 2:15 p. m., EST, Transradio Newscast; 2:15 to 2:30 p. m., EST, Organ Recital; 2:30 to 2:45 p. m., EST, Five Familiar Tunes; and 2:45 to 3 p. m., EST, Sons of the Pioneers Musical Program, for the period August 20 to September 6, 1937, inclusive, provided WSVS remains silent.

KFDM—Sabine Broadcasting Co., Inc., Beaumont, Tex.—Granted renewal of license for the period September 1, 1937, to March 1, 1938.

KGIW—Leonard E. Wilson, La Junta, Colo.—Granted renewal of license for the period ending January 1, 1938.

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Granted special temporary authority to operate a 100-watt portable test transmitter on **1290 kc.** between hours of 1 and 6 a. m., MST, for period August 28 to September 11, 1937, in order to conduct location survey tests.

KNX—Columbia Broadcasting System, Inc., Los Angeles, Calif.—Granted special temporary authority to rebroadcast over station KNX, program from U. S. Coast Guard ship *Aurora* from 4:30 to 4:45 p. m., PST, September 7 to 11, inclusive, in connection with Pacific Coast Championship Yachting Regatta.

KGDY—Voice of So. Dakota, Huron, S. Dak.—Granted extension of special temporary authority to remain silent for the period, September 1 to September 30, 1937, inclusive for the purpose of rebuilding transmitter to comply with Rule 132.

KFDY—South Dakota State College, Brookings, S. Dak.—Granted special temporary authority to remain silent September 6, in order to observe Labor Day Holiday.

KSFO—The Asso. Broadcasters, Inc., San Francisco, Calif.—Granted special temporary authority to operate old transmitter as auxiliary without an approved frequency and modulation monitor, for period beginning August 28 to September 26, 1937, during program tests.

WAHJ—The Champaign News-Gazette, Inc., Champaign, Ill.—Granted special temporary authority to operate a mobile low frequency relaybroadcast transmitter on frequencies **1606, 2022, 2102, 2758 kc.**, 100 watts, for period August 31 to September 3, 1937, to relaybroadcast program originating from Piatt County Fair in Monticello, Ill.

WWJ—The Evening News Assn., Detroit, Mich.—Granted extension special temporary authority to operate for the period September 1 to 30, 1937, with increase in night power to 5 KW, to overcome interference.

W4XFG—The National Life & Accident Ins. Co., Inc., Nashville, Tenn.—Granted special temporary authority to operate a mobile high frequency relaybroadcast transmitter on frequency **31100 kc.**, 2 watts, on September 1, to relaybroadcast opening day of football practice in Vanderbilt Stadium.

KOAC—Oregon State Agr. College, Corvallis, Ore.—Granted extension special temporary authority to operate from 8 a. m. to 2:30 p. m. and from 6:30 to 8 p. m. PST, during month of September, 1937 (instead of unlimited time as licensed, in order to observe summer vacation).

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Granted extension special temporary authority to operate with power of 50 watts from local sunset (September, 6:15 p. m. EST) to 11 p. m. EST, Tuesdays, Thursdays, Saturdays and Sundays, for period September 2 to September 30, 1937, pending compliance with Rule 131 on modification of license.

WSUI—State Univ. of Iowa, Iowa City, Iowa—Granted special temporary authority to operate a minimum of six hours daily instead of unlimited time, for the period September 1 to September 27, 1937, inclusive, in order to observe summer vacation at State University of Iowa.

WCBD—WCBD, Inc., Chicago, Ill.—Granted extension of special temporary authority to use transmitter of Station WMBI for the period September 1 to September 30, 1937, inclusive, pending repair to WCBD's transmitter, which was destroyed by fire.

W9XPU—WDZ Broadcasting Co., Tuscola, Ill.—Granted special temporary authority to operate relay broadcast station with 30 watts using equipment specified in C. P., for period August 30 to September 28, 1937, for relay broadcast description of a dance marathon to be rebroadcast over WDZ.

WRUF—Univ. of Fla., Gainesville, Fla.—Granted extension of special temporary authority to rebroadcast the Navy time signals from Arlington for the period August 31, 1937 to February 1, 1938.

WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to increase power to 1 KW night in order to counteract interference caused by station CMX, Havana, Cuba, and WWJ, Detroit, and KPRC, Houston, for the period September 1 to 30, 1937.

WRAX—WRAX Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to increase power to 1 KW night in order to counteract interference caused by station CMX, Havana, Cuba, and WWJ, Detroit, and KPRC, Houston, for the period September 1 to 30, 1937.

KFNF—KFNF, Inc., Shenandoah, Iowa—Granted extension of special temporary authority to rebroadcast over KFNF the Naval Observatory Time signals, at 11 a. m. CST, daily, except Sunday, for period September 1, 1937, to February 1, 1938.

WDZ—WDZ Broadcasting Co., Tuscola, Ill.—Granted extension of special temporary authority to operate from 5 to 6 a. m. CST for the period August 31 to September 29, 1937, in order to reach the farmers in the territory surrounding station who are in their fields during summer months by 5 a. m.

WMBQ—Joseph Husid, Receiver for Metropolitan Broadcasting Corporation, Brooklyn, N. Y.—Granted extension of special temporary authority for Joseph Husid, Receiver, to operate station for period September 1 to September 30, 1937, pending action on any applications affecting station WMBQ.

WAAF—Drovers Journal Publishing Co., Chicago, Ill.—Granted extension special temporary authority to operate from 5 to 6 a. m., CST, from September 1 to September 25, 1937, in order to conform with the adoption of Daylight Saving Time in Chicago.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Granted extension special temporary authority to operate on **560 kc.**, with 1 KW at night, for period September 1 to September 30, 1937, inclusive, pending filing of and action on license application to cover C. P. for this authority.

WCOA—Pensacola Broadcasting Co., Pensacola, Fla.—Granted modification of C. P. approving transmitter site and vertical radiator.

KWNO—Winona Radio Service, Winona, Minn.—Granted modification of C. P. to move transmitter and studio locally, extend commencement date to 45 days after grant and completion date to 180 days thereafter.

WRAX—WRAX Broadcasting Co., Philadelphia, Pa.—Granted renewal of license on a temporary basis subject to whatever action may be taken by the Commission upon the application of WPEN.

WRAX—WRAX Broadcasting Co., Philadelphia, Pa.—Granted renewal of license for auxiliary transmitter on a temporary basis subject to whatever action may be taken by the Commission upon the application of WPEN.

WGRC—Northside Broadcasting Corporation, New Albany, Ind.—Present license extended for a period of one month from September 1, 1937, on a temporary basis only, subject to such action as may be taken upon application for renewal pending before the Commission.

WRDO—WRDO, Inc., Augusta, Maine—Present license extended for a period of two months from September 1, upon a temporary basis only, subject to such action as may be taken upon application for renewal of license pending before the Commission.

WAPI—Alabama Polytechnic Institute, University of Alabama, and Alabama State College Board of Control of Radio Broadcasting, Birmingham, Ala.—Granted renewal of license for the period ending February 1, 1938, subject to the following condition: "In issuing this license the Commission takes notice of the pending applications of WOWO for Modification of Licenses and WWVA, KEX and KVOO for C. P., and petitions associated therewith. In lieu of issuing a temporary license and it appearing that the Commission will be unable to hear and determine the applications of WOWO, WWVA, KEX and KVOO during the period of time covered by this license, it is issued upon the express condition that its issuance will not be construed as a finding by the Commission upon any of the issues to be presented in said pending applications and petition, and operation hereunder by WAPI will be construed as an acceptance of the condition herein provided."

Granted petition of the Times Dispatch Publishing Co., Inc., to intervene in the proceedings upon the application of WLBG, Inc. (WRNL), Richmond, Va., for C. P., Docket 4681.

Granted petition of Havens and Martin, Inc., to intervene in the proceedings upon the application of WLBG, Inc., for C. P., Docket 4681.

Denied petition of Thomas J. Watson for continuance of the consolidated hearing upon the application of Thomas J. Watson for C. P., Docket 4550; the Citizens Broadcasting Corp. for C. P., Docket 4508; William Avera Wynne, Rocky Mount, N. C., for C. P., Docket No. 4598; and The Hampden-Hampshire Corp., Holyoke, Mass., for C. P., Docket 4564.

Dismissed the motion of The Hampden Hampshire Corp. to strike the petition of the Citizens Broadcasting Corp. for an order to take depositions in support of its application for C. P., Docket No. 4508.

Denied the motion of Thomas J. Watson, a respondent, to strike the petition of Citizens Broadcasting Corp. for an order to take depositions in support of its application for C. P., Docket No. 4508, or, in alternative, to quash said order if issued.

Granted petition of Colonial Broadcasting Co., Morristown, N. J., for an order to take depositions in support of its application for C. P., Docket No. 4639, and dismissed the opposition thereto by The Journal Company and the National Broadcasting Co., Inc., respondents.

Granted petition of Broadcasters, Inc., Gastonia, N. C., for a 30-day continuance of the hearing upon its application for C. P., Docket 4603, now scheduled for September 8, 1937.

Granted motion of West Virginia Broadcasting Corp. for a continuance of 60 days of the hearing on its application for C. P., Docket 4715, now scheduled for September 15, 1937.

Granted petition of Knox Radio Corp. (WKBV), Richmond, Ind., for leave to file late appearance and statement of facts to be proved in support of its application for renewal of license, Docket 4660, and accepted said appearance and statement of facts to be proved, and denied the motions of the Curtis Radiocasting Corp. and C. Bruce McConnell to declare a default upon and to dismiss the above application (Docket 4660).

Granted the joint petition of WJW, Inc., Akron, Ohio, and First National Television, Inc. (KXBY), Kansas City, Mo., for an extension of 15 days in which to file exceptions to Examiner's Report No. 1-476. (Action taken August 26, 1937.)

In connection with the Mandate from the U. S. Court of Appeals for the District of Columbia in Nos. 6772 and 6773, Portland Broadcasting System, Inc., v. Federal Communications Commission and Congress Square Hotel Co. v. Federal Communications Commission, the Broadcast Division directed that a C. P. be issued to the Portland Broadcasting System, Inc., pursuant to the action of the Commission of May 1, 1936, which action was affirmed by the U. S. Court of Appeals June 28, 1937.

EXAMINERS' REPORTS RELEASED SINCE AUGUST 24, 1937

WMMN—Ex. Rep. 1-478: Monongahela Valley Broadcasting Co., Fairmont, W. Va.—Examiner R. L. Irwin recommended grant of C. P. to increase power from 500 watts night, 1 KW LS, to 1 KW night, 5 KW LS.

NEW—Ex. Rep. 1-479: Key City Broadcasting Co., Kankakee, Ill. —Examiner Tyler Berry recommended denial of C. P. for new station to operate on **1500 kc.**, 100 watts, unlimited time.

NEW—Ex. Rep. 1-480: Robert Raymond McCulla, Oak Park, Ill. —Examiner Tyler Berry recommended denial of C. P. for new station to operate on **1500 kc.**, 100 watts, daytime.

KABR—Ex. Rep. 1-481: Aberdeen Broadcast Co., Aberdeen, S. Dak.—Examiner R. H. Hyde recommended grant of C. P. to change frequency from **1420 kc.** to **1390 kc.**; increase power from 100 watts to 500 watts night, 1 KW LS.

NEW—Ex. Rep. 1-482: Don M. Lidenton and A. L. McCarthy, Poplar Bluff, Mo.—Examiner Robert L. Irwin recommended grant of C. P. for new station to operate on **1310 kc.**, 100 watts, daytime.

NEW—Ex. Rep. 1-483: Hickory Broadcasting Co., Hickory, N. C. —Examiner Robert L. Irwin recommended grant of C. P. for new station to operate on **1370 kc.**, 100 watts, daytime.

NEW—Ex. Rep. 1-484: John W. Haigis, Greenfield, Mass.—Examiner Tyler Berry recommended grant of application for C. P. to operate new station on **1210 kc.**, 250 watts, daytime.

KGKO—Ex. Rep. 1-485—Wichita Falls Broadcasting Co., near Fort Worth, Tex.—Examiner Geo. H. Hill recommended grant of modification of C. P. to increase power from 250 watts night, 1 KW LS, to 1 KW night, 5 KW LS.

HEARING CALENDAR

Tuesday, September 7

HEARING BEFORE AN EXAMINER

(Broadcast)

KFJZ—R. S. Bishop, Transferor and Mrs. Ruth G. Roosevelt, Transferee, Fort Worth, Texas—Authority to transfer control of corporation. **1370 kc.**, 100 watts, 250 watts LS, unlimited time.

KXA—American Radio Tel. Co., Seattle, Wash.—C. P., **760 kc.**, 1 KW, limited time. Present assignment: **760 kc.**, 250 watts, 500 watts LS, limited time.

NEW—Curtis Radiocasting Corp., Richmond, Ind.—C. P., **1420 kc.**, 100 watts, 250 watts LS, unlimited time.

Wednesday, September 8

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—George H. Evans & Davis O. Vandivier, d/b as The Chickasha Daily Express, Chickasha, Okla.—C. P., **1500 kc.**, 250 watts, daytime.

Thursday, September 9

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. 1-391:

NEW—Frontier Broadcasting Co., Cheyenne, Wyo.—C. P., **1420 kc.**, 100 watts, 250 watts LS, unlimited time.

Examiner's Report No. 1-395:

NEW—The Journal Co. (The Milwaukee Journal), Milwaukee, Wis.—C. P., **1570 kc.**, 1 KW, unlimited time.

NEW—Mid-Atlantic Corp., Washington, D. C.—C. P., **1570 kc.**, 1 KW, unlimited time.

NEW—The Trenton Times, Trenton, N. J.—C. P., **1570 kc.**, 250 watts, unlimited time.

NEW—The Trenton Times, Trenton, N. J.—C. P., **1570 kc.**, 250 watts, unlimited time.

NEW—The Trenton Times, Trenton, N. J.—C. P., **1570 kc.**, 250 watts, unlimited time.

Examiner's Report No. 1-397:

NEW—The Metropolis Co., Jacksonville, Fla.—C. P., **1290 kc.**, 250 watts, unlimited time.

HEARING BEFORE AN EXAMINER

(Broadcast)

KOBH—Black Hills Broadcast Co. (Robert Lee Dean, Pres.), Rapid City, S. Dak.—Voluntary assignment of license to Black Hills B/c Co. of Rapid City; **1370 kc.**, 100 watts, unlimited time.

Friday, September 10

HEARING BEFORE AN EXAMINER
(Broadcast)

NEW—Citizens Broadcasting Corp., Schenectady, N. Y.—C. P., **1240 kc.**, 1 KW, 5 KW-LS, unlimited time.

NEW—Thomas J. Watson, Endicott, N. Y.—C. P., **1240 kc.**, 1 KW (day-night), unlimited time.

WEED—William Avera Wynne, Rocky Mount, N. C.—C. P., **1240 kc.**, 500 watts, unlimited time.

NEW—Radio Station WFNC, Fayetteville, N. C.—C. P., **1210 kc.**, 250 watts, daytime.

NEW—The Hampden-Hampshire Corp., Holyoke, Mass.—C. P., **1240 kc.**, 500 watts, 1 KW LS, unlimited time.

NEW—Capitol Broadcasting Co., Inc., Raleigh, N. C.—C. P., **1210 kc.**, 100 watts, 250 watts LS, unlimited time.

WAIR—C. G. Hill, Geo. D. Walker & Susan H. Walker, Winston-Salem, N. C.—C. P., **1250 kc.**, 1 KW, daytime.

WGNY—Peter Goelet, Newburgh, N. Y.—C. P., **1210 kc.**, 100 watts, 250 watts LS. Share WBRB, WFAS and WGBB.

APPLICATIONS RECEIVED
First Zone

WOR—Bamberger Broadcasting Service, Inc., Newark, N. J.—
710 Special experimental authorization to operate a facsimile station from 2 a. m. to 6:30 a. m., using 5 KW power.

WSNJ—Eastern States Broadcasting Corp., Bridgeton, N. J.—
1210 License to cover construction permit (B1-P-529) as modified, for a new station.

WNBZ—Earl J. Smith & Wm. Mace, d/b as Smith & Mace,
1290 Saranac Lake, N. Y.—License to cover construction permit (B1-P-1546) for equipment changes.

NEW—Utica WUTK Incorporated, Utica, N. Y.—Construction
1420 permit for a new station to be operated on **1420 kc.**, 100 watts, unlimited time. Amended: To change requested power from 100 watts to 100 watts night, 250 watts day.

W3XAL—National Broadcasting Co., Inc., Bound Brook, N. J.—Modification of license to add the frequencies **11790, 15250** and **21460 kc.**, contingent on W1XAL application releasing these frequencies.

Second Zone

NEW—WAVE, Incorporated, Louisville, Ky.—Construction permit
610 for a new station to be operated on **610 kc.**, 250 watts night, 500 watts day, unlimited time. Amended: To make changes in transmitting equipment, install directional antenna for day and night use, change requested frequency from **610 kc.** to **880 kc.**, and power from 250 watts night, 500 watts day to 500 watts night and day.

Third Zone

WJDX—Lamar Life Insurance Co., Jackson, Miss.—Modification
1270 of construction permit (B3-P-1584) for changes in equipment, new antenna and increase in power, further requesting changes in equipment and extension of commencement and completion dates.

Fourth Zone

KANS—The KANS Broadcasting Co., Wichita, Kans.—Authority
1210 to transfer control of corporation from Charles C. Theis to Herbert Hollister (48 shares common stock) and Don Searle 49 shares common stock).

KDLR—KDLR, Incorporated, Devils Lake, N. Dak.—License to
1210 cover construction permit (B4-P-1790) for move of transmitter and installation of vertical antenna.

KROC—Southern Minnesota Broadcasting Co., Rochester, Minn.—
1310 Construction permit for a new station to be operated on **920 kc.**, 1 KW night, 5 KW day, unlimited time. Amended: To change the frequency of KROC from **1310 kc.** to **920 kc.**, install a new transmitter, increase power from 100 watts night, 250 watts dav to 500 watts night, 1 KW day, install directional antenna for night use and move transmitter locally.

NEW—N. B. Egeland, Roland, Iowa.—Construction permit for a
1500 new station to be operated on **1500 kc.**, 100 watts night, 250 watts day, specified hours. Amended: To make changes in equipment, change power from 100 watts night, 250 watts day to 100 watts and change hours of operation from specified hours to daytime only.

Fifth Zone

KSFO—The Associated Broadcasters, Inc., San Francisco, Calif.—
560 Authority to determine operating power by direct measurement of antenna.

KSFO—The Associated Broadcasters, Inc., San Francisco, Calif.—
560 License to cover construction permit (B5-P-1512) as modified for a new transmitter, vertical antenna, and move of transmitter.

NEW—Wyoming Broadcasting Co., Rock Springs, Wyo.—Con-
1370 struction permit for a new station to be operated on **1370 kc.**, 100 watts night, 250 watts day, unlimited time.

NEW—Union-Tribune Broadcasting Co., San Diego, Calif.—Con-
1480 struction permit for a new station to be operated on **1480 kc.**, 5 KW, unlimited time.

NEW—R. C. Atwood Port Angeles, Wash.—Construction permit
1500 for a new station to be operated on **1500 kc.**, 100 watts, unlimited time.

The National Association of Broadcasters

NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.

JAMES W. BALDWIN, Managing Director

NAB REPORTS ★ ★ ★ ★ ★

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NAB BOARD OF DIRECTORS MEETING

The Board of Directors of the National Association of Broadcasters will meet at the Hotel St. Regis, New York City, Friday, September 10.

NEW FCC RULE ON 550 KC.

The Communications Commission and the Navy Department have conferred with respect to the use of 550 kilocycles to avoid interference with naval communication activities. In a press release dated September 7 (22835), it is reported that the Commission hereby announces the following policy with respect to licensing broadcast stations on this frequency:

"No station will be licensed with greater night power than 1 kilowatt, or day power greater than 5 kilowatts, on 550 kilocycles. No application for a new broadcast station or increase in power or time of operation of an existing station will be considered which is located at a distance less than 300 miles from the nearest coast of the United States, unless approval of the Navy Department is submitted in writing with the application. No new station or increase in power or time of operation of an existing station will be authorized which is located at a distance from 300 to 500 miles from the nearest coast, unless approved by the Navy Department.

"The above mileages may be decreased if it is shown that a signal intensity of not greater than 100 microvolts per meter will result at the nearest coast or point of naval communications activities. In case a directional antenna is used that increases the signal toward the coast, the mileage may be increased until not more than 100 microvolts per meter result at the nearest coast or point of naval communication activities."

JACK RADCLIFFE—JACK GORDON

Anyone knowing the present whereabouts of Jack Radcliffe, sometimes known as Jack Gordon, an announcer between 25 and 30 years of age with a slight Scotch burr, is requested to communicate immediately with Reginald B. Martin, Station Manager, KFAB-KFOR, Lincoln, Nebraska.

FCC DENIES FIVE NEW APPLICATIONS

The Broadcast Division of the Federal Communications Commission denied applications for five new stations effective August 31, 1937, as follows:

DENIED Loyal K. King, application for new station at Pasadena, California, 1480 kc., 250 watts, daytime.

DENIED Hannibal Broadcasting Company, application for new station at Hannibal, Mo., 1310 kc., 100 watts, unlimited time.

DENIED The Courier-Post Publishing Company, application for new station at Hannibal, Mo., 1310 kc., 100 watts, 250 watts LS, unlimited time.

DENIED Advertiser Publishing Company, Ltd., application for new station at Honolulu, T. H., 1370 kc., 100 watts, unlimited time.

DENIED Fred J. Hart, application for new station at Honolulu, T. H., 600 kc., 250 watts, unlimited time.

SOCIAL SECURITY TAX RESPONSIBILITY

The Bureau of Internal Revenue of the Treasury Department has issued the following ruling relative to the status of musicians under the Social Security Act:

"1. The status under Titles VIII and IX of the Social Security Act of musicians generally, and particularly with respect to musicians engaged under contract forms and procedure prescribed by the various local unions of the American Federation of Musicians, has been considered by the Bureau.

"2. The purpose of this mimeograph is to clarify the matter of the application of the Social Security taxes with respect to the relationship which exists between so-called "contractors," musicians, and "purchasers" of music, and to set forth certain distinctions between so-called "non-name" orchestras and "name" orchestras.

"3. The method of engaging union musicians to perform services for "purchasers" of music and the facts bearing upon the resulting relationship, appear to be sub-

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stantially as follows in the case of "nonname" orchestras or groups of musicians:

"Purchasers" of music, such as hotels, theatres, cafes, clubs, radio stations, radio sponsors, etc., desiring the services of musicians, usually contact these individuals through a member of the musicians' union. The member through whom such contact is made is called a "contractor."

The practice of engaging musicians exclusively through a so-called "contractor" has become general throughout the country. In fact, in an overwhelming majority of localities, this practice is by prescription of both the American Federation of Musicians and local union regulations. This practice has originated out of the assistance which it affords to a "purchaser" of music who is thus enabled to deal with only one out of the number of musicians required and also in the convenience which it furnishes to the union in enforcing its regulations. The term "contractor," as used in the musical vocation, designates that individual musicians through whom, in any particular case, the party wishing to purchase music (the "purchaser") and the parties wishing to supply such music (the musicians) conduct their reciprocal affairs, including the negotiation and performance of the contract by both parties. In a few localities there are no "contractors," as such, their place being taken by the local union which supplies the musicians to the "purchaser."

"The status of "contractor" is not fixed, either as to the occupancy or as to duties. Any musician who is a member of the American Federation of Musicians may serve as a "contractor." Having served as a "contractor" for a particular engagement, he may, upon his next engagement, perform only musical services under a contract negotiated by another musician serving as "contractor." It should be noticed that a "contractor" may or may not perform musical services under a contract which he has negotiated. In general, the "contractor" has the sole right of all the musicians to negotiate the contract for musical services, select the musicians upon the engagement (on behalf of the "purchaser"), and discharge the musicians (also on behalf of the "purchaser"). Other incidents of the status include the duty to pay the individual musicians (on behalf of the "purchaser"), the power to require conformance with the requirements of the contract on the part of the musicians, and primary responsibility to the union for the satisfactory performance of the engagement. In some cases the "contractor" directs the artistic quality of the musical services by serving as "leader." In other cases the duty to direct is vested entirely in another musician.

"The minimum compensation of both the "contractor" and the musicians is fixed in accordance with the union scale. In some cases, the contract to furnish musicians designates the exact amount to be received by the "contractor" and individual musician. In many cases, the contract expresses only a lump sum consideration which may or may not be in excess of the union scale. In most such cases where payment is made in a lump sum, the "contractor" receives only his proportionate part in accordance with union regulations; in others, however, the "contractor" or even individual musicians may receive compensation in excess of the wages received by the remainder of the members of the orchestra. In these cases, the excess sums paid to the "contractor" or other musicians are based on superior ability. In every case where the "contractor" performs as a musician, the minimum rate of his compensation is set variously according to locality at from 10 per cent to 100 per cent higher than the minimum rate set for other musicians.

Under contracts in which "contractors" appear, the "purchaser" has the right to select specific musicians (although in certain localities this right does not exist), even though the "purchaser" may not always, or even usually, exercise this right. He further has the right to require that a certain type of music be played. He invariably furnishes the place where the contract shall be performed. He designates the hours of performance, and, in addition, even controls times for intermissions so as to coordinate the performance of music with his other activities; such as, the sale of food and drinks or the rendition of other artistic performances. In addition, he has the right to discharge individual musicians in the event of a material breach of their contract. In the case of the engagement of musicians and of their discharge, this right in the "purchaser" may be exercised through the "contractor" as the "purchaser's" agent.

The musicians performing under such a contract do not have any permanent organization or standing, nor is their personnel fixed beyond the particular engagement.

"4. In the light of its consideration of the foregoing circumstances attaching to the relationship existing between and among "contractors," musicians, and "purchasers" of music, it is the opinion of the Bureau that the "purchaser," under such or similar circumstances, retains a sufficient measure of the power to direct and control the performance of the contract as to render him the employer of the individual musicians, including the "leader," if any. Also on the basis of these considerations, it is the opinion of the Bureau that the "purchaser" has sufficient direction and control over the conduct of the "contractor" himself as to render the "purchaser" the employer of such "contractor" except in the case where the "contractor" performs no musical services. In a case where the "contractor" renders no musical services to the "purchaser," it is the opinion of the Bureau that the "purchaser" is the employer of the individual musicians, including the "leader," if any, but not of the "contractor."

"5. You are, therefore, advised that the ruling S. S. T. 47 published in C. B. XV-2, 409 (1936), should not be followed in the case of "contractors" and musicians performing services under the circumstances set forth above. However, such ruling is generally applicable in cases where individuals are performing services in a so-called "name" orchestra, since it is the opinion of this office that normally individuals performing in so-called "name" orchestras are employees of the orchestra "leaders" within the meaning of Titles VIII and IX of the Social Security Act.

"6. It should be noticed, however, in this connection, that the determination of whether any particular group of musicians constitutes a so-called "name" orchestra will not rest upon the mere adoption of a name by such organization. The chief characteristic distinguishing a "name" orchestra from a "nonname" orchestra is the permanency of the organization and the personnel performing in the orchestra. In general, an orchestra will be considered a "name" orchestra when, in addition to being designated by a name, it has a fixed personnel extending from engagement to engagement and holds itself out to the public as a permanent business organization. "Name" orchestras may also be distinguished from other orchestras where the "leader" of the orchestra contracts with the members thereof for their services at a fixed salary, either by term or by engagement, and where the "leader" is liable for the payment of such salary without reference to the discharge of the "purchaser's" obligation. In the case of a "name" orchestra, the "leader" of the orchestra and not the "purchaser" can select and discharge the members of the orchestra and the "leader" alone controls and directs their conduct.

"7. No single factor should afford the basis of determining that an orchestra either is or is not a "name" orchestra. Whether or not a particular orchestra is a "name" orchestra may be difficult to determine in some cases. Accordingly, in any case upon which a ruling is desired, a request therefor should be accompanied by information sufficiently detailed and complete to enable this office to make a determination upon consideration of the above-mentioned factors and application of the foregoing tests."

Guy T. Helvering,
Commissioner of Internal Revenue.

FCC DISMISSES NEW CALIFORNIA APPLICATION

The Broadcast Division of the Federal Communications Commission this week dismissed with prejudice the application of Salinas Newspapers, Inc., for a construction permit for a new station at Salinas, California, to operate daytime on 1390 kilocycles with 250 watts power.

RECOMMENDS AGAINST NEW NEW MEXICO STATION

Earle Yates applied to the Federal Communications Commission for a construction permit for a new station at Las Cruces, New Mexico, to operate on 930 kilocycles with power of 500 watts, daytime only.

Examiner George H. Hill in Report No. I-494 recommends that the application be denied. He states that although the applicant is qualified to construct and operate the proposed station and no interference would be caused to any existing station, that objectionable interference would result if a pending application for a new station at El Paso, Texas, is granted, that it is doubtful if sufficient local talent is available and that the population of the area is too small to provide adequate commercial support for the operation of the proposed station.

RECOMMENDS ADVERSELY ON ILLINOIS AND PENNSYLVANIA APPLICATIONS

Abraham Plotkin and the Philadelphia Radio Broadcasting Company each applied to the Federal Communications Commission for a construction permit for a special broadcasting station to operate in Chicago, Ill., and Philadelphia, Pa., respectively, on 1570 kilocycles, with 1000 watts and unlimited hours.

As both applicants wanted the same frequency, power and hours of operation, Examiner R. H. Hyde conducted a joint hearing and issued a joint report (No. I-493). Abraham Plotkin failed to appear for hearing and no evidence was submitted in support of his application so Examiner Hyde recommended that his application be dismissed with prejudice.

The Examiner also recommended that the application of the Philadelphia Radio Broadcasting Company be denied. He pointed out that the research objectives outlined by the applicant, one of the prerequisites for granting a special broadcast license, were too general and indefinite, that the project appeared to be essentially a business enterprise for profit and not an experimental undertaking, and that the provision for employment of an engineering staff was not such as would permit carrying out a program of research and experimentation.

50 KW RECOMMENDED FOR WWL

Broadcasting Station WWL, New Orleans, La., operating on 850 kilocycles with specified hours, applied to the Federal Communications Commission for a construction permit to increase its power from 10 kilowatts to 50 kilowatts.

Examiner George H. Hill in Report No. I-491 recommended that the application be granted. He stated that there is a need for additional service in the area proposed to be served, that the only interference will be with Station WKAR, East Lansing, Mich., and that this will occur only in the late afternoon hours and in the very outer portions of that station's useful service area. He also observed that the operation of WWL with the increased power would tend to further limit the service of Station XEFE, Nuevo Laredo, Mexico.

RECOMMENDS AGAINST NEW CALIFORNIA STATION

Warren B. Worchester applied to the Federal Communications Commission for a permit to construct a new broadcasting station at San Diego, Calif., to operate on 1400 kilocycles with power of 250 watts night and 1 kilowatt until local sunset, unlimited time.

Examiner George H. Hill in Report No. I-490 recommends that the application be denied. He found that there are now two regional stations located in San Diego rendering primary service in that area and that there appears to be no substantial need for another regional station in that city. He pointed out also that the proposed station would cause and be subject to objectionable interference from Station KLO, Ogden, Utah, and that severe interference would result should the pending applications of Stations KDON and KLO be approved.

NEW OHIO STATION RECOMMENDED

William F. Maag, Jr., applied to the Federal Communications Commission for a construction permit for a new broadcasting station at Youngstown, Ohio, to operate daytime on 1420 kilocycles, with 100 watts power.

Examiner John P. Bramhall in Report No. I-492 recommended that the application be granted. He stated that the applicant is fully qualified to construct and operate the proposed station, that a definite need for additional daytime service in the area has been shown and that interference will not be caused to existing stations. He added that the grant should be subject to selection of a transmitter site satisfactory to the Commission.

WKBH RENEWAL AND TRANSFER RECOMMENDED

Broadcasting Station WKBH, La Crosse, Wisc., applied to the Federal Communications Commission for a renewal of its license and for authority to transfer control of the corporation, WKBH, Inc., to Harry Dahl.

Examiner George H. Hill in Report No. I-495 recommended that the application be granted. He found that while the failure of the applicants to report the sale of capital stock of WKBH, Inc., was irregular and may have been a technical violation of Section 310, that there was no evidence of concealment or lack of good faith, the larger sale having been between existing stockholders of the corporation and smaller sales having been made to three local business firms. He stated further that following the sale of stock and change in management, greatly improved service was rendered, new equipment installed, employees' salaries increased and programs improved; that WKBH is the only station licensed to operate in the La Crosse area and to refuse a renewal would deprive the locality of meritorious service now being rendered it.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3219. Unfair methods of competition, including the use of lotteries or gift enterprises, in connection with the sale of clocks are alleged in a complaint issued against **Irwin Scadron,** 416 West Erie St., **Chicago,** trading as **Metropolitan Distributing Company.**

The respondent is charged with supplying dealers and customers with pushcards, the use of which involves the distribution of clocks to ultimate purchasers wholly by lot or chance. The pushcard, it is alleged, permits the drawing of a clock through selection of a name from among a group of names.

No. 3220. Gus Stephens, 809 West Madison St., **Chicago,** trading as **Tested Specialties Company,** is charged with unfair methods of competition in connection with the sale of medicine for use in the treatment of dogs, cats and all fur-bearing animals. The medicine is designated "On the Nose" and is to be applied by rubbing on the noses or lips of animals.

In advertising this preparation in newspapers, magazines, on labels and otherwise, the respondent allegedly represents, contrary to the facts, that "On the Nose" is effective in the treatment of distemper and works miracles every day, saving thousands of dogs doomed by so-called incurable afflictions; cures coughs and colds and builds up resistance against infectious diseases; is a general conditioner and a preventive of diseases, and is efficacious as a dewormer.

No. 3222. False and misleading representation of a product advertised as a waterproofing material is alleged in a complaint issued against **The Lumino Company, Inc.,** 515 Madison Ave., **New York,** manufacturer of Lumino.

This product allegedly was advertised as being capable of waterproofing interior or exterior surfaces made of brick, concrete, cement or stucco. However, the complaint alleges, Lumino is not a true water-proofing material and will not cause brick and other surfaces to become impervious to water or dampness when applied as directed.

Cease and Desist Orders

The Commission has issued the following cease and desist orders:

No. 2513. Trading as **Pigro Chamois Company, Harry Neivert, Gloversville, N. Y.,** has been ordered to cease and desist from representing that leather products sold by him are made from chamois when they are not manufactured from the skin of the Alpine antelope, commonly known as chamois, or from fleshers or under-splits of sheepskin straight oil-dressed or tanned without the use of alum, chrome or formaldehyde.

No. 3064. Trade Laboratories, Inc., 412 Halsey St., **Newark, N. J.,** and its officers have been ordered to cease and desist from certain unfair methods of competition in connection with the sale of dental, shaving and facial creams and similar commercial preparations and toilet articles.

Trade Laboratories, Inc., trades as **Redd Chemical Company, Modern Brands, Inc., Perlox Laboratories, Inc., Pearl-White Laboratories, Inc.,** and **Dr. Daily's Laboratories, Inc.** The respondent officers are J. C. Brush, president, C. R. Dickinson, vice-president, and C. V. Brush, secretary-treasurer.

The order directs the respondents to cease representing, by marking an exaggerated or fictitious price upon the cartons in which their articles are sold, that the prices so marked are the regular or customary retail prices at which such products are usually sold or offered for sale.

Nos. 3023 and 3046. Two Chicago concerns, **Illinois Baking Corporation,** 2230 South Union Avenue, and **Milko Cone & Baking Company, Inc.,** 431 North Lincoln St., have been ordered to cease and desist from selling and distributing to dealers ice cream cones so packed and assembled that sales of such cones to the general public are to be made, or may be made, by means of a lottery scheme.

The respondent companies are ordered to discontinue furnishing to dealers printed slips, either with assortments of ice cream cones or separately, a small number of which slips bear legends informing the purchasing public that an article of merchandise will be awarded free as a prize.

No. 3124. Prohibiting certain misrepresentations in the sale of their medicinal products, an order to cease and desist has been issued against **Wolf Drug Co.** and **Henry Wolf Wholesale Druggist, Inc.,** 683 Broad St., **Newark, N. J., Charmley Drug Shop,** 164 Halsey St., **Newark, William Wolf Sales Co.. Inc.,** 27 Park Place, **New York,** and **Henry and William Wolf** and **William Goldstein,** all of Newark and owners of a majority of the capital stock of the respondent companies.

The respondents are directed to cease representing, through use of the words "Health Institute, Battle Creek, Michigan," or "Health Institute," or "Battle Creek, Michigan," that they own or operate a health institute at Battle Creek or anywhere else, unless and until they do actually own or operate such a place.

Stipulations

The Commission has entered into the following stipulations:

No. 2038. Under a stipulation, **Harold Tanner,** 202 Fuller Ave., **St. Paul, Minn.,** trading as **Packard Pen Company,** will discontinue misrepresenting certain fountain pens he sells by mail order.

Tanner stipulated that he will cease advertising, when such are not the facts, that his pens are of a $3 value or are sold or intended to be sold for such amount in the usual course of trade, and that the certificate referred to and appearing in his advertising matter is worth $2.51 or any other specified amount. According to the stipulation, Tanner advertised that he would send a $3 fountain pen to customers who remitted 49 cents with a certificate.

No. 2039. Charm Silk Undergarments, Inc., 112 Madison Ave., **New York,** has entered into a stipulation in which they agree to discontinue misbranding women's undergarments.

The company stipulated that in selling its garments it will cease using on labels, or in any other manner, the words "Super Quality Silk" or the word "Silk," without qualification, as descriptive of products not composed wholly of silk but which contain substantial quantities of salts or substances other than silk, such articles being known as "weighted silks."

No. 2040. Entering into a stipulation, **Miracle Jel, Inc.,** 311 East Illinois St., **Chicago,** and its parent company, **Curtiss Candy Co., Chicago,** agree to stop certain misbranding practices in the sale of a powder compound alleged to be capable of producing "a close rival to the finest, pure maple syrup," when used as directed.

In advertising this preparation, called Maple Maid, the respondents stipulate they will cease using the word maple, alone or in conjunction with the word maid or with other words, to imply that the product consists of a form of dehydrated maple sap syrup, when such is not a fact.

No. 01847. Scientific Instruments, Inc., 3410 West 60th St., **Chicago,** has entered into a stipulation to discontinue false and misleading advertising in connection with the sale of a contraceptive device designated "The Rule of Life."

The company will cease representing, among other things, that its method of contraception is based on a proven natural law and is absolutely reliable, and that the American Medical Association endorses it and recommends it to physicians for use in their practice.

No. 01852. Grace K. Davis, Glendale, Calif., trading as **Hollywood Beautifier** and selling a skin cleansing device under the same name, has entered into a stipulation to cease representing in advertising matter that by use of her product one may remove cosmetics and dirt from the pores of the skin, keep the skin free from blackheads, blemishes and wrinkles, and beautify the face.

No. 01853. Beauty Tea Corporation, 565 Fifth Ave., New York, selling Beauty Tea, will stop representing that such product provides a sure, safe and reliable weight-reducing method; that it cleanses the system and prepares it for loss of weight, and that it enables one to reduce without resorting to strict diets or exercise. The company also will cease advertising that the blending of the herbs by a secret, scientific principle makes it possible for Beauty Tea to attack the excess fat cells and leave the rest of the body untouched.

No. 01854. Dr. Rud Hoermann, Inc., 2200 North Third St., Milwaukee, engaged in the sale of a preparation called "Treatment for Eczema," stipulated that it will discontinue representing that modern medical science reveals that eczema does not originate in the skin, but is due to a constitutional disorder or an inadequacy of an important glandular organ of the body, and that definite results in the treatment can only be obtained by counteracting the deficiency of such organ. The company will stop advertising that its treatment will banish eczema and produce astonishingly quick relief, or that Dr. Hoermann's personal attention is given to every case.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, September 13:

Monday, September 13

HEARING BEFORE AN EXAMINER

NEW—Nathan N. Bauer, Miami, Fla.—C. P., **1420 kc.,** 100 watts, unlimited time.

WSAY—Brown Radio Service & Laboratory, Rochester, N. Y.—C. P.. **1210 kc.,** 100 watts, 250 watts LS. (Present assignment: **1210 kc.,** 100 watts, daytime.)

NEW—Airfan Radio Corp. Ltd., San Diego, Calif.—C. P., **1420 kc.,** 100 watts, unlimited time.

Tuesday, September 14

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Elwood Warwick Lippincott, Bend, Ore.—C. P., **1310 kc.,** 100 watts, unlimited.

WGRC—Northside Broadcasting Corp., New Albany, Ind.—C. P. to install directional antenna system; **880 kc.,** 250 watts, unlimited. Present assignment: **1370 kc.,** 250 watts, daytime.

WPHR—WLBG, Inc., Richmond, Va.—C. P., **880 kc.,** 1 KW, unlimited. Present assignment: **880 kc.,** 500 watts, daytime.

Wednesday, September 15

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Thomas F. Airth, Wythe Walker and Rex Schepp, d/b as Evanston Broadcasting Co., Evanston, Ill.—C. P., **1020 kc.,** 250 watts, daytime.

KYW—Westinghouse Electric and Manufacturing Co., Philadelphia, Pa.—C. P., **1020 kc.,** 50 KW, unlimited time. Present assignment: **1020 kc.,** 10 KW, unlimited.

Thursday, September 16

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. 1-400:

KLPM—John B. Cooley, Minot, N. Dak.—C. P., **1360 kc.,** 1 KW, unlimited time.

Examiner's Report No. 1-401:

NEW—Walter H. McGenty, Rice Lake, Wis.—C. P., **1210 kc.,** 250 watts, daytime.

Examiner's Report No. 1-403:

NEW—Lillian E. Kiefer, Brooklyn, N. Y.—C. P., **1500 kc.,** 100 watts, 100 watts LS, specified hours (requests facilities of WMBQ).

WWRL—Long Island Broadcasting Corp., Woodside, Long Island, N. Y.—Modification of license, **1500 kc.,** 100 watts, 250 watts LS, specified hours (requests facilities of WMBQ). Present assignment: **1500 kc.,** 100 watts, 250 watts LS, specified hours.

NEW—Paul J. Gollhofer, Brooklyn, N. Y.—C. P., **1500 kc.,** 100 watts, 100 watts LS, specified hours (requests facilities of WMBQ).

WMBQ—Metropolitan Broadcasting Corp., Brooklyn, N. Y.—Renewal of license, **1500 kc.,** 100 watts, 100 watts LS, specified hours.

WMBQ—Metropolitan Broadcasting Corp., Brooklyn N. Y.—C. P., **1500 kc.,** 100 watts, 100 watts LS, specified hours.

Examiner's Report No. 1-386:

KINY—Edwin A. Kraft, Juneau, Alaska.—C. P., **1430 kc.,** 250 watts, unlimited time. Present assignment: **1310 kc.,** 100 watts, unlimited time.

Examiner's Report No. 1-406:

NEW—Leonard A. Versluis, Grand Rapids, Mich.—C. P., **830 kc.,** 500 watts, daytime.

Examiner's Report No. 1-380:

WCOP—Massachusetts Broadcasting Corp., Boston, Mass.—Modification of license, **1130 kc.,** 500 watts, limited time until LS at KSL, Salt Lake City.

Examiner's Report No. 1-392:

WMEX—The Northern Corp., Boston, Mass.—C. P., **1470 kc.,** 5 KW, unlimited time.

Friday, September 17

HEARING BEFORE AN EXAMINER

(Broadcast)

WNEL—Juan Piza, San Juan, P. R.—C. P., **590 kc.,** 1 KW, 2½ KW LS, unlimited time. (Present assignment: **1290 kc.,** 1 KW, 2½ KW LS, unlimited time.)

NEW—Fred M. Weil, Grand Coulee, Wash.—C. P., **1420 kc.,** 100 watts, 250 watts LS, unlimited.

APPLICATIONS GRANTED

KFYR—Meyer Broadcasting Co., Bismarck, N. Dak.—Granted modification of C. P. to move station locally.

KICA—Western Broadcasters, Inc., Clovis, N. Mex.—Granted modification of C. P. to move station locally.

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Granted license to cover C. P. authorizing move of transmitter and installation of new equipment and antenna system; frequency **610 kc.,** 1 KW, unlimited.

KXRO—KXRO, Inc., Aberdeen, Wash.—Granted license to cover C. P. authorizing changes in equipment, move of transmitter, and increase in day power to 250 watts; **1310 kc.,** 100 watts night, unlimited.

WIBX—WIBX, Inc., Utica, N. Y.—Granted license to cover C. P., frequency **1200 kc.,** 100 watts night, 250 watts day, unlimited.

WOV—International Broadcasting Corp., New York City.—Granted modification of C. P. to extend completion date to January 15, 1938.

KUOA—KUOA, Inc., Siloam Springs, Ark.—Granted modification of license to increase day power from 2½ KW to 5 KW; **1260 kc.**

WGH—Hampton Roads Broadcasting Corp., Newport News, Va.—Granted special temporary authority to operate regular broadcast transmitter for the experimental transmission of facsimile from 12 midnight to 6 a. m., with 100 watts power.

WGST—Georgia School of Technology, Atlanta, Ga.—Granted C. P. to move former main transmitter to location of present main transmitter, make changes in equipment, and employ same as an auxiliary transmitter with power of 1 KW.

WGCM—WGCM, Inc., Mississippi City, Miss.—Granted license to cover C. P. authorizing changes in equipment; **1210 kc.,** 100 watts night, 250 watts LS, unlimited.

WTFI (now WAGA)—Liberty Broadcasting Company, Atlanta, Ga.—Granted license to cover C. P. and modifications thereof authorizing installation of new equipment, increase in power, and move of transmitter and studio; **1450 kc.,** 500 watts night, 1 KW day, unlimited.

WCOC—Mississippi Broadcasting Co., Inc., Meridian, Miss.—Granted modification of C. P. to extend completion date from 9-10-37 to 11-10-37.

WSIX—WSIX, Inc., Nashville, Tenn.—Granted C. P. to make changes in equipment and increase in day power to 250 watts; **1210 kc.**

WCNW—Arthur Faske, Brooklyn, N. Y.—Granted C. P. to move transmitter location locally in Brooklyn.

KNX—Columbia Broadcasting System, Inc., Los Angeles, Calif.—Granted C. P. covering approval of transmitter site, installation of new equipment, and vertical radiator.

KALB—Alexandria Broadcasting Co., Inc., Alexandria, La.—Granted C. P. to install new equipment and increase day power from 100 to 250 watts; **1210 kc.,** unlimited.

KHBG—Okmulgee Broadcasting Corp., Okmulgee, Okla.—Granted modification of C. P. approving transmitter and studio sites, vertical radiator, and changes in equipment.

WMFJ—W. Wright Esch, Daytona Beach, Fla.—Granted modification of C. P. to extend completion date from 9-19-37 to 3-19-38.

KDNC—The Democrat-News Co., Inc., Lewistown, Mont.—Granted modification of C. P. approving equipment changes, antenna system, and transmitter and studio sites.

WOMI—Owensboro Broadcasting Co., Owensboro, Ky.—Granted modification of C. P. approving transmitter and studio sites, changes in equipment, and vertical radiator.

WDBO—Orlando Broadcasting Co., Inc., Orlando, Fla.—Granted modification of C. P. covering changes in equipment.

WAPO—W. A. Patterson, Chattanooga, Tenn.—Granted license to cover C. P. authorizing installation of new equipment, increase in power and time of operation from daytime to unlimited, **1420 kc.,** 100 watts night, 250 watts day.

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Granted license to cover C. P. authorizing move of transmitter and installation of new vertical radiator.

WLBL—State of Wisconsin, Department of Agriculture and Markets, Stevens Point, Wis.—Granted license to cover C. P. and modifications thereof authorizing move of transmitter site, installation of new equipment, increase in power, and change in hours of operation; **900 kc.,** 5 KW, daytime only.

WAGM—Aroostook Broadcasting Corp., Presque Isle, Maine.—Granted authority to make changes in automatic frequency control apparatus.

KFRO—Rogers Lacy, Longview, Tex.—Granted authority to transfer control of corporation from Rogers Lacy to James R. Curtis; **1370 kc.,** 250 watts, daytime.

KVOX—Robert K. Herbst, Moorhead, Minn.—Granted voluntary assignment of C. P. from Robert K. Herbst to KVOX Broadcasting Co.; **1310 kc.,** 100 watts, simultaneous day, S-KRMO equally night.

WKOK—The Sunbury Item, Inc., Sunbury, Pa.—Granted authority to transfer control of Sunbury Broadcasting Corp. from The Sunbury Item, Inc., to George W. Beck, Basse A. Beck, and Harry H. Haddon; **1210 kc.,** 100 watts night-day, specified hours.

WMAS—WMAS, Inc., Springfield, Mass.—Granted C. P. to move station locally, install new equipment and antenna system.

NEW—Indianapolis Power & Light Co., Mobile.—Granted C. P. for new experimental relay broadcast station, frequencies **31100, 34600, 37600** and **40600 kc.,** 40 watts, unlimited.

W6XUC—Intermountain Broadcasting Corp. (3 mile radius of KDYL), Salt Lake City.—Granted C. P. for new high frequency relay broadcast station, frequencies **15000, 200000, 250000** and **300000 kc.,** 0.5 watts.

KALO—Intermountain Broadcasting Corp., Mobile, Salt Lake City. Granted application for reinstatement of C. P. granted September 29, 1936, authorizing experimental relay station to use frequencies **1606, 2022, 2102** and **2758 kc.,** 75 watts. Also granted license covering same.

WAAJ—The Fort Industry Co., Mobile.—Granted modification of C. P. authorizing changes in equipment.

WAAJ—The Fort Industry Co., Mobile.—Granted license to cover C. P. above.

W4XBW—WDOD Broadcasting Corp., Chattanooga, Tenn.—Granted license to cover C. P. authorizing new transmitter location and new antenna system.

NEW—Ashland Broadcasting Co., Mobile.—Granted C. P. for new high frequency experimental relay broadcast station, frequencies **31100, 34600, 37600** and **40600 kc.,** 10 watts.

NEW—National Battery Broadcasting Co., Mobile.—Granted C. P. for new low frequency experimental relay broadcast station, frequencies **1622, 2058, 2150** and **2790 kc.,** 2 watts. Also granted license covering same.

KIGA—National Battery Broadcasting Co., Mobile.—Granted C. P. to install new equipment and increase in power from 7.5 watts to 16 watts. Also granted license covering same.

W8XKD—The Ford Industry Co., Mobile.—Granted modification of C. P. and license to cover same, authorizing changes in transmitting equipment.

NEW—The National Life & Accident Ins. Co., Inc., Mobile.—Granted C. P. for new relay high frequency broadcast station, frequencies **3100, 34600, 37600** and **40600 kc.,** experimental, 2 watts, unlimited time.

W3XIW—Reading Broadcasting Co., Mobile.—Granted license to cover C. P. for new relay broadcast station to operate on frequencies **31100, 34600, 37600** and **40600 kc.**, experimental, 10 watts.

NEW—The Champaign News-Gazette, Inc., Mobile, Champaign, Ill.—Granted C. P. for new relay broadcast station, frequencies **1606, 2022, 2102** and **2758 kc.**, experimental 100 watts, unlimited.

NEW—Woodmen of the World Life Ins. Assn., Mobile (Omaha, Nebr.).—Granted C. P. for new relay broadcast station, frequencies **1622, 2058, 2150, 2790 kc.**, 100 watts, unlimited.

NEW—H. W. Wilson and Ben Farmer, Mobile (Wilson, N. C.).—Granted C. P. for new experimental relay broadcast station, frequencies **38900, 39100 39300** and **39500 kc.**, 10 watts.

W9XPU—WDZ Broadcasting Co., Mobile (Tuscola, Ill.).—Granted C. P. to make changes in equipment and increase power from 10 to 30 watts. Also granted license to cover same.

WAAH—West Virginia Broadcasting Corp., Mobile (Wheeling, W. Va.).—Granted modification of C. P. covering changes in equipment; also granted license covering same.

W8XKB—West Virginia Broadcasting Corp., Mobile (Wheeling, W. Va.).—Granted modification of C. P. covering changes in equipment; also granted license covering same.

W9XRS—WDAY, Inc., Mobile (Fargo, N. Dak.).—Granted license to cover C. P. for experimental relay broadcast station, frequencies **31100, 34600, 37600** and **40600 kc.**, 7 watts.

W9XSO—WDAY, Inc., Mobile (Fargo, N. Dak.).—Granted license to cover C. P. for experimental relay broadcast station, frequencies **31100, 34600, 37600** and **40600 kc.**, 2 watts.

SET FOR HEARING

NEW—Cadillac Broadcasting Corp., Detroit, Mich.—C. P. for new station to operate on **1140 kc.**, 500 watts, daytime only. Exact transmitter site to be determined with Commission's approval.

NEW—Santo Sottile, Charleston, S. C.—C. P. for new station to operate on **1200 kc.**, 100 watts night, 250 watts day, unlimited time. Exact transmitter site to be determined subject to Commission's approval.

NEW—Louis P. Thornton, Baker, Ore.—C. P. for new station to operate on **1500 kc.**, 100 watts night, 250 watts day, unlimited time. Exact location to be determined subject to Commission approval.

NEW—Kanawha Valley Broadcasting Co., Charleston, W. Va.—C. P. for new station to operate on **1500 kc.**, 100 watts, unlimited time. Exact transmitter site and type of antenna to be determined with Commission's approval.

NEW—Valley Publishing Co., Harlingen, Tex.—C. P. to erect a new station to operate on **1200 kc.**, 100 watts night, 250 watts day, unlimited time.

KTSM—Tri-State Broadcasting Co., Inc., El Paso, Tex.—C. P. to move station locally (site to be determined); install new equipment, and change assignment from **1310 kc.** to **1350 kc.**, 100 watts night, 250 watts day, sharing with WDAH, to 500 watts, unlimited time.

WDAH—Tri-State Broadcasting Co., Inc., El Paso, Tex.—Modification of license to change frequency from **1310 kc.** to **1200 kc.** and hours of operation from sharing with KTSM to unlimited.

NEW—J. T. Griffin, Fort Smith, Ark.—C. P. to erect a new station, exact location to be determined subject to Commission's approval, to operate on **880 kc.**, 1 KW, daytime only.

NEW—Broward Broadcasting Co., Fort Lauderdale, Fla.—C. P. to erect a new station to operate on **1370 kc.**, 100 watts night, 250 watts day, unlimited time. Exact transmitter site to be determined subject to Commission approval.

NEW—W. A. Barnette, Greenwood, S. C.—C. P. to erect a new station to operate on **1370 kc.**, 250 watts, daytime only, exact location to be determined subject to Commission's approval.

WFBC—Greenville News-Piedmont Co., Greenville, S. C.—C. P. to install directional antenna system for night-time use and increase night power from 1 KW to 5 KW. To be heard before the Broadcast Division.

NEW—Colonial Broadcasters, Inc., Savannah, Ga.—C. P. to erect a new station to operate on **1310 kc.**, 100 watts, unlimited time, exact location to be determined subject to Commission's approval.

KOL—Seattle Broadcasting Co., Seattle, Wash.—Application for modification of license, already in hearing docket, amended to request change in frequency from **1270 kc.** to **1020 kc.**, and increase night power from 1 KW to 5 KW. To be heard before the Broadcast Division.

NEW—Tom Olsen, Port Angeles, Wash.—C. P., already in hearing docket, amended to request **1500 kc.**, 250 watts, daytime only, exact transmitter site and antenna system to be determined subject to Commission's approval.

NEW—Platt & Platt, Inc., Poughkeepsie, N. Y.—C. P., already in hearing docket, amended to request frequency **1000 kc.**, 1 KW, limited to local sunset at WHO, exact transmitter and studio sites to be determined with Commission's approval.

NEW—Kentucky Broadcasting Corp., Louisville, Ky.—C. P. amended to request **1210 kc.**, 100 watts night, 250 watts day, unlimited time.

WINS—Hearst Radio, Inc., New York City.—C. P. to move transmitter locally from Carlstadt, N. J., to 1 mile east of Kearny, N. J., install new equipment, and increase power and hours of operation to 5 KW, unlimited time, employing directional antenna system for both day and night use. To be heard by the Broadcast Division.

NEW—James F. Hurley, Jr., Salisbury, N. C.—C. P. to erect a new station to operate on **1500 kc.**, 100 watts, daytime only. Exact transmitter and studio sites to be determined with Commission's approval.

WLBL—State of Wisconsin, Department of Agriculture and Markets. Stevens Point, Wis.—Modification of license to increase hours of operation to specified—6 a. m. to 10 p. m., CST, with power of 1 KW night, 5 KW day, on **900 kc.** (now has 2½ KW, specified hours, 8 a. m. to local sunset).

WBWS—The Champaign News-Gazette, Inc., Champaign, Ill.—C. P. to make changes in equipment, increase power and hours of operation from 100 watts, daytime only, to 100 watts night, 250 watts day, unlimited time.

KVOL—Evangeline Broadcasting Co., Inc., Lafayette, La.—C. P. to move station locally, make changes in equipment, and increase daytime power to 250 watts.

WLAK—Lake Region Broadcasting Co., Lakeland, Fla.—C. P. to make changes in composite equipment and increase day power from 100 watts to 250 watts.

KMED—Mrs. W. J. Virgin, Medford, Ore.—C. P. to make changes in equipment and increase power from 250 watts to 1 KW.

KARK—John R. Frazer, Little Rock, Ark.—Voluntary transfer of control of Arkansas Radio & Equipment Co., licensee of KARK, from John R. Frazer to Radio, Inc.; **890 kc.**, 500 watts night, 1 KW day, unlimited.

KARK—Radio, Inc., Little Rock, Ark.—Transfer control of Arkansas Radio & Equipment Co. from Radio, Inc., to T. H. Barton; **890 kc.**, 500 watts night, 1 KW day unlimited.

WBNX—WBNX Broadcasting Co., Inc., New York City.—C. P. (already in hearing docket) amended to request move of transmitter locally; install new equipment and directional antenna system for day and night operation; increase day power from 1 KW to 5 KW.

KLO—Interstate Broadcasting Corp., Ogden, Utah.—C. P. (already in hearing docket) amended to request local move of station; installation of new equipment; increase in power from 500 watts to 1 KW night, 5 KW day, employing directional antenna day and night (hearing de novo).

WNAX—Charles H. Gurney, Yankton, S. Dak.—Authority to transfer control of corporation to the South Dakota Broadcasting Corp.; **570 kc.**, 1 KW-5 KW, unlimited time.

SPECIAL AUTHORIZATIONS

WLS—Agricultural Broadcasting Co., Chicago, Ill.—Granted special temporary authority to operate a 75-watt test transmitter on **870 kc.** between the hours of 12 midnight and 6 a. m., CST, for the purpose of determining effectiveness of various sites for station location in or near Cook County, for period not to exceed 30 days.

WCBS—WCBS, Inc., Springfield, Ill.—Granted special temporary authority to operate from 10 p. m. to 12 midnight, CST, Mondays, Tuesdays, Wednesdays, Thursdays, Fridays, for the period September 6 to October 5, 1935, in order to broadcast baseball games only.

KLPM—John P. Cooley, Minot, N. Dak.—Granted special temporary authority to operate from 3 to 4 p. m., CST, September 7, 8 and 9, 1937 (provided KGCU remains silent), in order to broadcast portion of annual cooking school program.

KCKN—The KCKN Broadcasting Co., Kansas City, Kans.—Granted special temporary authority to rebroadcast over station KCKN programs from police radio station W9XCA 10 minutes each day, 5:20 to 5:30 p. m., CST, September 7 to September 30, except Sundays and holidays.

WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Granted special temporary authority to operate from local sunset (September sunset 6:15 p. m. and October sunset 5:30 p. m. CST), to 7 p. m. CST, for the period September 8 to October 7, 1937, inclusive in order to broadcast baseball and football scores and other late events.

WPG—City of Atlantic City, Atlantic City, N. J.—Granted special temporary authority to operate from 12 midnight to 3 a. m. EDST, September 9, in order to broadcast Gershwin Memorial program from the Hollywood Bowl.

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted special temporary authority to operate (Saturday) September 11 from 2 to 3 p. m. EST; Sunday, September 12 from 8:30 to 10 a. m. and 2 to 3 p. m., EST; Saturday, September 18, 2 to 3 p. m.; Sunday, September 19, 8:30 to 10 a. m. and 2 to 3 p. m.; Saturday, September 25, 2 to 3 p. m., EST; Sunday, September 26, 8:30 to 10 a. m., and 2 to 3 p. m., EST; Saturday, October 2, 2 to 3 p. m., EST and Sunday, October 3, 8:30 to 10 a. m. and 2 to 3 p. m., EST, in order to broadcast (Saturdays) weekly safety talks, football and general news, and (Sunday, a. m.) various religious programs and Sunday p. m. Catholic Evidence Guild, provided WSVS remains silent.

KGFL—KGFL, Inc., Roswell, N. Mex.—Granted special temporary authority to operate simultaneously with station KICA from 7:30 to 10 p. m., MST, Fridays, September 17 and 24; October 1; and from 7:30 to 10:30 p. m., MST; Friday, October 8, 1937, in order to broadcast High School football games.

WMT—Iowa Broadcasting Co., Cedar Rapids, Ia.—Granted special temporary authority to rebroadcast over station WMT, conversation carried on between experimental station W5XAR and W5XAS of the Western Radio Telegraph Co., for the period of not more than 1 hour between September 18 and 24, 1937, flying weather permitting.

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Granted special temporary authority to operate simultaneously with station WGBB between 12 noon and 1 p. m., EST, Sunday, September 19, in order to broadcast program of Watch Tower convention, originating in Columbus, Ohio.

KGEK—Elmer C. Beehler, Sterling, Colo.—Granted special temporary authority to operate from 10 to 11 a. m., MST, September 19, and from 8 to 9 a. m.. MST, September 26 (instead of from 2 to 2:30 p. m., MST, September 19, and 12:15 to 1 p. m., MST, September 26, as granted August 18th) in order to broadcast special religious programs.

WJRD—James R. Doss, Jr., Tuscaloosa, Ala.—Granted special temporary authority to operate unlimited time on Monday, September 20, in order to carry the returns of the election of the city commission in Tuscaloosa, Ala.

KGLO—Mason City Globe Gazette Co., Mason City, Ia.—Granted special temporary authority to rebroadcast over station KGLO conversation carried on between experimental stations W5XAR and W5XAS of the Western Radio Telegraph Co., for period not more than one hour between September 25 and 30, 1937, flying weather permitting.

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Granted special temporary authority to operate simultaneously with WGBB on Sunday, September 26th, between the hours of 10 and 11 a. m., EST, in order to broadcast the program of the Watch Tower.

WHO—Central Broadcasting Co., Des Moines, Ia.—Granted special temporary authority to rebroadcast over WHO the conversation carried on between W5XAR and W5XAS, for period of not more than 1 hour between September 12 and 16, flying weather permitting.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KFWB, Hollywood, Calif.; KGVO, Missoula, Mont.; KGBX, Springfield, Mo.; KHSL, Chico, Calif.; KMA, Shenandoah, Iowa; KOIN, Portland, Ore.; KRKD, Los Angeles; KRSC, Seattle, Wash.; KTAT, Fort Worth, Tex.; KYA, San Francisco; WAAT, Jersey City; WAIR, Winston-Salem, N. C.; WCAP, Asbury Park, N. J.; WAVE, Louisville, Ky.; WCOP, Boston; WDBJ, Roanoke, Va.; WDOD, Chattanooga, Tenn.; WIBA, Madison, Wis.; WOOD, Grand Rapids, Mich.; WRC and auxiliary, Washington, D. C.; WREN, Lawrence, Kans.; WTAW, College Station, Tex.; WXYZ, Detroit, Mich.

APPLICATIONS DENIED

KWJJ—KWJJ Broadcast Co., Inc., Portland, Ore.—Denied special temporary authority to operate unlimited time on frequency **1040 kc.** for period not to exceed 30 days, in order to broadcast commercial programs.

KQV—KWV Broadcasting Co., Pittsburgh, Pa.—Denied special temporary authority to operate simultaneously with station WSMK from 7 p. m. to 7:30 p. m., EST, for period beginning September 1, 1937, and ending in no event later than September 30, 1937, in order to carry commercial programs.

WKBO—Keystone Broadcasting Corp., Harrisburg, Pa.—Denied special authority to operate simultaneously with WEST (Easton, Pa.), from 11 a. m. to 12 noon for the period September 21 to October 20, 1937, daily except Sunday.

David G. Adams, d/b as Adams Recording Studio, San Diego, Calif.—Denied as in default for failure to file an appearance and statement of facts in accordance with Rule 104.6 (c), application for authority to make electrical transcriptions and manufacture records for stations XEBG and XEMO at Tia Juna, Mexico.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

KLRA—Arkansas Broadcasting Co., Little Rock, Ark.—C. P., **1390 kc.**, 1 KW, 5 KW LS, unlimited time. Directional antenna for night use.

KSEL—Radio Service Corp., Pocatello, Idaho.—C. P., **900 kc.**, 500 watts, 1 KW LS unlimited.

KRKO—Lee E. Mudgett, Everett, Wash.—C. P., **1420 kc.**, 100 watts night, 250 watts LS, unlimited.

NEW—The Ohio Broadcasting Co., Canton, Ohio.—C. P. for new station, **1310 kc.**, 100 watts, day.

NEW—The Enterprise Co., Beaumont, Tex.—C. P. for new station, **1350 kc.**, 250 watts night, 500 watts LS. unlimited.

MISCELLANEOUS

WHAZ—Rensselaer Polytechnic Institute, Troy, N. Y.—Directed that modification of license covering increase in power to 1 KW be issued to WHAZ, in conformity with action of November 17, 1936, inasmuch as applicant has now complied with proviso contained therein.

WTAQ—WHBY, Inc., Green Bay, Wis.—Directed that modification of license covering changes in directional antenna be issued to WTAQ in conformity with action of June 15, 1937, inasmuch as applicant has now complied with proviso contanied therein.

WAXB-WZXC—Alford J. Williams, Pittsburgh, Pa.—Granted extension of special temporary authority to operate RCA Type H aircraft transmitter, 5 watts power, on board plane NC-1050, and RCA Type AVT-7 transmitter, portable on ground, on frequencies **1646, 2090, 2190, 2830 kc.**, as relay broadcast station, for the period October 1 to October 30, 1937, for testing and transmission of program communication service between plane and portable transmitter on ground in connection with flight demonstrations and Junior Aviator activities at various locations over U. S.

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Directed that modification of license to increase hours of operation from daytime to daytime and local sunset to 11 p. m., Tuesdays, Thursdays, Saturdays and Sundays, using 100 watts day and 50 watts night, be issued to WJEJ in conformity with action of September 29, 1936, inasmuch as applicant has complied with proviso contained therein.

NEW—Ann Arbor Broadcasting Co., Inc., Ann Arbor, Mich.—Denied motion to remand for further hearing application for new special broadcast station to use **1550 kc.**, 1 KW, unlimited. Docket 4178.

WKZO—WKZO, Inc., Kalamazoo, Mich.—Granted extension of 60 days from September 1, 1937, within which to comply with requirement contained in C. P. heretofore granted to build a vertical radiator.

WBEO—The Lake Superior Broadcasting Co., Marquette, Mich.—Granted extension of time to November 15, within which to comply with Rule 131 regarding construction of an antenna system.

KVOD—Colorado Radio Corp., Denver, Colo.—Granted petition for continuance of common hearing date on applications of KVOD (Docket 4527), KFEL (Docket No. 4578), from September 21, 1937, to some future date subsequent to the receipt of information from the Bureau of Air Commerce regarding the status of the respective sites proposed; and that these applications will be heard in consolidation with application of Scripps-Howard Radio, Inc. (Docket 4559), for new station at Denver to operate on **630 kc.**, 500 watts night, 1 KW LS, unlimited.

WCHS—Charleston Broadcasting Co., Charleston, W. Va.—Granted petition to intervene in the hearing of application of West Virginia Broadcasting Corp. for new station at Charleston to use **1500 kc.**, 100 watts, 250 watts LS, unlimited time. Docket 4715.

NEW—S. O. Ward and F. C. Ward, d/b as Louisville Broadcasting Co., Louisville, Ky.—Granted petition to intervene in the proceedings upon the application of WAVE, Inc., Docket 4679.

KFRC—Don Lee Broadcasting System, San Francisco, Calif.—Granted petition to intervene in the hearing on the application of Larry Rhine, San Francisco, for C. P. for new station to use **980 kc.**, 250 watts, daytime only. Docket 4667.

WCSC—South Carolina Broadcasting Co., Inc., Charleston, S. C.—Granted petition to intervene in the hearing on the application of Y. W. Scarborough and J. W. Orvin, Charleston, S. C., for C. P. to use **1210 kc.**, 100 watts night, 250 watts LS, unlimited time.

KGNC—Plains Radio Broadcasting Co., Amarillo, Tex.—Granted petition to intervene in the hearing on the application of W. C. Irvin for new station at Amarillo to use **1500 kc.**, 100 watts, 250 watts LS, unlimited time. Docket 4686.

NEW—Standard Life Insurance Co. of the South, Jackson, Miss.—Granted petition to intervene in the proceedings upon the application of Attala Broadcasting Corp. (WHEF), Kosciusko, Miss., to move station to Jackson, Miss.

NEW—Edwin A. Kraft, Petersburg, Alaska—Denied petition to reconsider action of June 15, 1937, denying application of Edwin A. Kraft for authority to establish a new station at Petersburg, Alaska, and grant same.

WOKO—WOKO, Inc., Albany, N. Y.—Granted petition to intervene in the hearing of the application of Tri-City Broadcasting Co., Inc., for C. P. to erect a station at Schenectady, N. Y., using frequency **950 kc.**, 1 KW, unlimited time.

NEW—Adirondack Broadcasting Co., Inc.. Albany, N. Y.—Granted petition to intervene in the hearing of the application of Tri-City Broadcasting Co., Inc., for C. P. to erect a station at Schenectady, N. Y., using frequency **950 kc.**, 1 KW, unlimited time.

NEW—Curtis Radiocasting Corp., Richmond, Ind.—Granted petition to intervene in the hearing on the application of Knox Radio Corp. for renewal of license for station WKBV, Richmond, Ind.

WLAP—American Broadcasting Corp. of Kentucky, Lexington, Ky.—Granted motion for continuance of hearing on application for C. P. to change frequency from **1420 kc.** to **610 kc.** and power from 100 watts, 250 watts LS, to 500 watts, 1 KW, unlimited time, from October 1 to a date early in November.

NEW—Associated Arkansas Newspapers, Inc., and Radio Enterprises, Inc., Hot Springs, Ark.—Granted in part, motion to continue hearing now scheduled for September 27 to a new date after October 15 to be fixed by the Docket Section. These applications involve applications for new stations at Hot Springs, Ark., to operate on **1310 kc.**, 100 watts, daytime only.

WAIM—Wilton E. Hall, Anderson, S. C.—Granted petition to intervene in the proceedings upon the application of Athens Times, Inc., for new station at Athens, Ga., to use **1210 kc.**, 100 watts, 250 watts LS, unlimited.

Travelers Broadcasting Service Corp., Hartford, Conn.—Denied petition to reconsider and grant without hearing applications for assignment of license for station WTIC and experimental stations WIXEH, WIXLU, WIXO, WIXT, from the Travelers Broadcasting Service Corp. to The Travelers Broadcasting Co., now scheduled for October 13, 1937.

NEW—Walker & Chapin, Oshkosh, Wis.—Denied petition for continuance of hearing on application for C. P. for new station at Oshkosh, Wis., to operate on frequency **1010 kc.**, 250 watts, unlimited, now scheduled for September 24, 1937.

KWOS—Tribune Printing Co., Jefferson City, Mo.—Granted petition for a 60-day continuance of hearing now scheduled for September 27, on application for CP to increase power from 100 watts day to 100 watts, 250 watts LS, unlimited time.

NEW—Colonial Broadcasters, Inc., Savannah, Ga.—Granted petition to intervene in the hearing on the application of the Seaboard Broadcasting Corp. for a new station at Savannah, Ga., to use **1310 kc.**, 100 watts, 250 watts LS, unlimited time.

NEW—Martin R. O'Brien, Aurora, Ill.—Granted petition to intervene in the hearing on the application of Jules J. Rubens for a new station at Aurora, Ill., to use **1040 kc.**, 250 watts, daytime only.

KFJZ—Fort Worth Broadcasters, Inc., Fort Worth, Texas.—Denied petition requesting reconsideration and grant without a hearing the application for transfer of control of station to Mrs. Ruth G. Roosevelt.

Travelers Broadcasting Service Corp., Hartford, Conn.—Granted petition to accept its Notice of Appearance and Statement of Facts to be proved in re application for voluntary assignment of license (Docket No. 4692).

WSAY—Brown Radio Service & Lab., Rochester, N. Y.—Denied petition of WSAY to strike the issue regarding interference with Canadian stations CJCS and CKCH. WSAY has application for C. P. requesting increase in power and time of operation from 100 watts daytime only, to 100 watts night, 250 watts day, unlimited time.

WCAZ—Superior Broadcasting Service, Inc., Carthage, Ill.—Granted petition to intervene in the hearing on the application of Burlington Broadcasting Co. for new station at Burlington, Iowa, using **1310 kc.**, 100 watts, unlimited time.

NEW—Harold Thomas, Pittsfield, Mass.—Suspended action of July 2, 1937, granting application for C. P. for new station to operate on **1310 kc.**, 100 watts night, 250 watts LS, unlimited time, pending determination of the appeal filed by Lawrence K. Miller in the U. S. Court of Appeals for the District of Columbia, in which a Stay Order has been granted.

NEW—Salinas Newspapers, Inc., Salinas, Calif.—Cancelled oral argument scheduled for September 23, 1937, and dismissed with prejudice application for C. P. to use **1390 kc.**, 250 watts, daytime; also cancelled oral argument in re Monterey Peninsula Broadcasting Co., scheduled for September 23.

EXAMINERS' REPORTS RELEASED SINCE AUGUST 31, 1937

KFNF—Ex. Rep. 1-486: KFNF, Inc., Shenandoah, Ia.—Examiner John P. Bramhall recommended grant of C. P. to increase power from 500 watts, 1 KW-LS, to 1 KW, 5 KW-LS.

NEW—Ex. Rep. 1-487: George W. Taylor Co., Inc., Williamson, W. Va.—Examiner Robert L. Irwin recommended denial of C. P. for new station to operate on **1370 kc.**, 100 watts, daytime.

KGO—Ex. Rep. 1-488: National Broadcasting Co., Inc., San Francisco, Calif.—Examiner Bramhall recommended grant of C. P. to increase power of station from 7½ KW to 50 KW; **790 kc.**, unlimited time.

WBNS—Ex. Rep. 1-489: WBNS, Inc., Columbus, Ohio.—Examiner Irwin recommended grant of C. P. to increase power from 500 watts, 1 KW-LS, to 1 KW, 5 KW-LS.

NEW—Ex. Rep. 1-490: Warren B. Worcester, San Diego, Calif.—Examiner Geo. H. Hill recommended denial of C. P. for new station to operate on **1400 kc.**, 250 watts, 1 KW LS, unlimited.

WWL—Ex. Rep. 1-491: Loyola University, New Orleans, La.—Examiner Hill recommended grant of C. P. to increase power from 10 KW to 50 KW.

NEW—Ex. Rep. 1-492: William F. Maag, Jr., Youngstown, Ohio.—Examiner Bramhall recommended grant of C. P. for new station to operate on **1420 kc.**, 100 watts, daytime.

NEW—Ex. Rep. 1-493: Abraham Plotkin, Chicago, Ill.—Examiner R. H. Hyde recommended dismissal with prejudice the application for C. P. to use **1570 kc.**, 1 KW, unlimited time; and

NEW—Phila. Radio Broadcasting Co., Philadelphia, Pa.—Recommended denial of C. P. of the Phila. Radio Broadcasting Co., for the same facilities.

ACTION ON EXAMINER'S REPORT

(Taken August 18, 1937)

KRKD—Ex. Rep. 1-457: Frank P. Doherty, Los Angeles, Cal.—Dismissed with prejudice application for authority to transfer central of corporation of Radio Broadcasters, Inc., from Frank P. Doherty to J. F. Burke, Sr., & Loyal K. King.

RATIFICATIONS

The Broadcast Division ratified the following actions taken on the dates shown:

KSFO—Radio Station KSFO, San Francisco, Cal.—Granted authority to determine power during program test period by direct method. Action taken, 8-28.

WAGA—Liberty Broadcasting Co., Atlanta, Ga.—Granted extension program test period 30 days from August 29, 1937. Action taken, 8-30.

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Granted extension program test period 30 days from September 4. Action taken 8-30.

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Same except 30 days from September 5. Action taken 9-2.

WFLA—Florida West Coast Broadcast Co., Inc., Clearwater, Fla.—Granted extension special temporary authority to close Clearwater studios from September 1 to October 31 inclusive and use Tampa studios on account of summer vacation for employees and in order to continue WFLA during the summer period with reduced experienced personnel. Action taken 8-31.

KROY—Royal Miller, Sacramento, Calif.—Granted special temporary authority to operate unlimited time from September 3 to 20, inclusive, in order to broadcast events of the California State Fair and Lodi, California, Grape Festival. Action taken 9-2.

WAYX—Waycross Broadcast Co., Waycross, Ga.—Granted special temporary authority to conduct program tests in accordance with terms of application for modification of C. P., for period of 30 days, pending action on this application. Action taken 9-2.

Granted petition of Constitution Publishing Co to intervene in the proceedings upon the application of Thomas J. Watson for C. P. Action taken 9-1.

Granted petition of Constitution Publishing Co. to intervene in the proceedings upon the application of Citizens Broadcasting Corp., Schenectady, N. Y., for C. P. Action taken 9-1.

Granted petition of The Constitution Publishing Co. to intervene in the proceedings upon the application of William Avera Wynne (WEED), Rocky Mount, N. C., for C. P. Action taken 9-1.

Granted petition of Constitution Publishing Co. to intervene in the proceedings upon the application of The Hampden-Hampshire Corp. for new station at Holyoke, Mass. Action taken 9-1.

Granted petition of Connecticut Valley Broadcasting Co. (WSPR) to intervene in the proceedings upon the application of The Hampden-Hampshire Corp. for new station at Holyoke, Mass. Action taken 9-2.

Granted petition of WPTF Radio Co., Raleigh, N. C., to intervene in the proceedings upon the application of Capitol Broadcasting Co., Inc., Raleigh, N. C., for C. P. Action taken 9-1.

Granted petition of A. Frank Katzentine (WKAT) to intervene in the proceedings upon the application of Nathan N. Bauer, Miami, Fla., for C. P. Action taken 9-1.

Denied petition of George H. Evans & Davis O. Vandivier, d/b as The Chickasha Daily Express, Chickasha, Okla., to withdraw without prejudice their application for C. P. Action taken 9-1.

Denied petition of the Westinghouse E. and M. Co. (KYW) for continuance of the hearing upon its application for C. P., scheduled for September 15. Action taken 8-26.

Denied motion of Brown Radio Service Laboratory (WSAY) for continuance of hearing on its application for C. P. now scheduled for September 13. Action taken 9-2.

Granted petition of Peter Goelet (WGNY) for continuance of hearing on his application for C. P., now scheduled for September 10, until October 26. Action taken 9-2.

Granted petition of C. G. Hill, George D. Walker, and Susan H. Walker (WAIR) for a continuance of the hearing upon their application for C. P., now scheduled for September 10, until October 26, 1937. Action taken 9-2.

Denied petition of Hannibal Broadcasting Co. requesting Commission to extend effective date of decision on its application for C. P., and application of Courier-Post Publishing Co., both of which were denied July 2, 1937, effective August 31. Action taken 8-31.

Denied motion of Continental Radio Co. for postponement of effective date of Commission's decision in the matter of the applications of Continental Radio Co., WALR Broadcasting Corp., and Community Broadcasting Co. Action taken 8-3.

Granted petition of Illinois Broadcasting Corp. (WTAD) for continuance of the hearing on its application for modification of license from September 14 to November 29, 1937. Action taken 9-3.

Granted petition of Allen T. Simmons (WADC) for extension of time to file exceptions to Ex. Rept. 1-476, and directed that said time be extended 15 days. Action taken 9-2.

APPLICATIONS RECEIVED

First Zone

WLLH—Merrimac Broadcasting Co., Inc., Lowell, Mass.—Modifi-
1370 cation of special experimental authorization (B1-SA-192) for a satellite station, requesting approval of transmitter site at Cregg Building, Lawrence, Mass.

W3XDD—Bell Telephone Laboratories, Inc., Whippany, N. J.—Construction permit to install a new transmitter, increase power from 5 KW to 50 KW, and add special emission for high quality transmission.

NEW—National Broadcasting Co., Inc., Area of New York City and Camden, N. J.—Construction permit for a new television broadcast station on frequencies **175000-180000, 92000 kc.**, with power—visual 400 watts, aural 100 watts.

W1XAL—World Wide Broadcasting Corporation, Boston, Mass.—Modification of license to cancel frequencies **6040, 11790, 15250, 21460 kc.** and add frequencies **9550, 11730, 15130, 21500 kc.**, on a temporary provisional basis. Amended to retain the frequencies **6040, 11790, 15250** and **21460 kc.**

Second Zone

WHK—Radio Air Service Corp., Cleveland, Ohio.—Construction
1390 permit to install directional antenna for night use. Amended to make changes in antenna.

WBCM—Bay Broadcasting Co., Inc., Bay City, Mich.—Voluntary
1410 assignment of license from James E. Davidson to Bay Broadcasting Co., Inc.

WADA—Charleston Broadcasting Co., Charleston, W. Va.—License to cover construction permit (B2-PRY-59) for a new relay broadcast station.

Third Zone

WAYX—E. F. Sapp and S. F. Sapp, d/b as Waycross Broadcast-
1200 ing Co., Waycross, Ga.—Modification of construction permit (B3-P-1682) for new equipment and increase in power, further requesting changes in equipment.

WBHP—Wilton Harvey Pollard, Huntsville, Ala.—License to cover
1200 construction permit (B3-P-840) as modified for a new station. Amended to make changes in antenna.

NEW—Mittelle Franklin Noble, Anniston, Ala.—Construction per-
1420 mit for a new station to be operated on **1420 kc.**, 100 watts, daytime.

KGFI—Eagle Broadcasting Co., Inc., Brownsville, Tex.—License
1500 to cover construction permit (B3-P-1056) as modified for new equipment, antenna and move of station.

WHEF—Attala Broadcasting Corp., Kosciusko, Miss.—Construc-
1500 tion permit to make changes in antenna; move of transmitter from one mile east of Kosciusko, Miss., to Terry Road, Jackson, Miss., and studio from 212 Washington St., Kosciusko, Miss., to corner of Griffith and Lamar Streets, Jackson, Miss. Amended to give studio site as 133 East Capitol Street, Hotel Heidelberg, Jackson, Miss.

NEW—Miami Broadcasting Co., Miami, Fla.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 15 watts.

KAXD—A. H. Belo Corporation, Dallas, Tex.—License to cover construction permit (B3-PRY-54) for a new relay broadcast station.

W10XHF—Columbia Broadcasting System, Inc., Charlotte, N. C.—License to cover construction permit (B3-PRE-126) for a new relay broadcast station.

Fourth Zone

KATE—Albert Lea Broadcasting Corp., Albert Lea, Minn.—
1420 Modification of construction permit (B4-P-883) as modified for a new station, requesting changes in antenna and move of transmitter 20 feet.

W9XF—National Broadcasting Co., Inc., Downer's Grove, Ill.—Construction permit to increase power from 10 to 50 KW and add frequencies **9550, 11730, 15130, 21500 kc.**

W9XUX—Head of the Lakes Broadcasting Co., Duluth, Minnesota—License to cover construction permit (B4-PRE-123) for a new relay broadcast station.

NEW—South Bend Tribune, South Bend, Ind.—Construction permit for a new high frequency broadcast station to be operated on **25950 kc.**, 100 watts. Amended to cancel the frequency **25950 kc.** and add **26050 kc.**

NEW—South Bend Tribune, South Bend, Indiana—License to cover construction permit above, as amended.

NEW—Minnesota Broadcasting Corp., Mobile-Minneapolis-St. Paul area.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kcs.**, 1 watt.

NEW—Minnesota Broadcasting Corp., Mobile-Minneapolis-St. Paul area.—License to cover above.

NEW—Minnesota Broadcasting Corp., Mobile-Minneapolis-St. Paul area.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kcs.**, 1 watt.

NEW—Minnesota Broadcasting Corp., Mobile-Minneapolis-St. Paul area.—License to cover above.

NEW—Minnesota Broadcasting Corp., Mobile-Minneapolis-St. Paul area.—Construction permit for a new relay broadcast station to be operated on **1606, 2022, 2102, 2758 kcs.**, 25 watts.

NEW—Minnesota Broadcasting Corp., Mobile-Minneapolis-St. Paul area.—Construction permit for a new relay broadcast station to be operated on **1606, 2022, 2102, 2758 kcs.**, 7.5 watts.

Fifth Zone

KMPC—Beverly Hills Broadcasting Corp., Beverly Hills, California—Modification of license to change corporate name from Beverly Hills Broadcasting Corp. to KMPC—The Station of The Stars, Inc.
710

KTFI—Radio Broadcasting Corp., Twin Falls, Idaho—Extension of special experimental authorization to operate with 1 kilowatt power at night for period from 10-1-37 to 1-1-38, pending compliance with Rule 131.
1240

W10XHI—Columbia Broadcasting System, Inc., Chicago, Ill.—License to cover construction permit (B1-PRE-131) for a new relay broadcast station.

The National Association of Broadcasters

NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.

JAMES W. BALDWIN, Managing Director

NAB REPORTS ★ ★ ★ ★ ★

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SPECIAL NAB CONVENTION OCTOBER 12

A meeting of the Board of Directors of the National Association of Broadcasters was convened in New York City on September 10 and adjourned September 12. The Board has called a special meeting of the NAB membership which will be held in New York City at the Waldorf-Astoria Hotel, October 12, 1937. Although the Board originally fixed October 4 as the latest date for the convention, the World Series Baseball Games and other meeting already scheduled made it impossible to obtain the necessary hotel accommodations before October 12. The call of the special membership meeting was predicated upon the following Resolution which was adopted by the Board:

> "Whereas, an emergency exists in the broadcasting industry due to demands of the American Federation of Musicians, which demands directly or indirectly affect the interests of every member of the industry,
>
> "BE IT RESOLVED: The Board of Directors of the National Association of Broadcasters hereby call a special meeting of its membership agreeably with the provisions contained in the By-Laws, in New York City at the earliest practicable date, and, in any event, not later than October 4, 1937."

NAB TO BE REPRESENTED AT HAVANA AND CAIRO

The Board of Directors of the NAB this week authorized the President to cause the Association to be represented at the North American Radio Conference to be held at Havana, Cuba, in November, 1937, and at the World Radio Conference to be held in Cairo, Egypt, in February, 1938.

TIME AND PLACE FOR 16TH ANNUAL CONVENTION

The Board of Directors at a meeting this week authorized and directed the Executive Committee to select the time and place for the sixteenth annual convention of the National Association of Broadcasters.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3223. Nannette, Inc., 560 West Randolph St., **Chicago,** and its officers, James E. Woodman, president, and William J. Larson, vice-president, are charged in a complaint with using unfair methods of competition in connection with the sale of cosmetics and toilet preparations. The respondents allegedly promote the sale of their products by conducting a picture puzzle contest which they advertise in newspapers, magazines, circulars, and sales promotional literature.

The complaint alleges that the respondents represent, contrary to the facts, that the contest is confined to a picture puzzle, involving only competition in skill and promptness in submitting solutions; that to win a specified prize the contestant is not required to do anything except to be prompt and to send in the best solution; that the prizes offered will be given free and without the expenditure of money or work on the part of contestants; that the conditions incident to the winning of prizes are easy and simple, and that the contest is conducted for the purpose of advertising the respondents' products.

No. 3224. Two companies said to dominate the raw and granulated chicory markets in the United States and to be under the control of one family, are named respondents in a complaint alleging violation of both the Federal Trade Commission Act and the Robinson-Patman Anti-Price Discrimination Act.

The respondent companies, engaged in the interstate sale of granulated chicory which they manufacture from the raw product, are **E. B. Muller & Co.,** 220 Quay St., **Port Huron, Mich.,** and **Heinr. Franck Sons, Inc.,** 131 Avery Ave., **Flushing, N. Y.** They also maintain stocks of chicory other than in Michigan and New York, where their factories are located.

In violation of Section 5 of the Federal Trade Commission Act, the complaint alleges, the companies with the intent and purpose of destroying competition, sell granulated chicory in interstate commerce at prices below the cost of manufacturing, selling and distributing the product.

Cease and Desist Orders

The Commission has issued the following cease and desist orders:

No. 1772. Heidelberger Confectionery Company, 1720 North Second St., **Philadelphia,** has been ordered to cease and desist from selling to dealers candy so packed and assembled that sales to the public are to be made or may be made by means of a lottery scheme.

The order prohibits use of pushcards, and so-called "break and take" lottery methods to promote the sale of candy, and bars the respondent company from supplying dealers with assortments of candy which are used or may be used without alteration or rearrangement of the contents to conduct a lottery, gaming device or gift enterprise in the sale of such candy to the public.

No. 2945. An order to cease and desist from certain false and misleading representations concerning the therapeutic value and effect of Breatheasy, advertised as a preparation for use in the treatment of asthma, hay fever, and kindred diseases, has been entered against **Pascal Company, Inc.,** Second Street at Madison, **Seattle, Wash.** The product is sold with an atomizer for administering the preparation.

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The order directs the respondent company to discontinue advertising in newspapers, over the radio, or by any other means that Breatheasy is a cure or remedy for asthma or hay fever, or that it has a therapeutic value or beneficial effect in the treatment of those diseases, as well as in the treatment of chronic bronchitis, heart trouble, gastric ulcer, certain skin ailments, neuralgia, neuritis, and inflammation of the nose, throat, tonsils, and lungs.

No. 3153. Mutual Rosenbloom Corporation, garment manufacturer, 498 Seventh Ave., **New York City,** has been ordered to cease and desist from use in advertising matter of the terms "Silk Jersey", "Satin Jersey" or "Silk Jersanese", or the word "Silk", to designate and describe dresses and other garments made from a material not composed entirely of silk.

It was found that the respondent company distributed to customers advertising matter wherein certain dresses offered for sale were described variously as "Silk Jersey" or "Satin Jersey", when, in fact, they were composed of materials other than silk.

No. 3172. May Hosiery Mills, Inc., Burlington, N. C., has been ordered to cease and desist from misrepresenting the quality and composition of certain hosiery it sells in interstate commerce.

Findings in the case are that the respondent company, in advertising matter, described hosiery with such phrases as "pure thread silk and rayon" and "genuine wrap pure thread silk and rayon", the words "and rayon" in each phrase appearing in much smaller and less conspicuous type than the other words. It was found that use of these phrases in the manner described led purchasers into the erroneous belief that the major component of the hosiery was silk, when such was not a fact.

Stipulations

The Commission has entered into the following stipulations:

No. 2041. Berg & Markell, Inc., 44th Ave. and 9th St., **Long Island City, New York,** has entered into a stipulation to discontinue misbranding and misrepresenting certain paints it sells in interstate commerce.

The company will cease using on labels, or in any other manner, the phrase "The Original Titanium Paint" so as to imply that it was the first or original manufacturer of paints containing titanium as a pigment. Use of the word "titanium" as descriptive of paints so as to imply that they contain titanium in substantial quantities, when such is not a fact, will be stopped.

No. 2042. Under a stipulation, use in advertising matter of the word "Panama" so as to imply that hats so described are Panama hats, when such is not a fact, will be discontinued by **Herman Ackerman,** of **New York.** Ackerman, trading as Herman Ackerman Company, 640 Broadway, New York, is a jobber of hats and caps.

According to the stipulation, Ackerman advertised certain hats as "Toya Panamas." He agreed to stop using the word "Panama" alone or with other words as descriptive of a hat not made from the leaves of the jipijapa plant, or in accordance with the process used in the manufacture of Panama hats.

No. 2043. Under a stipulation, **Permanent Concrete Burial Vault Company,** Syndicate Trust Building, **St. Louis,** will cease using false and misleading advertising in connection with the interstate sale of concrete burial vaults.

The company agreed to stop using the word "Permanent" as part of its trade name and the words "everlasting protection" in advertising matter, as descriptive of its vaults, so as to create the impression that they will give permanent or everlasting protection to bodies encased therein, when such is not a fact.

No. 2044. The Federal Trade Commission has closed its case against **Corrugated Container Corporation,** 230 Third Ave., **Brooklyn,** engaged in the manufacture and sale of corrugated fiber boxes. for the reason that the company has entered into a stipulation to discontinue the unfair method of competition alleged in a complaint issued by the Commission.

The complaint charged the company with placing upon its boxes a stamp which was not the usual and official certification, required by rules adopted by the official classification committee of railroad companies, setting forth the bursting test, dimensions and gross weight of corrugated fiber boxes. According to the stipulation, the stamp used by the respondent company on its boxes so closely simulated the official stamp in shape and general appearance as to cause railroads and purchasers to accept such boxes in the belief that they bore the official certification and complied fully with construction requirements.

No. 2045. Under a stipulation, **V. Portnoy & Sons, Inc.,** 566 Roosevelt Road, **Chicago,** engaged in the sale of both new and old or second-hand wearing apparel, agrees to discontinue use of advertising matter which does not clearly indicate in conspicuous type, with reference to each particular garment or article that is not new, that such product is old, worn or second-hand.

The company also stipulates that it will cease using in advertising matter the word "silk", alone or with other words, to describe products not composed of silk, or to imply that the product to which the word refers is made of silk, when such is not a fact.

No. 01855. N. Meyer, 1166 Diversey Parkway, Chicago, trading as Little Giant Radio Company, agreed to stop advertising that his Midget Pocket Radio tunes in the broadcast band, will last for years, and is precisely assembled or rigidly tested.

No. 01856. A. J. Krank, Inc., 1885 University Ave., St. Paul, Minn., in selling cosmetics and preparations for the hair and scalp, stipulated that he would discontinue the following representations: That Balm Argenta banishes skin age and is a competent treatment for skin imperfections; that Scalphealth Tonic stimulates circulation or frees the scalp of dandruff; that Lemon Cleansing Cream penetrates clogged pores and dissolves impurities; that Skin-Health Tissue Cream will cause enlarged facial muscles to respond to its restorative action; that Honey Rose Cream conditions and rejuvenates those deep lying tissues which surface creams cannot benefit; that Odo-Ban banishes perspiration odor; that Permanent Wavoil puts life into the hair or prevents falling hair; that Sporicide relieves all forms of itching and skin irritation instantly, and that Hair Root Oil invigorates the scalp, loosens dandruff or prevents falling hair.

No. 01857. J. H. Oesterhaus, 1612 West 16th St., Kansas City, Mo., trading as Farmers Serum & Supply Co., will cease representing in advertising matter that his Bovine Abortion Vaccine will provide permanent protection from abortion; that his combined treatment is a guaranteed method for preventing and treating blackhead in turkeys; that his remedies will prevent or control poultry diseases, and that his products are licensed by Government.

No. 01858. Harold Warp, 1415 North Cicero Ave., Chicago, trading as Flex-O-Glass Manufacturing Company, agreed to cease representing that Flex-O-Glass, a loosely woven cloth impregnated with paraffin and used for windows in chicken brooder houses, admits far more actual sunshine than glass and is essential to raising chickens; that it matures two-pound broilers in eight weeks and doubles winter egg production and is a preventive against disease. Warp also will cease advertising that Flex-O-Glass "gives hens June sunshine full of egg-making ultra-violet rays all winter long."

No. 01862. Max Gordon, J. H. Levin and J. J. Becker, trading as Economy Tire and Rubber Company, 1615 Grand Ave., Kansas City, Mo., will stop advertising that their reconditioned tires are guaranteed unless in direct connection with such representation and in equally conspicuous type they list all the conditions imposed upon purchasers, including the requirement that purchasers who wish to avail themselves of the terms of the guarantee must pay the transportation costs on replaced tires. The respondents will cease representing that tires are offered at certain specified prices unless it also is made known in the advertising matter that such prices are F.O.B., or that the purchaser is required to pay transportation charges in addition to the prices quoted.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, September 20:

Monday, September 20

HEARING BEFORE AN EXAMINER

(Broadcast)

WNBZ—Earl J. Smith and Wm. Mace, Saranac, N. Y.—Voluntary assignment of license to Upstate Broadcasting Corp.; **1290 kc.,** 100 watts, daytime.

Tuesday, September 21

HEARING BEFORE AN EXAMINER

(Broadcast)

KPOF—Pillar of Fire, Denver, Colo.—Modification of license, **880 kc.,** 1 KW, shares with KFKA; KPOF ⅓ time, KFKA ⅔ time. Present assignment: **880 kc.,** 500 watts, shares with KFKA; KPOF ⅓, KFKA ⅔ time.

WBNO—The Coliseum Place Baptist Church, New Orleans, La.—Voluntary assignment of license to WBNO, Inc.; **1200 kc.,** 100 watts, shares WJBW.

WBNO—The Coliseum Place Baptist Church, New Orleans, La.—C. P., **1420 kc.,** 100 watts night, 250 watts LS, unlimited time. Present assignment: **1200 kc.,** 100 watts, shares WJBW.

WBNO—The Coliseum Place Baptist Church, New Orleans, La.—Renewal of license, **1200 kc.,** 100 watts, share with WJBW.

NEW—Southern Broadcasting Corp., New Orleans, La.—C. P., **1200 kc.,** 100 watts night, 250 watts LS, unlimited (requests facilities of WBNO and WJBW).

WJBW—Charles C. Carlson, New Orleans, La.—Renewal of license, **1200 kc.,** 100 watts, shares WBNO.

Wednesday, September 22

HEARING BEFORE AN EXAMINER

(Broadcast)

WIBG—Seaboard Radio Broadcasting Corp., Glenside, Pa.—C. P., **970 kc.,** 5 KW, limited sunset Chicago.

NEW—Havens & Martin, Inc., Petersburg, Va.—C. P., **1210 kc.,** 100 watts, 250 watts LS, specified hours (unlimited).

NEW—Petersburg Newspaper Corp., Petersburg, Va.—C. P., **1210 kc.,** 100 watts, 250 watts LS, specified hours.

NEW—John Stewart Bryan, Petersburg, Va.—C. P., **1210 kc.,** 100 watts, 250 watts LS, unlimited except Sunday nights.

Thursday, September 23

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—John S. Allen and G. W. Covington, Jr., Montgomery, Ala.—C. P., **1210 kc.,** 100 watts, daytime.

WELI—City Broadcasting Corp., New Haven, Conn.—Modification of license, **930 kc.,** 250 watts, 500 watts LS, unlimited. Present assignment: **900 kc.,** 500 watts, daytime.

NEW—Lawrence K. Miller, Pittsfield, Mass.—C. P., **930 kc.,** 250 watts, daytime.

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. 1-405:

KDON—Monterey Peninsula Broadcasting Co., Del Monte Calif.—C. P., **1400 kc.,** 250 watts, 1 KW LS, unlimited. Present assignment: **1210 kc.,** 250 watts, unlimited time.

Examiner's Report No. 1-410:

WHOM—New Jersey Broadcasting Corp., Jersey City, N. J.—C. P., **1450 kc.,** 250 watts, 1 KW LS, unlimited time. Present assignment: **1450 kc.,** 250 watts, unlimited time.

Examiner's Report No. 1-411:

NEW—Sharon Herald Broadcasting Co., Sharon, Pa.—C. P., **780 kc.,** 250 watts, daytime.

NEW—Allen T. Simmons, Mansfield, Ohio.—C. P., **780 kc.,** 1 KW, daytime.

Examiner's Report No. 1-416:

KADA—C. C. Morris, Ada, Okla.—Modification of license, **1200 kc.,** 100 watts, 100 watts LS, unlimited. Present assignment: **1200 kc.,** 100 watts, daytime.

Friday, September 24

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—L. L. Coryell, Sr., and L. L. Coryell, Jr., d/b as L. L. Coryell & Son, Lincoln, Nebr.—C. P., **1450 kc.,** 250 watts, 1 KW LS, unlimited.

KFOR—Cornbelt Broadcasting Corp., Lincoln, Nebr.—C. P., **1450 kc.,** 1 KW, 5 KW LS, unlimited time. Present assignment: **1210 kc.,** 100 watts, 250 watts LS, unlimited.

KCMO—KCMO Broadcasting Co., Kansas City, Mo.—C. P., **1450 kc.,** 1 KW, unlimited time. Present assignment: **1370 kc.,** 100 watts, unlimited.

NEW—Wm. E. Walker and Merrill F. Chapin, d/b as Walker and Chapin, Oshkosh, Wis.—C. P., **1010 kc.,** 250 watts, unlimited time.

NEW—Carl Latenser, Atchison, Kans.—C. P., **1420 kc.,** 100 watts, daytime.

NEW—United Theatres, Inc., San Juan, P. R.—C. P., **570 kc.,** 1 KW, unlimited.

APPLICATIONS GRANTED

WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—Granted C. P. to install auxiliary transmitter at present transmitter location.

KID—KID Broadcasting Co., Idaho Falls, Idaho.—Granted C. P. to make changes in composite equipment and increase in day power to 5 KW.

WCBS—WCBS, Inc., Springfield, Ill.—Granted C. P. to make changes in composite equipment and increase in day power from 100 to 250 watts, and time of operation from specified to unlimited.

WIP—Penna. Broadcasting Co., Philadelphia, Pa.—Granted C. P. to move old main transmitter locally and use same as auxiliary transmitter.

KDLR—KDLR, Inc., Devils Lake, N. Dak.—Granted license to cover C. P.; **1210 kc.,** 100 watts, unlimited time.

KVOE—The Voice of The Orange Empire, Inc., Ltd., Santa Ana, Cal.—Granted license to cover modification of C. P. authorizing changes in equipment.

WSNJ—Eastern States Broadcasting Corp., Bridgeton, N. J.—Granted license to cover C. P. and modifications thereof approving studio location; **1210 kc.,** 100 watts, daytime only.

KSFO—The Associated Broadcasters, Inc., San Francisco, Cal.—Granted license to cover C. P. and modifications thereof, authorizing changes in transmitter site, installation of new equipment, and vertical radiator and increase in day power from 1 KW to 5 KW. Also granted authority to determine operating power by direct measurement of antenna input.

WSMB—WSMB, Inc., New Orleans, La.—Granted license to cover C. P., authorizing installation of new equipment and directional antenna for day and nighttime operation and move of transmitter location.

WJDX—Lamar Life Ins. Co., Jackson, Miss.—Granted modification of C. P. for changes in equipment and extension of commencement date from 6-9-37 to 30 days after grant and completion date to 150 days thereafter.

WEST—Associated Broadcasters, Inc., Easton, Pa.—Granted modification of license to change hours of operation to simultaneous day, share WKBO night.

WKBO—Keystone Broadcasting Corp., Harrisburg, Pa.—Granted modification of license to change hours of operation to unlimited day, share WEST night.

KSAL—R. J. Laubengayer, Salina, Kans.—Granted authority to determine operating power by direct measurement of antenna input.

NEW—Wyoming Broadcasting Co., Rock Springs, Wyo.—Granted C. P. for new station to operate on **1370 kc.,** 100 watts night, 250 watts day, unlimited time; transmitter location to be determined with Commission's approval.

W2XE—Columbia Broadcasting System, Inc., Wayne, N. J.—Granted modification of license to additional frequency, **9590 kc.**

NEW—Minnesota Broadcasting Corp., Mobile (Minneapolis, Minn.).—Granted C. P. for new relay station; frequencies **1606, 2022, 2102** and **2758 kc.,** 25 watts.

NEW—Minnesota Broadcasting Corp., Mobile (Minneapolis, Minn.).—Granted C. P. for new relay station; frequencies **1606, 2022, 2102** and **2758 kc.,** 7.5 watts.

W9XVP—Minnesota Broadcasting Corp., Mobile (Minneapolis, Minn.).—Granted C. P. for new relay broadcast station on an experimental basis; frequencies **31100, 34600, 37600** and **40600 kc.,** 1 watt. Also granted license to cover same.

W9XVQ—Minnesota Broadcasting Corp., Mobile (Minneapolis, Minn.).—Granted C. P. for new relay broadcast station on an experimental basis; frequencies **31100, 34600, 37600** and **40600 kc.,** 1 watt. Also granted license to cover same.

SET FOR HEARING

NEW—Union-Tribune Broadcasting Co., San Diego, Cal.—C. P. for new station to operate on **1480 kc.**, 5 KW, unlimited time; site to be determined; also transmitter location and type of antenna.

NEW—N. B. Egeland, Roland, Iowa.—C. P. already in hearing docket, amended to request **1500 kc.**, 100 watts daytime only.

KAST—Astoria Broadcasting Co., Astoria, Ore.—C. P. to install new equipment and vertical radiator; change assignment from **1370** to **1200 kc.**, 100 watts daytime only to 100 watts night, 250 watts day, unlimited time. Transmitter site to be determined.

WESG—Cornell University, Ithaca, N. Y.—Modification of license to change frequency from **1040 kc.** to **850 kc.**, and hours of operation from 6 a. m. to LS, Hot Springs, Ark., to 6 a. m. to LS, New Orleans, La.; 1 KW.

WMFR—Radio Station WMFR, Inc., High Point, N. C.—Modification of license to change hours of operation from daytime to unlimited, using 100 watts power.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KDYL, Salt Lake City; KFBB, Great Falls, Mont.; KFKU, Lawrence, Kans.; KFOX, Long Beach, Cal.; KFSG, Los Angeles; KCCA, Decorah, Ia.; KGGF, Coffeyville, Kans.; KLON, Blytheville, Ark.; KLPM, Minot, N. Dak.; KLS, Oakland, Cal.; KOIL, Omaha, Neb.; KOL, Seattle; KPAC, Port Arthur, Tex.; KRGV, Weslaco, Tex.; KROW, Oakland, Cal.; KTRH, Houston, Tex.; KTW, Seattle; KUOA, Siloam Springs, Ark.; KVOA, Tucson, Ariz.; KWLC, Decorah, Ia.; KWSC, Pullman, Wash.; WASH, Grand Rapids, Mich.; WCAD, Canton, N. Y.; WCAM, Camden, N. J.; WCSH, Portland, Me.; WDAY, Fargo, N. Dak.; WDEL, Wilmington, Del.; WDSU, New Orleans; WEBC and auxiliary, Duluth, Minn.; WHA, Madison, Wis.; WHBI, Newark, N. J.; WHN and auxiliary, New York; WISN, Milwaukee, Wis.; WJAS, Pittsburgh, Pa.; WJDX, Jackson, Miss.; WKAQ, San Juan, P. R.; WNAC, Boston; WNAD, Norman, Okla.; WNBX, Springfield, Vt.; WNEL, San Juan, P. R.; WNEW, New York City; WNOX, Knoxville, Tenn.; WORC, Worcester, Mass.; WRR and auxiliary, Dallas, Tex.; WTCN, Minneapolis; WTOC, Savannah, Ga.

The following stations were granted renewal of relay broadcast licenses for the regular period:

WOEB, Agricultural Broadcasting Co.; KIEO, Airfan Radio Corp., Ltd.; WATA, Ashland Broadcasting Co.; WBAM and WBAN, Bamberger Broadcasting Service Inc.; KNED, Carter Publications, Inc.; WAAU, WIEK, WIEL, Columbia Broadcasting System, Inc.; WLWB, Crosley Radio Corp.; KABB, KABD, Don Lee Broadcasting System; WKFB, The Evening News, Assn.; KIEL, Fisher's Blend Station, Inc.; KAAD, Fort Worth Broadcasters, Inc.; WOEG, General Electric Co.; WQER, WQET, Georgia School of Tech.; WKEM, Hearst Radio, Inc.; KAGM, Hirsch Battery & Radio Co.; WATB, Indianapolis Broadcasting, Inc.; KILB, International Broadcasting Corp., WMFT, Isle of Dreams Broadcasting Corp.; WAHB, WJER, The Journal Company; WIEG, WIEH, Knickerbocker Broadcasting Co., Inc.; KABG, Ben S. McGlashan; WIEF, Miami Broadcasting Co.; KIFF, Missouri Broadcasting Corp.; KABE, National Battery Broadcasting Co.; KIGA, National Battery Broadcasting Co.; WIEO, WIEW, WIEX, WMEF, WMFL, WMFS, WOEH, National Broadcasting Co.; KADB, KIFO, Nichols & Warinner, Inc.; WLEZ, The Norfolk Daily News; WGBE, Onondaga Radio Corp.; KNEC, Puget Sound Broadcasting Co., Inc.; KIEG, Seattle Broadcasting Co.; WATD, South Bend Tribune; WAEB, Southeastern Broadcasting Co., Inc.; WJEN, Stromberg-Carlson Tel. Mfg. Co.; WJEP, Stromberg-Carlson Tel. Mfg. Co.; KABH, Tri-State Broadcasting System, Inc.; WATC-WAVE, Inc.; WMFZ, WCBS, Inc.; WNDB, WDSU, Inc.; WEMC, WENA, WNER, Westinghouse E. and M. Co.; WAAQ, The WGAR Broadcasting Co.; WABA, Wodaam Corp.; WLEB, WOKO, Inc.; WSMA, WSMB, Inc.; WSMC, WSMB, Inc.; WAAK, WSOC, Inc.; KIFI, Geo. W. Young.

SPECIAL AUTHORIZATIONS

WOC—The Tri-City Broadcasting Co., Davenport, Ia.—Granted special temporary authority to rebroadcast over station WOC conversations carried on between experimental stations W5XAR and W5XAS of the Western Radio Telegraph Co., for a period of not more than 1 hour between September 15 and 21, flying weather permitting.

WBAA—Purdue University, W. Lafayette, Ind.—Granted special temporary authority to operate from 4 to 5 p. m., CST, September 25, in order to broadcast home football games.

WSPR—Conn. Valley Broadcasting Co., Springfield, Mass.—Granted special temporary authority to operate from 8 to 9:30 p. m., EST, Sunday, September 19, in order to broadcast program in connection with Eastern States Exposition.

KFDY—So. Dak. State College, Brookings, S. Dak.—Granted special temporary authority to operate from 2 to 5 p. m., September 18 and October 2, in order to broadcast football games between So. Dak. State College and Mankato Teachers and Omaha University.

KPDN—R. C. Hoiles, Pampa, Tex.—Granted special temporary authority to operate from local sunset (September sunset, 7 p. m.; October sunset, 6:15 p. m.), to 12 midnight, CST, September 17, 24; October 1, 8 and 15, in order to broadcast football games played by Pampa High School.

KGFX—Ida A. McNeil, Administratrix of estate of Dana McNeil, deceased, Pierre, S. Dak.—Granted special temporary authority to operate from 9 to 9:30 a. m., CST, September 26, in order to broadcast Judge Rutherford's religious lecture Watchtower Bible Convention at Cleveland.

KFRO—Voice of Longview, Longview, Tex.—Granted special temporary authority to operate from local sunset (October sunset, 5:45 p. m.) to 9 p. m., CST, using 100 watts power, on Sundays, October 3, 10, 17, 24 and 31, in order to broadcast church services of the Kelly Memorial Methodist Church.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

NEW—Radiotel Corp., San Diego, Cal.—**920 kc.**, 1 KW, 1 KW LS, unlimited time.

NEW—United Broadcasting Co., Tulsa, Okla.—**1550 kc.**, 1 KW, 1 KW LS, unlimited time.

WAIR—C. G. Hill, Geo. D. Walker and Susan H. Walker, Winston-Salem, N. C.—**1250 kc.**, 1 KW LS, daytime.

NEW—Ward Optical Co., Fayetteville, Ark.—**1310 kc.**, 100 watts, 100 watts LS, unlimited.

EXAMINERS' REPORTS RELEASED SINCE SEPTEMBER 7, 1937

NEW—Ex. Rep. 1-494: Earle Yates, Las Cruces, N. Mex.—Examiner George H. Hill recommended denial of C. P. for new station to operate on **930 kc.**, with 500 watts, daytime only.

WKBH—Ex. Rep. 1-495: WKBH, Inc., La Crosse, Wis.—Examiner Geo. H. Hill recommended grant of renewal of license for **1380 kc.**, 1 KW, unlimited time, and

Jos. C. Callaway, Transferor, and Harry Dahl, Transferee.—Recommended grant of authority to transfer control of WKBH, Inc., to Harry Dahl.

ORAL ARGUMENTS GRANTED

NEW—Ex. Rep. 1-458: Food Terminal Broadcasting Co., Cleveland, Ohio.—Oral argument to be held December 2, 1937.

WBOW—Ex. Rep. 1-465: Banks of Wabash, Inc., Terre Haute, Ind.—Oral argument to be held December 2, 1937.

Glenn E. Webster, Decatur, Ill.—Oral argument to be held December 2, 1937.

WSPA—Ex. Rep. 1-468: Virgil V. Evans, d/b as The Voice of South Carolina, Spartanburg, S. C.—Oral argument to be held December 2, 1937.

NEW—Ex. Rep. 1-469: John C. Hughes, Phenix City, Ala.—Oral argument to be held December 2, 1937.

NEW—Ex. Rep. 1-470: WRBC, Inc., Cleveland, Ohio.—Oral argument to be held December 9, 1937.

KWTN—Ex. Rep. 1-471: Greater Kampeska Radio Corp., Watertown, S. C.—Oral argument to be held December 9, 1937.

KGDY—Etc. Voice of South Dakota, Huron, S. D.—Oral argument to be held December 9, 1937.

NEW—Ex. Rep. 1-473: Roberts-MacNab Co., Bozeman, Mont., and Gallatin Radio Forum, Bozeman, Mont.—Oral argument to be held December 9, 1937.

NEW—Ex. Rep. 1-474: J. K. Patrick & Co., Athens, Ga.—Oral argument to be held December 9, 1937.

NEW—Ex. Rep. 1-475: Press Union Publishing Co., Atlantic City, N. J.—Oral argument to be held December 16, 1937.

ACTION TAKEN ON EXAMINERS' REPORTS

NEW—Ex. Rep. 1-382: Peninsula Newspapers, Inc., Palo Alto, Calif.—Denied C. P. for new station to operate on **1160 kc.,** 250 watts, daytime (site to be determined). Order effective October 26, 1937. Examiner P. W. Seward sustained.

WSAU—Ex. Rep. 1-420: Northern Broadcasting Co., Wausau, Wis.—Granted modification of license to change hours of operation from daytime to unlimited; **1370 kc.,** 100 watts. Order effective October 12, 1937. Examiner Seward sustained.

KIEM—Ex. Rep. 1-429: Redwood Broadcasting Co., Inc., Eureka, Calif.—Granted C. P. to increase day power to 1 KW; denied 1 KW night; **1450 kc.,** unlimited time. Also to install new equipment. Order effective October 5, 1937. Examiner Seward sustained.

NEW—Ex. Rep. 1-436: Clarence A. Berger and Saul S. Freeman, Coeur d'Alene, Idaho.—Granted C. P. for new station to operate on **1200 kc.,** 100 watts, daytime, site to be determined. Order effective October 12, 1937. Examiner Seward sustained.

NEW—Ex. Rep. 1-443: Twin City Broadcasting Corp., Longview, Wash.—Granted C. P. for new station to operate on **780 kc.,** 250 watts, daytime, site to be determined. Order effective October 19, 1937. Examiner R. H. Hyde sustained.

NEW—Ex. Rep. 1-445: Phillip Jackson, Brunswick, Ga.—Dismissed with prejudice application for C. P. for new station to operate on **1420 kc.,** 100 watts, daytime. Order effective September 14, 1937. Examiner John P. Bramhall sustained.

WABY—Ex. Rep. 1-446: Adirondack Broadcasting Co., Inc., Albany, N. Y.—Granted modification of C. P. to make changes in authorized equipment and increase power from 100 watts to 100 watts night, 250 watts day; **1370 kc.,** ununlimited time. Order effective October 19, 1937. Examiner R. L. Irwin sustained.

NEW—Ex. Rep. 1-447: C. S. Gooch, d/b as Amarillo Broadcasting Co., Amarillo, Tex.—Dismissed without prejudice application for C. P. for new station to operate on **1500 kc.,** 100 watts, unlimited time. Order effective September 14, 1937. Examiner M. H. Dalberg sustained.

NEW—Ex. Rep. 1-450: John D. Fields, Inc., Las Vegas, Nev.—Dismissed with prejudice application for C. P. for new station to operate on **1370 kc.,** 100 watts, unlimited time, site to be determined. Order effective September 14. 1937. Examiner Seward sustained.

WSMB—Ex. Rep. 1-455: WSMB, Inc., New Orleans, La.—Granted C. P. to install new transmitter; install directional antenna for day and night-time use; and increase power from 1 KW to 1 KW night, 5 KW day; **1320 kc.,** unlimited time. Order effective October 5, 1937. Examiner Seward sustained.

WBLK—Ex. Rep. 1-456: The Exponent Co., Clarksburg, W. Va.—Granted modification of C. P. to make changes in equipment; change hours of operation from daytime to unlimited, using 100 watts power, **1370 kc.** Order effective October 19, 1937. Examiner Seward sustained.

WBCM—Ex. Rep. 1-459: James E. Davidson, Bay City, Mich.—Granted modification of license to change power from 500 watts to 500 watts night, 1 KW day; **1410 kc.,** unlimited time. Order effective October 12, 1937. Examiner R. L. Irwin sustained.

WIOD-WMBF—Ex. Rep. 1-464: Isle of Dreams Broadcasting Corp., Miami, Fla.—Granted modification of license to change frequency from **1300 kc.** to **610 kc.,** 1 KW, unlimited time. Order effective October 26, 1937. Examiner R. H. Hyde sustained.

NEW—Ex. Rep. 1-466: Robert E. Clements, Huntington Park, Calif.—Dismissed with prejudice application for C. P. for new station to use **1160 kc.,** 250 watts, daytime, site to be determined. Order effective September 14, 1937. Examiner Hyde sustained.

NEW—Ex. Rep. 1-467: Young People's Association for the Propagation of the Gospel, Shark River Bay, N. J.—Dismissed with prejudice application for C. P. for new station to operate on **640 kc.,** 5 KW, daytime to local sunset at KFI. Order effective September 14, 1937. Examiner Tyler Berry sustained.

WEAN—Ex. Rep. 1-472: The Yankee Network, Inc., Providence, R. I.—Granted C. P. to make changes in equipment and increase power from 1 KW to 1 KW night, 5 KW day; **780 kc.,** unlimited time. Order effective October 26, 1937. Examiner John P. Bramhall sustained.

MISCELLANEOUS

NEW—World Publishing Co., Tulsa, Okla.—Granted petition to intervene in the hearing on the application of United Broadcasting Co. for new station at Tulsa, to use **1550 kc.,** 1 KW, unlimited.

NEW—Beaumont Broadcasting Assn., Beaumont, Tex.—Granted petition to intervene in the proceedings upon the application of The Enterprise Co. for new station at Beaumont, Tex., to use **1350 kc.,** 250 watts night, 500 watts LS, unlimited.

WNEL—Juan Piza, San Juan, P. R.—Granted petition for continuance of approximately 60 days of hearing now scheduled for September 17, 1937. New date to be fixed by Docket Section.

St. Petersburg Chamber of Commerce, St. Petersburg, Fla.—Granted request for issuance of subpoena directing W. W. McEachern of St. Petersburg, Fla., to appear at the further hearing upon the application of Earl Wier, now scheduled for September 29, 1937.

NEW—Paul J. Gollhofer, Brooklyn, N. Y.—Granted petition to continue oral argument now scheduled for September 16 to October 7 in re Examiner's Report No. 1-403, involving five Brooklyn cases requesting use of **1500 kc.**

NEW—O. C. Burke, Dickinison, Tex.—Granted petition to accept appearance in the matter of his application for C. P. for new station to use **1500 kc.,** 100 watts, unlimited time.

WTCN—Minnesota Broadcasting Co., Minneapolis, Minn., and WNEW—Wodaam Corp., New York City.—Granted petitions to accept answers of respondents (WTCN and WNEW) in the matter of the application of Martin R. O'Brien for new station at Aurora, Ill., to use **1250 kc.,** 250 watts, daytime only.

RATIFICATIONS

The Broadcast Division ratified the following acts authorized on the dates shown:

WMBO—WMBO, Inc., Auburn, N. Y.—Granted extension program test period 30 days from September 9, 1937. Action taken 9-4.

KTRI—Sioux City Broadcasting Co., Sioux City, Iowa.—Granted special temporary authority to operate a 50-watt portable transmitter on **1420 kc.** from 1 to 6 a. m. and from 7 to 5:45 p. m., CST, except from September 6 to 14, inclusive, when no operation shall occur before 7 a. m., CST, in the vicinity of Sioux City for the period beginning September 6 and ending no later than September 19, in order to determine new location. Action taken 9-7.

KPAC—Port Arthur College, Port Arthur, Tex.—Denied request for special temporary authority to operate from 6:15 p. m. to 12 midnight on September 11 and 24, 1937, for the purpose of broadcasting the local high school football games. Action taken 9-10.

NEW—W. W. Luce, Ft. Lauderdale, Fla.—Granted petition of applicant and dismissed application for C. P., **1050 kc.,** 1 KW, daytime only, without prejudice, and directed that an order be entered accordingly and forwarded to all interested parties. Action taken 9-4.

Granted petition of Smith, Keller & Cole to intervene in the proceedings upon the application of Airfan Radio Corp., Ltd., for new station at San Diego, Calif. Action taken 9-4.

Waived the requirements of Rules 101.1 and 105.20 and accepted and granted the petition of Euing and Lyman, d/b as Cumberland Broadcasting Co., to intervene in the proceedings upon the application of Radio Station WFNC for authority to establish a new station at Fayetteville, N. C. Action taken 9-9.

Granted petition of Attala Broadcasting Corp. (WHEF) for continuance of the hearing upon its application for C. P., now scheduled for September 28, until some future date subsequent to Commission action on pending application of the Attala Broadcasting Corp. for transfer of control. Action taken 9-4.

Granted motion of WSAN, Inc., and B. Bryan Musselman for continuance of hearing upon the applications of B. Bryan Musselman for renewal of license; WSAN, Inc., for renewal of license and voluntary assignment of license: and B. Bryan Musselman for voluntary assignment of license, until November 3, 1937. Action taken 9-4.

Granted petition of Westinghouse Electric and Manufacturing Co. (KYW), Philadelphia, Pa., for continuance of hearing upon its application for C. P. until November 15, 1937. Action taken 9-4.

Granted motion of William Avera Wynne (WEED) for continuance of the hearing upon his application for C. P., and directed that said hearing be continued until October 7, 1937. Action taken 9-7.

Granted motion of Brown Radio Service & Lab. (WSAY) for continuance of hearing upon application for C. P. until October 14, 1937. Action taken 9-9.

Granted the petition of The Monocacy Broadcasting Co. for continuance of the hearing upon its application for C. P. for new station at Rockville, Md., until February 7, 1938. Action taken 9-8.

APPLICATIONS RECEIVED

First Zone

WNEW—Wodaam Corp., New York, N. Y.—Modification of
1250 license to increase power from 2½ KW to 5 KW.

WQDM—E. J. Regan & F. Arthur Bostwick, d/b as Regan &
1390 Bostwick, St. Albans, Vt.—Special experimental authorization to operate unlimited time, using 1 KW power.

NEW—Utica WUTK Inc., Utica, N. Y.—Construction permit for
1420 a new station to be operated on **1420 kc.**, 100 watts night, 250 watts day, unlimited time. Amended: To change type of proposed equipment.

W1XER—The Yankee Network, Inc., Quincy, Mass.—Construction permit to move transmitter from Quincy, Massachusetts, to Sargents Purchase (Coos City), New Hampshire.

W1XER—The Yankee Network, Inc., Quincy, Mass.—License to cover above.

W8XNO—Charleston Broadcasting Co., Charleston, W. Va.—Modification of construction permit (B2-PHB-30) to extend commencement and completion dates to November 2, 1927 and May 2, 1938, respectively.

Second Zone

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—Modi-
570 fication of construction permit (B2-P-1412) for vertical antenna and move of transmitter requesting further the installation of a directional antenna, for day and night when WOSU is operating, change hours of operation from specified hours to unlimited time, extend commencement and completion dates 1 month and 6 months respectively. Amended: Changes in directional antenna.

WIP—Pennsylvania Broadcasting Co., Inc., Philadelphia, Pa.—
610 Construction permit to install a new transmitter and antenna (antenna to be determined), increase power from 1 KW to 1 KW night, 5 KW day and move transmitter from 21 & Hamilton Streets, Philadelphia, Pennsylvania, to site to be determined, Philadelphia, Pennsylvania.

WGBI—Scranton Broadcasters, Inc., Scranton, Pa.—Modification
880 of license to increase night power from 500 watts to 1 KW.

WDBJ—Times-World Corp., Roanoke, Va.—Construction permit
930 to install auxiliary transmitter, using 1 KW power, for emergency purposes only.

WCPO—Scripps-Howard Radio, Inc., Cincinnati, Ohio.—Modifica-
1200 tion of license to increase night power from 100 watts to 250 watts.

WRTD—The Times Dispatch Publishing Co., Inc., Richmond, Va.
1500 —Construction permit to change frequency from **1500** to **1050 kc.**, install a new transmitter and increase power from 100 watts to 500 watts.

Third Zone

WRBL—WRBL Radio Station, Inc., Columbus, Ga.—Modification
1200 of construction permit (B3-P-1396) for a new transmitter and antenna, increase in power and move of transmitter and studio locally, requesting changes in transmitting equipment, change frequency from **1200 kc.** to **1330 kc.**, change power from 100 watts night, 250 watts day to 1 KW, and make further changes in antenna. Amended: To install directional antenna for night use, change type of transmitting equipment and move transmitter to Roosevelt Highway, Columbus, Georgia.

WAYX—E. F. & S. F. Sapp, d/b as Waycross Broadcasting Co.,
1200 Waycross, Ga.—License to cover construction permit (B3-P-1682) as modified for changes in equipment and increase in power.

WJRD—James R. Doss, Jr., Tuscaloosa, Ala.—License to cover
1200 construction permit (B3-P-1817) for a new transmitter and increase in power.

NEW—Y. W. Scarborough, J. W. Orvin, Charleston, S. C.—Con-
1210 struction permit for a new station to be operated on **1210 kc.**, 100 watts night, 250 watts daytime, unlimited time. Amended: Antenna and transmitter site to be determined.

WIOD-WMBF—Isle of Dreams Broadcasting Corp., Miami, Fla.—
1300 License to cover construction permit (B3-P-1553) to install auxiliary transmitter at 600 Biscayne Blvd., Miami, Florida.

NEW—Jack W. Hawkins & Barney H. Hubbs, d/b as Odessa
1310 Broadcasting Co., Odessa, Tex.—Construction permit for a new station to be operated on **1310 kc.**, 100 watts, daytime.

NEW—W. C. Ewing & Harry Layman, tr/as Cumberland Broad-
1340 casting Company, Fayetteville, N. C.—Construction permit to erect a new station on **1340 kc.**, 250 watts power, daytime hours of operation.

NEW—Spartanburg Herald-Journal Co., Spartanburg, S. C.—Con-
1420 struction permit to erect a new broadcast station to be operated on **1420 kc.**, 100 watts night and 250 watts day power, unlimited time.

NEW—Panama City Broadcasting Co., Panama City, Fla.—Con-
1420 struction permit for a new station to be operated on **1420 kc.**, 100 watts, daytime. Amended: To change frequency from **1420 kc.** to **1500 kc.**

WAXG—Florida Capitol Broadcasters, Inc., Tallahassee, Fla.—License to cover construction permit (B3-PRY-50) for a new relay broadcast station.

Fourth Zone

WBAA—Purdue University, W. Lafayette, Ind.—Construction per-
890 mit to install new transmitter; make antenna changes; change power from 500 watts, 1 KW day, to 5 KW; change hours of operation from specified hours to daytime only; and move transmitter to Northwestern Ave., W. Lafayette, Ind. Amended to change requested time from daytime only to unlimited time, requested power from 5 KW to 1 KW night, 5 KW day, and give transmitter and studio sites as site to be determined, Indianapolis, Marion County, Indiana.

WDZ—WDZ Broadcasting Co., Tuscola, Ill.—Construction permit
1020 to install a new transmitter and increase power from 250 watts to 1 KW.

WGVA—Glenn Van Auken, Indianapolis, Ind.—Modification of
1050 construction permit (B4-P-1012) for a new station, requesting approval of vertical antenna, new transmitter and transmitter and studio sites at 307 N. Pennsylvania, Indianapolis, Ind.

WCBD—WCBD, Inc., Chicago, Ill.—License to cover construction
1080 permit (B4-P-1749) for new equipment and move of transmitter.

WDGY—Dr. George W. Young, Minneapolis, Minn.—Modifica-
1180 tion of construction permit (B4-P-1420) as modified, for new transmitter, requesting extension of completion date from 10-1-37 to 12-1-37.

KOIL—Central States Broadcasting Co., Lincoln, Nebr.—License
1260 to cover construction permit (B4-P-1473) as modified for changes in transmitter, install vertical antenna, increase in power and move of transmitter.

NEW—Frank Ray, Dickinson, N. Dak.—Construction permit for
1310 a new station to be operated on **1310 kc.**, 100 watts night and 250 watts day power, unlimited time. Amended: Correct geographic site.

WGES—Oak Leaves Broadcasting Station, Inc., Chicago, Ill.—
1360 Authority to transfer control of corporation from H. J. Guyon, Thomas H. Guyon, Wm. F. Moss, Louis E. Moulds, and Gene T. Dyer, to WSBC, Inc., 50 shares of common stock.

NEW—Indianapolis Power & Light Co., Marion County, Indiana.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 40 watts.

Fifth Zone

NEW—Roberts-MacNab Co. (Arthur L. Roberts, R. B. MacNab
1310 and A. J. Breitbach, Gen. Mgr.), Livingston, Mont.—Construction permit for a new station to be operated on **1310 kc.**, 100 watts night, 250 watts day, unlimited time. Amended to change frequency from **1310 kc.** to **1210 kc.**

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Authority
1500 to install automatic frequency control apparatus.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS ★ ★ ★ ★ ★ Vol. 5 - - No. 40
SEPT. 30, 1937

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NAB STATE COMMITTEE APPOINTED

Following a poll of the membership, President John Elmer has appointed an NAB State Committee. There will be one member for each state and territory. In addition there will be twelve district chairmen, each of whom will represent four states. The personnel of the committees represented by acceptances to date are as follows:

District Chairmen

Clair McCollough, WGAL, representing Pennsylvania, Ohio, Maryland and Delaware; Edwin W. Craig, WSM, representing Virginia, West Virginia, Kentucky and Tennessee; Fred W. Borton, WQAM, representing North Carolina, South Carolina, Georgia and Florida; Glenn Snyder, WLS, representing Wisconsin, Michigan, Indiana and Illinois; W. C. Bridges, WEBC, representing North Dakota, South Dakota, Minnesota and Wyoming; Lester Cox, KGBX, representing Nebraska, Iowa, Missouri and Kansas; Eugene P. O'Fallon, KFEL, representing Colorado, New Mexico, Oklahoma and Texas; and Earl J. Glade, KSL, representing California, Nevada, Utah and Arizona.

State Committee

Arkansas, John A. England, KFPW; California, Harrison Holliway, KFI; Colorado, Eugene P. O'Fallon, KFEL; Connecticut, Franklin M. Doolittle, WDRC; District of Columbia, William B. Dolph, WOL; Florida, F. W. Borton, WQAM; Georgia, Maurice C. Coleman, WATL; Idaho, C. G. Phillips, KIDO; Illinois, Glenn Snyder, WLS; Indiana, Clarence Leich, WGBF; Iowa, Luther L. Hill, KRNT; Kansas, Don Searle, WIBW; Louisiana, John C. McCormack, KWKH; Maine, Thompson L. Guernsey, WLBZ; Maryland, Edwin M. Spence, WBAL; Michigan, John E. Fetzer, WKZO; Minnesota, W. C. Bridges, WEBC; Mississippi, W. P. Harris, WJDX; Missouri, Lester E. Cox, KGBX; Montana, Ed Craney, KGIR; Nebraska, John J. Gillin, Jr., WOW; New Jersey, Alfred J. McCosker, WOR; New York, Harold E. Smith, WOKO; North Carolina, Richard H. Mason, WPTF; North Dakota, Philip J. Meyer, KFYR; Oklahoma, William C. Gillespie, KTUL; Pennsylvania, Clair McCollough, WGAL; Rhode Island, John J. Boyle, WJAR; South Carolina, C. Richard Shafto, WIS; South Dakota, Joseph Henkin, KSOO; Tennessee, Edwin W. Craig, WSM; Texas, O. L. Taylor, KGNC; Utah, Earle J. Glade, KSL; Virginia, C. T. Lucy, WRVA; Washington, Louis Wasmer, KHQ; West Virginia, O. J. Kelchner, WMMN; Wyoming, R. E. Carroll, KWYO.

PLEASE RETURN DELEGATE CARDS

Members are urged to return promptly the cards furnished them indicating the names of the delegate and alternate designated to represent the station at the special NAB Convention in New York, October 12, 1937.

MAKE HOTEL RESERVATIONS NOW

In view of the World Series Baseball games scheduled to begin in New York City October 6, it is suggested that hotel reservations for the convention be made in advance to insure proper accommodations.

PRESIDENT ANNOUNCES ENGINEERING COMMITTEE

President Elmer this week announced the personnel of the Engineering Committee for the year 1937-1938 as follows: Paul Loyet, WHO, Des Moines, Iowa, Chairman; L. A. Benson, WIL, St. Louis, Missouri; L. S. Bookwalter, KOIN, Portland, Oregon; E. K. Cohan, Columbia Broadcasting System, New York, N. Y.; Gerald W. Cooke, WBAL, Baltimore, Maryland; J. H. DeWitt, Jr., WSM, Nashville, Tennessee; John E. Fetzer, WKZO, Kalamazoo, Michigan; E. L. Gove, WHK, Cleveland, Ohio; C. W. Horn, National Broadcasting Company, Inc., New York, N. Y.; Porter Houston, WCBM, Baltimore, Maryland; Carl Meyers, WGN, Chicago, Illinois; and John M. Sherman, WTCN, Minneapolis, Minnesota.

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HABANA GROUP TO DISCUSS BROADCASTING

Philip F. Siling, acting secretary of the Habana Preparatory Group, announced this week that matters relating to broadcasting in connection with the Habana radio conference will be discussed on October 8. He issued the following statement on the conference.

A meeting will be held in Room 7355 of the New Post Office Building at 10.00 a. m., Friday, October 8, for the purpose of considering the broadcast phases of the Inter-American Radio Conference to be held at Habana, Cuba, beginning November 1, 1937. This meeting of the Habana Preparatory Group will be devoted to matters relating to broadcasting in the band 540–1600 kc.

All interested parties are invited to attend.

The NAB will be represented at this meeting by the Managing Director James W. Baldwin.

JETT NAMED ACTING CHIEF ENGINEER

The Federal Communications Commission has designated E. K. Jett as Acting Chief Engineer until the position of Chief Engineer has been filled.

MICHIGAN BROADCASTERS TO ORGANIZE

Michigan radio broadcasters will hold a meeting on October 4 at the Book-Cadillac Hotel, in Detroit, for the purpose of forming a State Association. James W. Baldwin, NAB Managing Director, will attend the meeting.

COLUMBIAN MUSIC PUBLISHERS, LTD.

Broadcasting stations recently received notice from the Columbian Music Publishers, Ltd., 136 Simcoe Street, Toronto, Canada, giving permission "to broadcast occasionally, where suitable, the copyrighted or protected compositions controlled by Columbian Music Publishers Limited." This proposal should be considered by the broadcasters as an effort on the part of the Columbian Music Publishers to obtain free plugs for their music. This company, like many others, apparently recognizes that radio can do more to popularize music than any other medium in the world. Unfortunately, up to now the broadcasters have failed to appreciate this fact and have permitted their stations to be used to make "hits."

FCC APPROPRIATIONS

Officials of the Federal Communications Commission have been before the Bureau of the Budget in connection with appropriations for the fiscal year 1939.

It is reported that the Budget Bureau was asked for the same appropriations which were allowed by Congress for the present fiscal year which includes: a general appropriation of $1,717,000; $25,000 for printing; and $20,000 for the Great Lakes survey work by Commissioner Thad Brown.

ROSCOE RIEMENSCHNEIDER

Roscoe Riemenschneider of Des Moines, Iowa, has been requested to cooperate with the NAB in keeping radio advertising free from the objectionable practice of selling radio time on a percentage basis. Mr. Riemenschneider had queried stations about a plan for advertising perfumes and cosmetics on a percentage basis.

RECOMMENDS DISMISSING REQUEST OF WKOK

Broadcasting station WKOK, Sunbury, Pa., operating specified hours, 100 watts on 1210 kilocycles, applied to the Federal Communications Commission to grant it unlimited time on the air.

Examiner John P. Bramhall, in Report No. I-496, recommended that the application be dismissed with prejudice. On hearing counsel for the station asked for a continuance because certain engineering reports were not ready. In this connection the Examiner stated:

"The motion of the applicant was denied by the Examiner because the record shows that the Sunbury Broadcasting Corporation, the applicant herein, had not shown due diligence in the preparation of its case. Thereupon the attorney for the applicant, WKOK, stated, 'WKOK defaults.' It is a fair assumption that the respondents in this case, whose attorneys appeared for the purpose of participating in the hearing have incurred expense incident to this proceeding."

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3225. A complaint has been issued against **Askin's Retail Stores, Inc.,** 425 4th Ave., **New York,** charging false and misleading representations in the sale of men's and women's wearing apparel.

In advertisements and sales talks, the respondent company is alleged to have represented that with purchases of merchandise up to certain stated values, other articles would be given free.

The complaint charges that the cost of the articles offered as free was, in fact, included in the price paid by customers for wearing apparel in amounts up to a certain stated value, and that the so-called free goods were not in any sense a gift or gratuity to customers without cost to them.

No. 3226. A complaint has been issued against **Russeks Fifth Avenue, Incorporated,** and **Fashion Firsts, Incoroprated,** both of 390 Fifth Ave., **New York.**

The complaint charges unfair competition in the sale of furs, coats and other wearing apparel for women, through use in advertising of the British Royal Coat of Arms, pictures of English scenes, and various English names to designate certain of its products not designed, made, or tailored in England.

No. 3227. Use of unfair methods of competition in the sale of Politis, a medicinal preparation, is alleged in a complaint served upon **Harry Politis,** 4504 North Vancouver Ave., **Portland, Oreg.**

Although Politis features his trade name, Politis Laboratory, in advertising matter and on business stationery, the complaint charges that use of the word "Laboratory" is misleading in that the respondent does not own or operate any place devoted to experimental study in any branch of natural science or to the application of scientific principles in testing and analyzing or in preparing medicines, drugs or chemicals.

No. 3228. A complaint has been issued against **Arthur R. Patterson, Albert C. Kehr, Arthur W. Edson, Eva O. Brown** and **Minetha Coe,** trading under the name of **Patterson School** at 82 St. Paul St., **Rochester, N. Y.,** charging unfair competition in the sale of a correspondence course intended to prepare students for civil service examinations.

Representations made by the respondents in published advertisements are alleged to have created the impression that the respondents control certain appointments under the United States Civil Service or have such positions to offer; that Arthur R. Patterson has had recent official connection with the Civil Service, and because of such connection, has special knowledge that enables him to successfully prepare students for examinations, and that money paid for the courses will be refunded if no Government position is obtained.

No. 3229. A complaint has been issued against **Louis H. Tabach,** 1060 Broad St., **Newark, N. J.,** charging unfair competition in the sale of women's hosiery. Tabach trades under the names **Longwear Hosiery Co., Certified Hosiery Co.** and **Canary Hosiery Co.**

Representations made by the respondent are alleged to have had a tendency to deceive buyers into believing that he is a manufacturer, and that the products he sells are made of a material corresponding to samples displayed by his representatives, when such are not the facts.

No. 3230. Alleging unfair competition in the sale of caps and hats manufactured from felts and other materials obtained from old and second-hand hats, a complaint has been issued against **Louis Goldberg, Morris Zipper** and **Harry Faerman,** 2000 South 9th St., **Philadelphia,** trading as **Diamond Cap Company.**

The respondents' methods of sale are alleged to have a tendency to induce many dealers and retail buyers to purchase their caps and hats in the mistaken belief that they are buying new and unused articles made from new and unused materials.

According to the complaint, the respondents, buying second-hand, old or used felt hats, put them through a process of cleaning, ironing and shaping, fit them with new trimmings, sweat bands and size labels, and in some cases supply peaks or visors. These articles are alleged to have the appearance of new caps and hats. They are allegedly sold to dealers without labels or designations to indicate that the products are in fact made from second-hand materials and renovated by the respondents. The complaint charges that the hats and caps are resold to the public without disclosure of the second-hand origin or of the renovation by the respondents, and under such circumstances as to indicate that they are new hats and caps.

Cease and Desist Orders

The Commission has issued the following cease and desist orders:

No. 2558. Parco Products, Inc., 19 West 44th St., **New York,** and its manager and sales executive, Solomon L. Goldberg, have been ordered to cease and desist from the use of certain unfair methods of competition in the distribution of casein paint which they sell under the brand names Artwall and Partwall.

The respondents are directed to discontinue representing verbally or in writing that surfaces painted with their casein paint are washable and do not develop "hot spots"; that their product is a one-coat paint, leaving no disagreeable odor; that it can be used by amateurs as successfully as by experienced painters, and that it will give a finish that can only be obtained by experienced painters with other paints.

No. 2744. Trading as **Bergo Laboratories, Berenice Cohn,** 270 South Windsor Blvd., **Los Angeles,** has been ordered to cease and desist from false and misleading representations concerning a toilet preparation called Nu-Nail, which she sells in interstate commerce.

The order directs the respondent to discontinue representing that the preparation is a nail food and that its use will bring new life and vitality to the nails and eleminate brittleness, breaking, splitting and peeling of the nails, and ingrown toenails.

No. 2910. Certain false representations concerning the therapeutic value of Kodicon, a medicinal preparation, are prohibited under an order to cease and desist entered against **Bernard M. Wolf,** 5 Bromfield St., **Boston,** trading as **Kodicon Products Company.**

Wolf is ordered to discontinue representing in advertising matter, or otherwise, that Kodicon will stop pain, is a competent treatment for the prevention of head colds, or is an effective and reliable remedy for arthritis, neuritis, neuralgia, gout, and various rheumatic ailments.

No. 2932. An order has been issued requiring **J. W. Gibson,** of **Indianapolis,** trading as **J. W. Gibson Co.,** to cease and desist from certain unfair methods of competition in the sale of food flavorings, spices, toilet articles and kindred merchandise to distributors and house-to-house canvassers.

The respondent is directed to stop representing or holding out as possible or maximum earnings for any fixed period any amount in excess of sums actually earned during such period by distributors of his products under normal business conditions.

No. 3183. Richard I. Stewart, Flintridge, Pasadena, Calif., trading as **Avocado Soap Products Company,** has been ordered to cease and desist from representing in advertising matter or otherwise that the Avocado Tissue Soap he sells in interstate commerce contains a substantial amount of avocado oil, that it is nature's aid to beauty or has any beneficial effect different from other soap, that it is highly recommended by beauty specialists, and is a distinct aid to beauty.

Stipulations

The Commission has entered into the following stipulations:

No. 01801. B. C. Burden, trading as Electrical Salvage Co., Lincoln, Nebr., and selling electrical experimental kits, agrees to cease advertising that his Detectophone is used by secret service men, detectives or G-men, or that it is ultra sensitive, and that the generator and arc equipment furnished with his kit are equivalent to lamps costing $50.

No. 01802. H. Clay Glover Co., Inc., New York; Glover's Imperial Sarcoptic Mange Medicine and Glover's Medicated Soap, for prevention of dandruff and promotion of hair growth.

No. 01803. The House of Astro, Inc., trading as The House of Astro, Hollywood, Calif.; Astro Perfumes and Horoscopes; horoscopes, allegedly given free with purchase of a perfume.

No. 01804. Affiliated Products, Inc., Chicago; Angelus Rouge, Angelus Lipstick, Kissproof Lipstick, and Kissproof Rouge, certain of which products were advertised as having been recommended by motion picture experts, as containing the costliest ingredients, and as producing a make-up devoid of artificialty.

No. 01805. Philo Burt Manufacturing Co., Jamestown, N. Y.; Spinal Appliance, for ailments and deformities of the spine and back.

No. 01806. Edward J. Zimmer, trading as Bestever Products Co., Chicago; Uko Cleaning Compound, advertised as a preparation that will not injure the most sensitive skin and as the most amazing product for washing or whitening clothes ever developed.

No. 01807. Scientific Crime Detection Institute of America, Inc., Huntington, W. Va., selling a correspondence course, agrees to stop representing that law enforcement agencies are unable to obtain a sufficient number of experts; that scientifically trained men are in big demand, and that students, after pursuing the respondent's course of study, will be in a position to charge high fees for professional services, and will be in demand as crime detection experts. The respondent corporation also agrees to cease advertising that everyone who has studied its course will be mentally equipped to give the world expert professional advice, and will be prepared to qualify before high tribunals as authorities.

No. 01808. G. S. McGill, trading as Publishers' Service Bureau, Chicago, and selling a book of instructions called Free Lance Corresponding for Newspapers and Magazines, stipulates that he will stop representing that he issues or is authorized to issue a press card, or, by direct statement or reasonable inference, that the holder of such a card is entitled to receive benefits usually accruing to the possessor of a legitimate press card issued to members of the staff of a newspaper. McGill also agrees to cease asserting that the holder of credentials such as are supplied by him to each subscriber is thereby identified as an active press correspondent. He stipulates that he will not use the name "Publishers' Service Bureau" or any other terminology which would directly or by implication indicate that he operates a bureau of any character for, or renders any service to, publishers, or has connection with publishers of magazines and newspapers.

No. 01810. William Harrison, trading as Ace Radio Laboratories, New York City, sells Ace Construction Kits, consisting of parts for radio receiving sets to be assembled by the purchaser. He will stop representing that his products are so easy to wire that the most inexperienced youth will have no difficulty in obtaining excellent results, and that radios made from the parts will afford world-wide reception. He also will discontinue advertising that the materials supplied at the prices advertised are sufficient to make a complete radio receiving set, or that every necessary part and accessory to complete an entire receiver is included, so long as it is necessary for the purchaser to obtain certain accessories in order to operate the radio.

No. 01811. Dr. Joseph S. Lippert, an individual, and Dr. Joseph S. Lippert, Dental Laboratory, Inc., Chicago; artificial teeth or roofless plates advertised as defying detection restoring the natural voice and facial expression, and as being held firmly by vacuum cup suction.

No. 01812. Rap-I-Dol Distributing Corporation, New York; Rap-I-Dol Conditioning Shampoo and Rap-I-Dol Hair Coloring, for preventing dandruff and banishing gray or faded hair.

No. 01813. Three Star Clothes, a **Chicago** corporation, has entered into a stipulation to cease using false and misleading advertising in connection with the sale of certain tailor-made clothes.

The company will discontinue representing that its suits are made of wool, unless they are made from all wool materials; that they are sold at wholesale prices, and that a suit is given free, unless it is given without the expenditure of time, money or effort on the part of the recipient.

No. 01814. Western Refining Company, trading as The Motex Company, Lowell, Mass.; Motex Pills, for feminine hygiene.

No. 01815. George D. Berdan, trading as Medical Arts Laboratories, Fort Worth, Tex.; Dixans Reliner Wax, advertised as being newer and different from other preparations intended to tighten artificial teeth and as being capable of refitting plates to the gums and of assuring mouth comfort and a sense of safety, regardless of the condition of the plates.

No. 01816. Rosa V. Thomas, operating as Ace Advertising Agency, Birmingham, Ala., in selling a mimeographed booklet of suggestions on how to earn money at home with a typewriter, agrees to cease asserting that anyone who can operate a typewriter can be assured a comfortable income by following the plan sold by her; that persons purchasing her instructions will earn $30 a week, or that any of such purchasers have earned that amount, and that no experience is needed to put her plan into operation.

No. 01817. Owens & Minor Drug Co., Inc., Richmond, Va.; Dr. David's Sanative Wash, for mange, scabies, and itch.

No. 01818. Mahlon Norvell, trading as Norvell, Hollywood, Calif., and selling astrological and numerological readings, birth date analyses and booklets, will discontinue advertising that any of such services are furnished free when other purchases are required; that his forecasts are individual, complete, reliable or unusual; that he can forecast the future for any person who sends in a birth date, and is able to discern, from information submitted by purchasers, whether a person is subject to various diseases.

No. 01819. Larx Co., Inc., trading as Dietene Co., Minneapolis; Dietene, for obesity.

No. 01820. Wernet Dental Manufacturing Co., Inc., Brooklyn, N. Y.; Polident, advertised as being capable of removing tartar and of ridding the user of worry regarding his plates.

No. 01821. Woman's Mutual Benefit Co., Chicago; Primeda medicinal preparations, for ailments peculiar to women, for nervous disorders, headache, all kinds of pain, anemia, and nervousness.

No. 01822. McNeil Drug Co., Inc., Jacksonville, Fla.; McNeil's Magic Remedy, for rheumatism, neuritis, lumbago, gout, and glandular swellings.

No. 01823. International Vitamin Corporation, New York City; I. V. C. Vitamin Pearls, for colds.

No. 01824. The Knox Co., Los Angeles; Cystex, for disorders of the kidneys and blood.

No. 01859. Duart Manufacturing Company, Ltd., 984 Folsom St., and Duart Sales Company, Ltd., Humbolt Building, both of San Francisco, engaged in the sale of Creme of Milk, agreed to cease representing that the product will replace the natural oils of the skin and banish dryness, coarse pores, blackheads or any other skin ailments, or will do more than aid in modifying some superficial skin blemishes and disorders; that it has beautifying qualities that never have been duplicated, and is endorsed by the Motion Picture Hairstylists Guild or any other group, unless such is a fact. The respondents will stop designating their product as Creme of Milk unless in close proximity thereto it is conspicuously stated that the product contains ingredients other than butterfat or milk oils.

No. 01860. M. J. and M. H. Baalmann, 1263 Mission St., San Francisco, trading as Tysmol Company, will discontinue advertising that Tysmol Absorbent is a powerfully penetrating absorbent which quickly reaches burning, aching tissue, and that application of the preparation will rid one of aching rheumatic pains and should free one from soreness, swelling, stiffness, or tenderness of the muscles or ligaments, unless this latter claim is limited to such conditions when superficial and due to exposure.

No. 01861. Harold Wells Turner, 1133 Broadway, New York, trading as Health Supplies Company, is engaged in selling devices designated as Dr. Wright's Irrigation Outfit and as Wilhide Exhaler. Turner will stop representing that Dr. Wright's Irrigation Outfit, which he advertises as a new internal bath method, will keep the inside of the body clean, and that failure to do so necessarily causes numerous diseases and ailments; that use of his irrigation device will cure those suffering from tuberculosis, rheumatism, catarrh, obesity, biliousness, kidney trouble, headaches and nervousness; that its use usually will abort mental attacks in cases of incipient insanity, and that it constitutes a competent treatment for acute and chronic diseases.

As to the Wilhide Exhaler he sells, Turner agrees to cease representing that its use strengthens the lungs, promotes the power of resisting disease, improves the health, and that it is more effective for such purposes than any other device known to physical cutlure.

No. 01863. B. Gordon, 7811-68th Road, Brooklyn, selling Vital Herbs, agrees to stop representing that use of this preparation will give increased health or energy, and that it is a natural, quick or exclusive method of increasing vitality. Gordon stipulates that he will no longer advertise that his method is recommended by physicians, or has given excellent results in clinics.

No. 01864. Bristol-Myers Company, Rockefeller Center, New York, in the sale of Minit-Rub, agrees to stop asserting that this preparation affords double relief from chest colds, unless the assertion is limited to relief from the symptoms associated with or resulting from chest colds. This company will also stop asserting that Minit-Rub will penetrate to the muscles and deep into the pores, affording long-lasting relief, and that the product will relieve throbbing headaches, unless such claim is limited to indicate throbbing headaches due to nerve disturbances or nasal congestion.

No. 01865. Agreeing to discontinue certain unfair representations in advertising his products, **Lester F. M. Storm,** trading as **Chicago Laboratory Products,** whose address is Box 3690, Merchandise Mart, **Chicago,** has entered into a stipulation.

In the sale of Vitamin E Oil and other preparations advertised as aids in preserving vitality in men and women, Storm agrees to cease asserting that the presence of Vitamin E in the diet is necessary for certain functions of the body, and that Vitamin E Oil will correct Vitamin E deficiency.

No. 01866. Sherwood-Arthur Pharmacal Company, Inc., 306 Gloyd Building, Kansas City, Mo., trading as S. Arthur Company, will cease representing that their Glando Tablets will enable one to regain physical vigor, correct or prevent premature old age, and tend to revive the entire masculine system, or that use of the preparation is indicated for loss of vitality, low blood pressure, mental depression, sluggish mind, or hardening of the arteries.

No. 01867. Raymond C., H. G. and Janet Grandone, trading as Grandone's Laboratory, and as H. G. Grandone Son & Co., 1434 Market St., Harrisburg, Pa., agreed to stop advertising that Grandone's Herbolax ends constipation, is a competent remedy for headache, and affords one a great opportunity to build health or vitality; that Grandone's Cornoff removes soft corns or assures comfort to the feet, and that use of Grandone's Navidin increases weight, helps to stimulate mental action, quiets the nerves, preserves youth, and feeds starved glands. The respondents also will discontinue using the word "Laboratory" in their trade name until such time as they shall maintain a research or commercial laboratory.

No. 01869. M. J. and M. H. Baalmann, trading as J. Baalmann, Manufacturing Chemist, 1263 Mission St., San Francisco, stipulated that they will cease representing that Baalmann's Gas Tablets are a competent treatment for nervous indigestion, extreme nervousness and gas pains in the chest, or that the tablets constitute an effective remedy for heartburn, bloating, drowsiness after meals, headache, dizziness or labored breathing, unless such conditions are due to the accumulation of gas in the stomach or in the intestinal tract.

No. 2046. New York Plywood Co., Inc., 434 East 18th St., New York, distributor of veneers and plywoods, agrees to cease using the terms "Wh Pine" or "White Pine", alone or in connection with other words as descriptive of products not made of wood derived from trees of the white pine group, and to stop employing the word "Walnut" alone or in connection with the word "Oriental" or with other words as descriptive of products not made of wood derived from the walnut tree family.

No. 2047. Silas K. and Arthur S. Himmelreich, and Irwin B. Schmidt, 1123 Chestnut St., Philadelphia, trading as John Davis Co., in the sale of fur garments, agree to stop representing furs in any way other than by use of the correct name of the fur of which the garments are composed, as the last word of a description. Such a name shall be printed in type not less conspicuous than that in which the accompanying words are printed. When a dye or blend is used to simulate another fur, the true name of the fur appearing as the last word of the description shall be immediately preceded by the word "dyed" or "blended", compounded with the name of the simulated fur, such as in Hudson Seal—Dyed Muskrat; French Seal—Dyed Coney, and Nutria Lapin—Dyed Coney.

No. 2048. Martin's, Fulton and Bridge Sts., Brooklyn, operating a department store, agrees to stop use in advertising of the words "Silk Crepe" as descriptive of merchandise not composed of silk. The respondent company stipulates that it will also cease using either the word "Silk" or the word "Crepe" alone or in connection with other words so as to imply that the merchandise to which such words refer is composed of silk, when such is not a fact.

No. 2049. Max Beck, 421 Market St., Philadelphia, trading as Valley Brook Knitting Mills, in the sale of men's underwear and other wearing apparel, agrees to stop using the words "Knitting Mills" as part of his trade name or in any way so as to imply that he manufactures the products he sells, or that he actually owns or operates a plant in which they are made, when such is not a fact.

No. 2050. Garbo Hat Company, 304 Ninth St., **Jersey City, N. J.,** trading as **Radio Hat Company,** has entered into a stipulation to discontinue misrepresentation of certain headgear it sells in interstate commerce.

The firm agreed to cease selling hats and caps which it manufactures from second-hand, worn or discarded materials, unless there is stamped upon or affixed to such products, in a conspicuous place so as to be readily seen, words clearly indicating that the material from which the hats and caps are made is not new and unused but is second-hand, worn or discarded.

FTC CLOSES CASE

No. 3077. Closing of its case against **The Texas Company,** 135 East 42nd St., **New York,** distributor of petroleum products and automobile parts and accessories, has been ordered by the Federal Trade Commission. The company was charged with violation of the Clayton Act and the Federal Trade Commission Act.

According to the order, the case was closed because the respondent company, in December, 1936, voluntarily discontinued the acts and practices charged in the complaint, which was issued on March 12, 1937, and because it did not appear to the Commission that there was any reason to believe that the alleged violations of law would be resumed.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning, Monday, October 4.

Monday, October 4

HEARING BEFORE AN EXAMINER

(Broadcast)

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Special experimental authority, **1210 kc.,** 100 watts, simultaneous day WBRB and share WGNY, WGBB. Present assignment: **1210 kc.,** 100 watts, shares WGNY, WGBB, and WBRB.

KSTP—National Battery Broadcasting Co., St. Paul, Minn.—C. P., **1460 kc.,** 50 KW, unlimited time. Present assignment: **1460 kc.,** 10 KW night, 25 KW LS, unlimited.

WJSV—Columbia Broadcasting System, Inc., Washington, D. C.—C. P., **1460 kc.,** 50 KW, unlimited time. Present assignment: **1460 kc.,** 10 KW, unlimited.

WGAR—The WGAR Broadcasting Co., Cleveland, Ohio.—C. P., **1450 kc.,** 1 KW night, 5 KW LS, unlimited, using directional antenna at night. Present assignment: **1450 kc.,** 500 watts night, 1 KW LS, unlimited.

Tuesday, October 5

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Keystone Broadcasting Co., New Castle, Pa.—C. P., **1250 kc.,** 250 watts, daytime.

WKAR—Michigan State College, East Lansing, Mich.—C. P., **850 kc.,** 5 KW LS, daytime. Present assignment: **850 kc.,** 1 KW LS, daytime.

WLVA—Lynchburg Broadcasting Corp., Lynchburg, Va.—C. P., **1390 kc.,** 500 watts, unlimited time. Present assignment: **1200 kc.,** 100 watts night, 250 watts LS, unlimited.

Wednesday, October 6

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—William C. Smith, Bogalusa, La.—C. P., **1310 kc.,** 100 watts, unlimited time.

KQW—Pacific Agricultural Foundation, Ltd., San Jose, Calif.—C. P., **1010 kc.,** 1 KW night, 5 KW LS, unlimited. Present assignment: **1010 kc.,** 1 KW, unlimited.

NEW—Larry Rhine, San Francisco, Calif.—C. P., **980 kc.,** 250 watts, daytime.

KRRV—Red River Valley Broadcasting Corp., Sherman, Tex.—C. P., **1450 kc.,** 500 watts, unlimited time. Present assignment: **1310 kc.,** 250 watts, daytime.

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—C. P., **620 kc.,** 500 watts, unlimited. Present assignment: **1200 kc.,** 100 watts night, 250 watts LS, unlimited.

Thursday, October 7

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. 1-412:

NEW—Pacific Acceptance Corp., San Diego, Calif.—C. P., **1200 kc.,** 100 watts, daytime.

Examiner's Report No. 1-327:

NEW—Smith, Keller & Cole, San Diego, Calif.—C. P., **1200 kc.,** 100 watts, daytime.

Examiner's Report No. 1-421:

WREN—The WREN Broadcasting Co., Inc., Lawrence, Kans.—Authority to transfer control of corporation; **1220 kc.,** 1 KW, 5 KW LS, shares with KFKU.

Examiner's Report No. 1-403:

NEW—Lilliam E. Keifer, Brooklyn, N. Y.—C. P., **1500 kc.,** 100 watts night, 100 watts LS, specified hours (facilities WMBQ).

WWRL—Long Island Broadcasting Corp., Woodside, L. I.—Modification of license, **1500 kc.,** 100 watts night, 250 watts LS, specified hours (facilities WMBQ). Present assignment: **1500 kc.,** 100 watts night, 250 watts LS, specified hours.

NEW—Paul J. Gollhofer, Brooklyn, N. Y.—C. P., **1500 kc.,** 100 watts night, 100 watts LS, specified hours (requests facilities WMBQ).

WMBQ—Metropolitan Broadcasting Corp., Brooklyn, N. Y.—Renewal of license, **1500 kc.,** 100 watts night, 100 watts LS, specified hours.

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—M. M. Valentine, Laredo, Tex.—C. P., **1500 kc.,** 100 watts night, 250 watts LS, unlimited.

WEED—William Avera Wynne, Rocky Mount, N. C.—C. P., **1240 kc.,** 500 watts, unlimited time.

Friday, October 8

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Broadcasters, Inc., Gastonia, N. C.—C. P., **1420 kc.,** 100 watts night, 250 watts LS, unlimited.

WRVA—Larus & Bros. Co., Inc., Richmond, Va.—C. P., **1110 kc.,** 50 KW (DA), unlimited.

APPLICATIONS GRANTED

WGAR—The WGAR Broadcasting Co., Cleveland, Ohio.—Granted C. P. for changes in equipment.

KELA—Central Broadcasting Corp., Centralia-Chehalis, Wash.—Granted modification of C. P. approving transmitter between Centralia-Chehalis, Wash., and studio at Pacific Highway, between Centralia-Chehalis; also changes in authorized equipment and installation of vertical radiator.

KMPC—Beverly Hills Broadcasting Corp., Beverly Hills, Calif.—Granted modification of license to change name to KMPC The Station of the Stars, Inc.

KTFI—Radio Broadcasting Corp., Twin Falls, Idaho.—Granted extension of special experimental authority to operate with 1 KW night-time for the period 10-1-37 to **1-1-38.**

KGKY—A. W. Hilliard, Scottsbluff, Nebr.—Granted authority to transfer control of Hilliard Co., Inc., from present stockholders to L. L. Hilliard.

KGKY—Hilliard Company, Inc., Scottsbluff, Nebr.—Granted renewal of license for the period July 1, 1937, to January 1, 1938; **1500 kc.,** 100 watts night, 250 watts day, unlimited.

WHO—Central Broadcasting Co., Davenport, Iowa.—Granted special experimental authority to use 50-KW transmitter for experimental transmission facsimile signals, 12 midnight to 6 a. m., CST, daily, on regularly assigned frequency **1000 kc.**

KTAT—Tarrant Broadcasting Co., Fort Worth, Tex.—Granted authority to determine operating power by direct measurement of antenna input.

WNEI—Indianapolis Power & Light Co., Indianapolis, Ind. (Mobile).—Granted renewal of license for the period 10-1-37 to 10-1-38; frequencies **1646, 2090, 2190, 2830 kc.,** unlimited, 1.5 watts.

WFBM—Indianapolis Power & Light Co., Indianapolis, Ind.—Granted renewal of license for the period October 1, 1937, to April 1, 1938; **1230 kc.,** 1 KW night, 5 KW day, unlimited.

WWSW—Walker & Downing Radio Corp., Pittsburgh, Pa.—Granted extension of present license for period of 30 days.

KTFI—Radio Broadcasting Corp., Twin Falls, Idaho.—Granted amended C. P. for authority to move station locally and install new antenna system.

WCBD—WCBD, Inc., Chicago, Ill.—Granted license to cover C. P., frequency **1080 kc.,** 5 KW night and day, sharing with WMBI.

WAYX—E. F. Sapp and S. F. Sapp, d/b as Waycross Broadcasting Co., Waycross, Ga.—Granted license to C. P., **1200 kc.,** 100 watts night, 250 watts day, unlimited time.

WMBF—Isle of Dreams Broadcasting Corp., Miami, Fla.—Granted license to cover C. P. authorizing installation of auxiliary transmitter at 600 Biscayne Blvd.

KRLD—KRLD Radio Corp., Dallas, Tex.—Granted license to cover C. P., **1040 kc.,** 10 KW, sharing equally with KTHS.

WJAR—The Outlet Company, Providence, R. I.—Granted license to cover C. P., **890 kc.,** 1 KW night, 5 KW day, using directional antenna system day and night.

WBHP—Wilton Harvey Pollard, Huntsville, Ala.—Granted license to cover C. P. and modifications thereof, **1200 kc.,** 100 watts, unlimited.

WAYX—E. F. Sapp and S. F. Sapp, d/b as Waycross Broadcasting Co., Waycross, Ga.—Granted modification of C. P. for changes in equipment and increase in day power to 250 watts.

WMC—Memphis Commercial Appeal Co., Memphis, Tenn.—Granted license to cover C. P. for auxiliary purposes only; **780 kc.,** 500 watts.

WDBJ—Times-World Corp., Roanoke, Va.—Granted C. P. to install auxiliary transmitter for 1 KW for emergency use only.

WDOD—WDOD Broadcasting Corp., Chattanooga, Tenn.—Granted authority to determine operating power by direct measurement of antenna.

KPQ—Wescoast Broadcasting Co., Wenatchee, Wash.—Granted authority to install automatic frequency control apparatus.

W3XDD—Bell Telephone Laboratories, Inc., Whippany, N. J.—Granted C. P. for increase in power to 50 KW.

WISN—Hearst Radio, Inc., Milwaukee, Wis.—Granted license to cover C. P., **1120 kc.,** 250 watts night, 1 KW day, emergency purposes only.

WJRD—James R. Doss, Jr., Tuscaloosa, Ala.—Granted license to cover C. P., **1200 kc.,** 250 watts ,daytime only.

WDGY—George W. Young, Minneapolis, Minn.—Granted modification of C. P. extending completion date from 10-1-37 to 12-1-37.

KMAC—W. W. McAllister, San Antonio, Tex.—Granted temporary extension of existing license for period of 1 month.

KFQD—Anchorage Radio Club, Inc., Anchorage, Alaska.—Granted temporary extension of existing license for period of 2 months.

WBRC—Birmingham Broadcasting Co., Inc., Birmingham, Ala.—Granted temporary extension of existing license for period of 1 month.

NEW—National Broadcasting Co., Inc., Mobile (New York City).—Granted C. P. for new relay station, frequencies **1606, 2022, 2102** and **2758 kc.,** 100 watts. Also granted license covering same.

NEW—National Broadcasting Co., Inc., Mobile (New York City).—Granted C. P. and license for new relay station, frequencies **1606, 2022, 2102** and **2758 kc.,** 100 watts.

NEW—Miami Broadcasting Co., Mobile (Miami Area), Fla.—Granted C. P. for new relay broadcast station, frequencies **31100, 34600, 37600** and **40600 kc.,** 15 watts.

W9XUX—Head of the Lakes Broadcasting Co., Mobile (Duluth, Minn.).—Granted license to cover C. P. for relay broadcast station on an experimental basis, frequencies **33100, 34600, 37600** and **40600 kc.,** 2 watts.

W10XHI—Columbia Broadcasting System, Inc., Mobile (New York City).—Granted license to cover C. P. for relay broadcast station on an experimental basis, frequencies **33100, 34600, 37600** and **40600 kc.,** 15 watts.

W10XHF—Columbia Broadcasting System, Inc., Mobile (New York City).—Granted license to cover C. P. for experimental relay broadcast station, frequencies **39700, 39900, 40800** and **41400 kc.,** 5 watts.

KAXD—A. H. Belo Corp., Mobile (Dallas, Tex.).—Granted license to cover C. P. for new relay broadcast station, frequencies **1622, 2058, 2150** and **2790 kc.,** 75 watts.

WADA—Charleston Broadcasting Co., Mobile (Charleston, W. Va.).—Granted license to cover C. P. for relay broadcast station, frequencies **1622, 2058, 2150** and **2790 kc.,** 40 watts.

SET FOR HEARING

NEW—Arlington Radio Service, Inc., Arlington, Va.—C. P., already in hearing docket, amended to request **1150 kc.,** 1 KW, daytime only, exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

WMBG—Havens & Martin, Inc., Richmond, Va.—C. P. amended to request installation of new equipment and increase in power from 500 watts to 1 KW, using directional antenna for day and night operation.

WQDM—Regan and Bostwick, St. Albans, Vt.—Special experimental authorization to increase hours of operation from daytime only to unlimited; **1390 kc.,** 1 KW.

WMIN—Edward Hoffman, tr/as WMIN Broadcasting Co., St. Paul, Minn.—Assignment of license to WMIN Broadcasting Co.; **1370 kc.,** 100 watts night, 250 watts day, unlimited.

NEW—Roberts-MacNab Co., Livingston, Mont.—C. P. to erect a new station, **1210 kc.,** 100 watts night, 250 watts day, unlimited time, exact transmitter and studio sites to be determined with Commission's approval.

WACO—KTSA Broadcasting Co., Waco, Tex.—C. P. for changes in equipment; increase in day power to 250 watts.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—C. P. to install new equipment; increase day power to 5 KW, with directional antenna system.

WFBR—The Baltimore Radio Show, Inc., Baltimore, Md.—C. P. to move transmitter locally, approximately 5 miles, to Reedbird Ave. and Seamon Ave. Install new equipment and directional antenna system for day and night operation; increase night power to 1 KW, day power to 5 KW.

KILU—Arkansas Radio & Equipment Co., Little Rock, Ark.—Renewal of license for relay broadcast station.

NEW—Church of Jesus Christ of Latter-Day Saints, Salt Lake City.—C. P., already in hearing docket, amended to request new international station in Saltair, Utah, to operate on **6020, 9510** and **11710 kc.**

W1XAL—World Wide Broadcasting Corp., New York City.—Modification of license to add Pan American frequencies **9550, 11730, 15130** and **21500 kc.,** on temporary provisional basis. To be heard before Broadcast Division.

NEW—Allen R. DuMont Laboratories, Inc., Upper Montclair, N. J.—C. P. for new television broadcast station on an experimental basis under the provisions of Rules 1031, 1033 and 1034, requesting frequencies **46000-56000 kc.,** 50 watts visual and 50 watts aural power, unlimited time, in accordance with Rule 983 (a).

WRTD—The Times Dispatch Publishing Co., Inc., Richmond, Va.—C. P. to make changes in equipment; install new equipment; change assignment from **1500 kc.** to **1050 kc.,** and power from 100 watts to 500 watts, unlimited time. To be heard before the Broadcast Division.

WKBZ—Karl L. Ashbacker, Muskegon, Mich.—Voluntary assignment of license to Ashbacker Radio Corp.; **1500 kc.,** 100 watts night, 250 watts day, unlimited.

NEW—W. H. Kindig, Hollywood, Calif.—C. P. for a new station to operate on **710 kc.,** 500 watts, limited time, requesting facilities of KMPC, Beverly Hills, Calif., exact location to be determined subject to Commission's approval.

KMPC—Beverly Hills Broadcasting Corp., Beverly Hills, Calif.—Renewal of license, **710 kc.,** 500 watts, limited time.

W9XF—National Broadcasting Co., Inc., New York City.—C. P. for changes in equipment; increase in power to 50 KW, and addition of four Pan American frequencies: **9550, 11730, 15130, 21500 kc.** To be heard before the Broadcast Division.

W2XAD—General Electric Co., Schenectady, N. Y.—C. P. for changes in equipment; increase in power to 100 watts, and addition of two Pan American frequencies: **9550** and **21500 kc.** To be heard before the Broadcast Division.

SPECIAL AUTHORIZATIONS

KUMA—Albert H. Schermann, Yuma, Ariz.—Granted extension of special temporary authority to remain silent for the period September 21 to October 20, pending action on application for C. P. to move transmitter.

WKBV—Knox Radio Corp., Richmond, Ind.—Granted special temporary authority to operate from 9:45 a. m. to 10 a. m., CST, September 24, 27, 29, October 1, 4, 6, 8, 11, 13 and 15, in order to broadcast Earlham College Chapel Service.

WCAT—South Dakota State School of Mines, Rapid City, S. Dak.—Granted special temporary authority to operate from 8:45 to 11:30 p. m., CST, September 24, October 1, 2, 15, 22, 29 and 30, in order to broadcast College and High School Football games.

The Birmingham News Co., Birmingham, Ala.—Granted special temporary authority to operate a relay broadcast transmitter on the frequencies of **31100, 34600, 37600, 40600 kc.;** 2 watts, for experimental tests September 24, 25 and 26, and program transmission from State Fair for the period September 27 to October 2, for rebroadcast over WSGN.

WRUF—University of Florida, Gainesville, Fla.—Granted special temporary authority to operate simultaneously with KOA from 8 p. m., EST, September 25 and October 8, to conclusion of football games between Louisiana State University and the University of Florida and between Temple University and University of Florida.

WKBV—Knox Radio Corp., Richmond, Ind.—Granted special temporary authority to operate 1:30 to 5:15 p. m., CST, September 25, October 2 and 16, 1937, in order to broadcast Earlham College Football Games direct from the playing field.

WAXB-WAXC—Alford J. Williams, Care of Gulf Oil Corp., Pittsburgh, Pa.—Granted special temporary authority to include operation of relay broadcast stations WAXB and WAXC at Municipal Airport, Toledo, Ohio, on September 26, and Municipal Airport, Knoxville, Tenn., on October 15.

WHDF—The Upper Mich. Broadcasting Co., Calumet, Mich.—Granted special temporary authority to operate from 12:30 p. m. to 3:30 p. m., CST, Saturdays, October 2, 9, 16, 23 and 30, 1937, in order to broadcast play-by-play accounts of football games; also to operate from 12:30 to 3:30 p. m., CST, October 5 or 6, and each day thereafter as may be necessary to broadcast play-by-play account of World Series.

KFIO—Spokane Broadcasting Corp., Spokane, Wash.—Granted special temporary authority to operate from local sunset (October sunset, 5 p. m., PST) to conclusion of football games to be played October 3 and 24.

WIBW—Topeka Broadcasting Assn., Inc., Topeka, Kans.—Granted special temporary authority to rebroadcast over WIBW the conversation carried on between experimental stations W5XAR and W5XAS of the Western Radio Telegraph Co. for period of not more than 1 hour between October 11 and 17, flying weather permitting.

WBRB—Monmouth Broadcasting Co., Red Bank, N. J.—Granted special temporary authority to operate simultaneously with WFAS from 3 to 4:30 p. m., EST, Oct. 16 and Nov. 13, in order to broadcast local football games from the high school stadium at Red Bank.

WNAD—University of Oklahoma, Norman, Okla.—Granted special temporary authority to operate from 10:30 to 11:30 a. m. and from 2 to 4 p. m., CST, Oct. 19, 20, 21, 26, 27 and 28 (provided KGGF remains silent), in order to broadcast special educational programs.

WNYC—City of New York, Dept. of Plant and Structures, New York City—Granted extension of special temporary authority to use auxiliary transmitter located at 29 Ft. Green Place, Brooklyn, as main transmitter, while moving in accordance with modification of C. P., for period October 2 to no later than October 30, 1937.

KMBC—Midland Broadcasting Co., Kansas City, Mo.—Granted special temporary authority to rebroadcast over station KMBC conversation carried on between experimental stations W5XAR and W5XAS of Western Radio Telegraph Co., for a period of not more than 1 hour between October 3 and 8, flying weather permitting.

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Granted special temporary authority to operate simultaneously with WBRB from 5 to 5:30 p. m., EST, Saturday, October 2, in order to broadcast program of local interest to Westchester County listeners; a football roundup of local interscholastic and nearby collegiate football scores.

WMBQ—Joseph Husid, Receiver for Metropolitan Broadcasting Corp., Brooklyn, N. Y.—Granted extension of special temporary authority for Joseph Husid, Receiver for Metropolitan Broadcasting Corp., to operate station WMBQ for the period October 1 to October 30, pending action on any applications affecting WMBQ.

WPEN—Wm. Penn. Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to increase power to 1 KW night in order to counteract interference caused by CMX, Havana, Cuba, and WWJ, Detroit, KPRC, Houston, Texas, for period October 1 to October 30.

WRAX—WRAX Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to increase power to 1 KW night in order to counteract interference caused by CMX, Havana, Cuba, and WWJ, Detroit, KPRC, Houston, Texas, for period October 1 to October 30.

KGNC—Plains Radio Broadcasting Co., Amarillo, Texas—Granted extension of special temporary authority to operate with reduced power of 1 KW daytime, in accordance with Rule 142, pending receipt of blocking condensers and repairs to power supply equipment for period September 26 to October 5, 1937.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to operate on **560 kc.** with 1 KW at night, for the period October 1 to October 30, 1937, including pending filing of and action on license application to cover C. P. for this authority.

KNST—Palestine Broadcasting Assn., Palestine, Texas—Granted special temporary authority to operate between 7 and 11 p. m., CST, October 1, 8, 15, 22, 28, in order to broadcast the local football games.

WLB—University of Minnesota, Minneapolis, Minn., and WTCN, Minn. Broadcasting Corp., Minneapolis, Minn.—Granted special temporary authority to conduct a joint broadcast between 1:45 and 4:30 p. m., CST, on Saturdays, October 2, 9, 16, 23 and 30, using the 5 KW transmitter of WTCN in order to broadcast University of Minnesota football games.

WCAD—St. Lawrence University, Canton, N. Y.—Granted special temporary authority to operate from 1:30 to 3 p. m. and 4 p. m. to local sunset (October sunset 5:15 p. m., EST), October 2, 9, 16, 23 and 30, 1937, in order to broadcast college football games.

WBAA—Purdue University, W. Lafayette, Ind.—Granted special temporary authority to operate from 4 to 5 p. m., CST, Saturday, October 9, in order to broadcast Homecoming football game at Purdue University.

WMFD—Richard Austin Dunlea, Wilmington, N. C.—Granted special temporary authority to operate from local sunset (5:45 p. m. to 9 p. m., EST, October 11 through October 17, in order to broadcast services of Southern Methodist Conference.

KFJF—Marshall Electric Co., Inc., Marshalltown, Iowa—Granted special temporary authority to rebroadcast conversation carried on between experimental radio stations W5XAR and W5XAS of Western Radio Telegraph Co., for a period of not more than 1 hour between September 22 and September 27, flying weather permitting.

APPLICATIONS DENIED

WESG—Cornell University, Elmira, N. Y.—Denied special temporary authority to operate simultaneously with WWL from 7 p. m., EST, until conclusion of Playoff Baseball Games between New York and Penna. Leagues for period beginning September 17 and ending not later than September 24.

WELI—City Broadcasting Corp., New Haven, Conn.—Denied special temporary authority to operate unlimited time, Sunday, October 10, 1937, in order to celebrate the second anniversary of station WELI.

The following application heretofore set for hearing, was denied as in case of default for failure of applicants to file an appearance in accordance with Rule 104.6(c):

Walter Biddick Co., Tia Juana, Mexico—Authority to supply electrical transcriptions to station XEMO at Tia Juana.

APPLICATIONS DISMISSED

The following application, heretofore set for hearing, was dismissed at request of applicant:

NEW—Decatur Newspapers, Inc., Decatur, Ill.—C. P. for special broadcast station; **1550 kc.**, 1 KW, unlimited time.

The following applications, heretofore set for hearing, were dismissed with prejudice, inasmuch as request for withdrawal was received less than 30 days prior to the hearing scheduled thereon:

NEW—Athens Times, Inc., Athens, Ga.—C. P., **1210 kc.**, 100 watts, 250 watts LS, unlimited time.

NEW—Louisa B. Thornton & M. E. Thornton, d/b as Port Angeles Broadcasters, Port Angeles, Wash.—C. P., **1500 kc.**, 100 watts, 250 watts LS, unlimited time.

NEW—Wm. E. Walker & Merrill F. Chapin, d/b as Walker & Chapin, Oshkosh, Wis.—C. P., **1010 kc.**, 250 watts, unlimited time.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KGCU, Mandan, N. Dak.; KGCM, Albuquerque, N. Mex.; KMBC (auxiliary), Kansas City, Mo.; WCAL, Northfield, Minn.; WLB, Minneapolis, Minn.; WDAE, Tampa, Fla.

WFLA—Fla. West Coast Broadcasting Co., Inc., Clearwater, Fla.—Granted renewal of license for the period ending March 1, 1938.

WHIO—Miami Valley Broadcasting Corp., Dayton, Ohio—Present license extended on a temporary basis only for period ending no later than November 1, 1937, pending receipt and/or action on application for renewal.

KVOR—Out West Broadcasting Co., Colorado Springs, Colo.—Present license extended on a temporary basis only for period ending no later than November 1, 1937, pending receipt and/or action on application for renewal.

WJBO—Baton Rouge Broadcasting Co., Inc., Baton Rouge, La.—Present license extended on a temporary basis only for period ending no later than November 1, 1937, pending receipt and/or action on application for renewal.

WNBZ—Smith and Mace, Saranac Lake, N. Y.—Present license extended on a temporary basis only for period ending no later than November 1, 1937, pending receipt and/or action on application for renewal.

WLBL—State of Wisconsin Dept. of Agr. and Markets, Stevens Point, Wis.—Present license extended on a temporary basis only for period ending no later than November 1, 1937, pending receipt and/or action on application for renewal.

KGBU—Alaska Radio & Service Co., Inc., Ketchikan, Alaska—Present license extended on a temporary basis only for period ending no later than November 1, 1937, pending receipt and/or action on application for renewal.

WGRC—North Side Broadcasting Corp., New Albany, Ind.—Present license extended on a temporary basis for the period ending November 1, 1937, subject to such action as may be taken on application for renewal of license pending before the Commission; and subject, further to the condition that nothing contained in said extension of license shall be construed as a finding that the operation of station is or will be in the public interest beyond the express terms thereof.

KMBC, Kansas City, Mo.; KQW, San Jose, Calif.; KTFI, Twin Falls, Idaho; WFBR and auxiliary, Baltimore; KFIO, Spokane, Wash.

WJAX—City of Jacksonville, Jacksonville, Fla.—Granted renewal of license for the period ending March 1, 1938.

WSUN—St. Petersburg Chamber of Commerce, St. Petersburg, Fla.—Granted renewal of license for the period ending March 1, 1938.

WCAE—WCAE, Inc., Pittsburgh, Pa.—Granted renewal of license on a temporary basis subject to whatever action may be taken by the Commission upon application for renewal.

WCAE—WCAE, Inc., Pittsburgh, Pa.—Granted renewal of license on a temporary basis subject to whatever action may be taken by the Commission upon application for auxiliary.

WABG—Memphis Commercial Appeal Co., Mobile—Granted renewal of Relay Broadcast Station license.

KNEF—Radio Service Corp. of Utah, Mobile—Granted renewal of Relay Broadcast Station license.

KILU—Arkansas Radio & Equipment Co., Mobile—Granted renewal of license on a temporary basis for the period October 1, 1937 to October 1, 1938, subject to whatever action the Commission may take on application of this station for renewal of license.

WTNJ—WOAX, Inc., Trenton, N. J.—Present license further extended on a temporary basis only to November 1, 1937, subject to such action as may be taken on pending application for renewal.

KABJ—Central States Broadcasting Co., Mobile—Granted renewal of relay broadcast station license.

KIIS—Harris Co. Broadcast Co., Mobile—Granted renewal of relay broadcast station license.

KIIR—KFAB Broadcasting Co., Mobile—Granted renewal of relay broadcast station license.

WBPA—The Natl. Life and Accident Ins. Co., Inc., Mobile—Granted renewal of relay broadcast station license.

KIEF—Seattle Broadcasting Co., Mobile—Granted renewal of relay broadcast station license.

WGBF—WBNS, Inc., Mobile—Granted renewal of relay broadcast station license.

WAAG—Julio M. Conesa, Mobile—Relay broadcast station license extended on a temporary basis only for the period ending no later than November 1, 1937, pending receipt and/or action on renewal application.

KIJG—Eagle Broadcasting Co., Inc.—Mobile—Relay broadcast station license extended on a temporary basis only for the period ending no later than November 1, 1937, pending receipt and/or action on renewal application.

KIIV—Charles L. Jaren, Mobile—Relay broadcast station license extended on a temporary basis only for the period ending no later than November 1, 1937, pending receipt and/or action on renewal application.

KIIQ—KMTR Radio Corp., Mobile—Relay broadcast station license extended on a temporary basis only for the period ending no later than November 1, 1937, pending receipt and/or action on renewal application.

KABV—McClatchy Broadcasting Co., Mobile—Relay broadcast station license extended on a temporary basis only for the period ending no later than November 1, 1937, pending receipt and/or action on renewal application.

WABV—Juan Piza, Mobile—Relay broadcast station license extended on a temporary basis only for the period ending no later than November 1, 1937, pending receipt and/or action on renewal application.

WJLF—WBNU, Inc., Mobile—Relay broadcast station license extended on a temporary basis only for the period ending no later than November 1, 1937, pending receipt and/or action on renewal application.

ACTION ON EXAMINERS' REPORTS

WNBC—Ex. Rep. 1-350: State Broadcasting Corp., New Britain, Conn.—Granted C. P. to make changes in equipment; install directional antenna (site to be determined); change power from 250 watts day to 1 KW day, 250 watts night; change hours of operation from daytime to unlimited; **1380 kc.** Order effective November 16, 1937. Examiner M. H. Dalberg sustained.

NEW—Ex. Rep. 1-398: Stanley Reid & Charles Withnell Boegel, Jr., d/b as The Rapids Broadcasting Co., Cedar Rapids, Ia. —Denied C. P. for new broadcast station to operate on **1310 kc.,** 100 watts, unlimited time. (Site to be determined, subject to Commission's approval.) Order effective November 30, 1937. Examiner George H. Hill sustained.

WLB—Ex. Rep. 1-463: University of Minnesota, Minneapolis, Minn.—Granted C. P. to install new equipment; make changes in antenna; change frequency from **1250** to **760 kc.;** increase power from 1 KW to 1 KW night, 5 KW day; change hours from specified to sharing with WCAL (⅔ daytime). Examiner P. W. Seward sustained. Order effective November 23.

WTCN—Minn. Broadcasting Corp., Minneapolis, Minn.—Granted modification of license to change hours of operation from specified to unlimited time; **1250 kc.,** 1 KW night, 5 KW day. Examiner Seward sustained. Order effective November 23.

WCAL—St. Olaf College, Northfield, Minn.—Granted C. P. to make changes in equipment; install new antenna; change frequency from **1250 kc.** to **760 kc.;** increase power from 1 KW night, 2½ KW day to 5 KW; change hours of operation from specified to sharing with WLB (⅓ daytime). Examiner Seward sustained. Order effective November 23.

WPEN—Ex. Rep. 1-440—Wm. Penn Broadcasting Co., Philadelphia, Pa.—Granted modification of license to change hours of operation from sharing with WRAX to unlimited time; **920 kc.;** 250 watts night, 500 watts day; directional antenna for night use (facilities of WRAX). Also granted authority to transfer control of corporation from Clarence H. Taubel to John Iraci; and granted modification of license to increase power from 250 watts night, 500 watts day to 1 KW, using directional antenna; **920 kc.,** share with WRAX.

WRAX—WRAX Broadcasting Co., Philadelphia, Pa.—Granted authority to transfer control of corporation from Clarence H. Taubel to John Iraci. Also granted modification of license to increase power from 250 watts night, 500 watts day to 1 KW, using directional antenna both night and day; **920 kc.,** sharing with WPEN. Order in the above cases effective November 2, 1937. Examiner Tyler Berry sustained in part.

WGL—Ex. Rep. 1-477: Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—Granted C. P. to make changes in equipment and increase in day power from 100 watts to 250 watts; **1370 kc.,** 100 watts night, unlimited time. Order effective November 2, 1937. Examiner Tyler Berry sustained.

ACTION ON PETITIONS

Pittsburgh Radio Supply House, The Head of the Lakes Broadcasting Corp., and Intermountain Broadcasting Corp.—Dismissed respondents' petition for rehearing and applicant's (WATR's) statement in opposition, involving C. P. for **1290 kc.,** 250 watts, unlimited time (Docket 4292), since these parties have filed a notice of appeal from the decision of the Broadcast Division in this matter in the Court of Appeals for the District of Columbia.

NEW—Hildreth & Rogers Co., Lawrence, Mass.—Dismissed petition for extension of effective date of the Commission's order on the application of the Merrimac Broadcasting Co., Inc., for special experimental authority for satellite station at Lawrence, Mass., operating on **1370 kc.,** 10 to 100 watts power, unlimited time.

NEW—Michael F. Murray, St. Cloud, Minn.—Denied petition for rehearing and request for extension of effective date of decision of the Broadcast Division upon applications of The Times Publishing Co., and Michael F. Murray, St. Cloud, Minn. (Ex. Rep. 1-325).

KWBG—The Nation's Center Broadcasting Co., Inc., Hutchinson, Kans.—Denied further hearing on application for C. P. to install directional antenna for nighttime use, change frequency from **1420** to **550 kc.,** and increase power from 100 to 250 watts, unlimited time, and dismissed demurrer thereto of the Pulitzer Publisher Company, respondent.

APPROVED LETTER TO RADIO MANUFACTURERS ASSOCIATION

The Commission approved a letter to the Radio Manufacturers Association relative to the establishment of 455 kc. as a protected intermediate frequency for the radio manufacturing set industry. This letter contemplates the establishment of the following policies by the Commission:

1. That the Commission will endeavor not to authorize any new frequency assignments in the band 450–460 kc.

2. That no change in existing assignments within this band will be made by the Commission.

3. That in case a change of policy in regard to Nos. 1 and 2 above is necessitated at a later date, the Commission will notify the Radio Manufacturers Association of any contemplated action.

RULE 229 MODIFIED

Rule 229 was modified in part as follows: 5085 kc. FIXED.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

NEW—Honolulu Broadcasting Co., Ltd., Honolulu, T. H.—**1010 kc.,** 250 watts, unlimited time.

KGMB—Honolulu Broadcasting Co., Ltd., Honolulu, T. H.—**580 kc.,** 1 KW, unlimited time.

ORAL ARGUMENTS GRANTED

The Broadcast Division granted oral arguments on the following Examiner's Reports to be held December 16, 1937:

Ex. Rep. 1-461—Ann Arbor Broadcasting Co., Inc., Ann Arbor, Mich.; Ex. Rep. 1-476—Summit Radio Corp., Akron, Ohio, and Ex. Rep. 1-487—Geo. W. Taylor Co., Inc., Williamson, W. Va.

EFFECTIVE DATE CHANGED

NEW—Ex. Rep. 1-377, Radio Enterprises, partnership of J. R. Curtis & R. Lacy, Lufkin, Texas—Effective date of order extended to September 28, 1937.

NEW—Ex. Rep. 1-377, Red Lands Broadcasting Assn., Lufkin, Texas—Effective date of order extended to September 28, 1937.

MISCELLANEOUS

KWBG—Nations Center Broadcasting Co., Inc., Hutchinson, Kans. —Granted petition to intervene in the hearing on the application of John P. Harris, for a C. P. to establish a new station at Hutchinson, Kansas, to operate on **710 kc.,** 1 KW, unlimited time.

KROW—Educational Broadcasting Corp., Oakland, Cal.—Granted petition to intervene in the hearing on the application of Larry Rhine for a new station in San Francisco to operate on **980 kc.,** 250 watts daytime.

NEW—James T. Hurley, Salisbury, N. C.—Granted petition to intervene in the hearing on the application of Earl Vance Hedrick, for C. P. to establish a new station in Salisbury, N. C., to use frequency **1340 kc.,** 1 KW, daytime.

KJBS—Julius Brunton & Sons Co., San Francisco, Calif.—Granted petition to intervene in the proceedings on the application of Larry Rhine for a new station in San Francisco.

NEW—Times Printing Co., Chattanooga, Tenn.—Granted petition to intervene in the proceedings on the application of the Voice of Detroit, Inc., for new station at Detroit, Mich., using **1120 kc.,** 500 watts, 1 KW LS, unlimited time.

NEW—Lawrence K. Miller, Pittsfield, Mass.—Denied petition for leave to amend application for C. P. to establish a new station on frequency **930 kc.,** 250 watts, daytime hours. This case was heard by an Examiner who submitted his report (1.372) thereon recommending denial of application. On July 2, 1937, the Division remanded the application for further hearing, and the case is now calendared to be heard further on September 23, 1937.

NEW—Y. W. Scarborough & J. W. Orvin, Charleston, S. C.—Denied petition to amend application with regard to location and type of antenna. Applicants seek a C. P. for new station to use **1210 kc.,** 100 watts night, 250 watts day, unlimited time.

WCLS—WCLS, Inc., Joliet, Ill.—Granted petition to withdraw application for modification of license to use **1310 kc.,** 100 watts, unlimited time, without prejudice.

NEW—National Life and Accident Ins., Co., Nashville, Tenn.—Granted motion for Continuance of Hearing to a date not earlier than December 14, 1937, on application for C. P. to use **1370 kc.,** 100 watts night, 250 watts LS, unlimited time.

Granted petition of WDOD Broadcasting Corp., Chattanooga, Tenn., to intervene in the proceedings upon the application of the Times Printing Co., for a new station at Chattanooga, Tenn., using **1120 kc.,** 500 watts, 1 KW LS, unlimited time.

Granted petition of Golden Gate Broadcasting Co., licenses of station KGGC, San Francisco, to intervene in the hearing upon the application of Larry Rhine for a C. P. to erect a new station in San Francisco to use **980 kc.,** 250 watts, daytime hours.

Granted petition of Western Ontario Broadcasting Co., Ltd., licensee of station CKLW, Windsor, Ontario, to intervene in the proceeding upon the application of the First Baptist Church of Pontiac, Mich., for authority to transmit programs to radio station CKLW.

Granted petition of WAPO, W. A. Patterson, Chattanooga, Tenn., to intervene in the hearing upon the application of the Times Printing Co., for C. P. to establish a new station in Chattanooga, Tenn., upon the frequency **1120 kc.,** 500 watts, 1 KW LS, unlimited time.

Granted petition of station WIBA, Madison, Wis., to intervene in the hearing upon the application of Four Lakes Broadcasting Co., Madison, Wis., for C. P. to establish a new station on frequency **830 kc.,** 100 watts, daytime hours.

Granted petition of WAPO, Chattanooga, Tenn. to intervene in the application of WWPC, Inc., Pittsburgh, Pa., for C. P. to establish a new station using frequency **1120 kc.,** 250 watts, unlimited time.

Granted petition of Carl E. Haymond (KIT), Yakima, Wash., to intervene in the hearing upon the application of Shirley D. Parker to establish a new station at Yakima, Wash., using frequency **1310 kc.,** 100 watts, 250 watts LS, unlimited time.

Granted petition of WAPO, Chattanooga, Tenn., to intervene in the hearing on the application of the Voice of Detroit, Inc., Detroit, Mich., for a C. P. to establish a new station upon frequency **1120 kc.,** 500 watts, 1 KW LS, unlimited time.

Granted petition of WTCN, Minneapolis, Minn., to intervene in the proceeding upon the application of KSTP, St. Paul, Minn., for a C. P., specifying frequency of **1460 kc.,** 50 KW, unlimited time.

Granted petition of Dr. Geo. W. Young (WDGY), Minneapolis, Minn., to intervene in the proceedings upon the application of KSTP, St. Paul, for C. P. using **1460 kc.,** 50 KW, unlimited time.

Granted petition of the Food Terminal Broadcasting Co., Cleveland, Ohio, to intervene in the proceeding upon the application of the WGAR Broadcasting Co., for C. P. to establish a new station in Cleveland, using frequency **1450 kc.,** 1 KW, 5 KW LS, unlimited time.

Granted petition of WSIX, Inc., Nashville, Tenn., to intervene in the hearing on the application of National Life and Accident Ins. Co., Inc., for C. P. to establish a new station in Nashville, using frequency **1370 kc.,** 100 watts, 250 watts LS, unlimited time.

Granted petition of Broadcasters, Inc., for a 30-day continuance of hearing upon its application for C. P. to establish a new station in Gastonia, N. C., using **1420 kc.,** 100 watts, 250 watts LS, unlimited hours, now calendared for October 8. A new date will be fixed by the Docket Section.

Denied motion of the Summit Radio Corp., Akron, Ohio, to strike exceptions of the American-Republican, Inc., to Examiner's Report No. 1-476.

Granted petition of Santo Sottile, Charleston, N. C., for postponement for a period of 60 days beyond October 22, 1937, of hearing scheduled on application for C. P. to establish a new station on frequency **1200 kc.,** 100 watts, 250 watts LS, unlimited time.

Denied motion of the Wichita Broadcasting Co., to extend time for oral argument on Ex. Rept. 1-435, from 30 minutes to two hours. However, the Commission, upon consideration of said motion, extended the period for oral argument in these cases from 30 minutes to 1 hour for each applicant.

Denied petition of The Rapids Broadcasting Co., Cedar Rapids, Iowa, to reopen the record in Docket 3922 (Ex. Rept. 1-398), for the purpose of admitting proof of settlement of the judgment against one of the partners or to accept the evidence of satisfaction of said judgment.

Held in "suspension file" application of KVSO, Ardmore, Okla., for authority to install new equipment, and increase day power from 100 watts to 250 watts, in view of provisions of Rule 104.7.

Held in "suspension file" application of Auburn Publishing Co., Auburn, N. Y., for new station at Auburn, to operate on **1310 kc.,** 250 watts day, 100 watts night, pending final determination on application for consent to the transfer of control of WMBO from Roy L. Albertson to the Auburn Publishing Co. This application is set for oral argument before Broadcast Division on October 14, 1937.

RATIFICATIONS

The Broadcast Division ratified the following actions taken on the dates shown:

KGFI—Eagle Broadcasting Co., Inc., Corpus Christi, Tex.—Granted extension program test period 30 days from September 18, 1937. Action taken 9-16.

KGNC—Plains Radio Broadcasting Co., Amarillo, Tex.—Granted authority to operate with reduced power in accordance with Rule 142. Action taken 9-16.

WBHP—Wilton Harvey Pollard, Huntsville, Ala.—Granted extension of program test period 30 days from September 15, 1937. Action taken 9-14.

KWTO—Ozarks Broadcasting Co., Springfield, Mo.—Granted special temporary authority to operate from 5 to 6 a. m., CST, with 1 KW only, September 15 to October 14, 1937, inclusive, in order to conduct an experimental farm program. Action taken 9-14.

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Granted special temporary authority to use Model 105-C W. E. transmitter in place of transmitter now licensed for period not to exceed 15 days, due to mechanical difficulties with present transmitter and while same is under repair. Action taken 9-15.

W2XDG—National Broadcasting Co., Inc., New York City.—Granted extension of special temporary authority to operate high frequency broadcast station W2XDG on frequency 38.65 megacycles for the period September 17 to October 16, pending definite arrangements to be made in the ultra high frequency bands. Action taken 9-16.

WOR—Bamberger Broadcasting Service Inc., Newark, N. J.—Granted special temporary authority to rebroadcast program originating from U. S. Army airplanes, September 21 and 22, in the vicinity of New York in connection with broadcast of aerial observations of American Legion Parade. Action taken 9-16.

WSVS—Seneca Vocational High School, Buffalo, N. Y.—Granted extension of special temporary authority to remain silent from September 16 to 27, due to postponement of opening of the public schools because of epidemic of infantile paralysis. Action taken 9-16.

WBZ—Westinghouse Electric and Manufacturing Co., Boston, Mass.—Granted special temporary authority to rebroadcast over stations WBZ and WBZA and over National Broadcasting Co. network accounts of search for "Endeavor I", lost at sea, originating on any Coast Guard boat which may be in saerch for lost boat, for a period not to exceed 10 days. Action taken 9-17.

WBZA—Westinghouse Electric and Manufacturing Co., Boston, Mass.—Granted special temporary authority to rebroadcast over stations WBZ and WBZA and over National Broadcasting Co. network accounts of search for "Endeavor I", lost at sea, originating on any Coast Guard boat which may be in search for lost boat, for a period not to exceed 10 days. Action taken 9-17.

KPRC—Houston Printing Corp., Houston, Tex.—Granted extension special temporary authority to operate with 5 KW power night for period September 21 to October 20, 1937. Action taken 9-18.

National Broadcasting Co., Inc., New York City.—Granted special temporary authority to rebroadcast program material originating U. S. Army aircraft squadron flying over New York City during parade of American Legion on September 21. Action taken 9-18.

WJDX—Lamar Life Ins. Co., Jackson, Miss.—Granted special temporary authority to use RCA Type 250-D transmitter with indirect power measurement and operate with reduced power of 250 watts day and night for period not to exceed 30 days, in order that present equipment may be made inoperative and that new transmitter of 5 KW as authorized by C. P. may be installed in same location. Action taken 9-18.

Peoples Pulpit Assn., Brooklyn, N. Y.—Set for hearing application for authority under Sec. 325 of the Communications Act to transmit a program through wire facilities of American Telephone and Telegraph Co. from Coliseum, State Fair, Columbus, Ohio, to station COCQ, Havana, Cuba, program of Judge Rutherford, from 12 noon to 1 p. m., EST, September 19. Action taken 9-16.

Granted petition of WAVE, Inc., to intervene in the proceedings upon the application of WLBG, Inc., Petersburg, Va. (WPHR), for C. P., Docket 4681.

The Commission ratified the following actions taken on the dates shown:

Denied request of the Pittsburgh Radio Supply House, the Head of the Lakes Broadcasting Company, and the Intermountain Broadcasting Corp. to postpone from time to time the effective date of the order of the Broadcast Division entered July 6, 1937, granting the application of the WATR Company, Inc., for C. P. (Docket 4294).

Approved a corrected order in the Brooklyn cases. General Session Minute No. 538 has been corrected in accordance therewith, and the stenciled and permanent minutes will reflect the corrections made.

Denied request of Continental Radio Co. to postpone the effective date of the order of the Broadcast Division entered July 6, 1937, granting the application of Community Broadcasting Company for C. P., Docket No. 2667, and denying the application of Continental Radio Co. for C. P., Docket No. 3301, until 20 days shall have expired after final decision upon its petition for rehearing upon said applications.

Retired to the docket files the petition of Lawrence K. Miller requesting a rehearing upon the application of Harold Thomas for C. P. to erect a new broadcast station at Pittsfield, Mass., inasmuch as a notice of appeal and petition requesting a stay of the Commission's decision and order has been filed by Lawrence K. Miller in the U. S. Court of Appeals for the District of Columbia.

The Commission adopted and published a statement of facts and grounds for decision in the Brooklyn cases, station WBBC and others.

WCAX—Burlington Daily News, Inc., Burlington, Vt.—Granted special temporary authority to operate 7 to 8 p. m., EST (instead of DST as specified in S.A.) for the period September 27 to 30, to broadcast sponsored sports review; to operate from 7 to 8 p. m., EST, for the period October 1 to 31, for sponsored sports programs, and to operate from 2 to 4:30 p. m., EST, October 2, 9, 16, 23 and 30, 1937, for sponsored Yale football games.

Granted petition of Sentinel Broadcasting Corp. to intervene in the proceedings upon the application of Colonial Broadcasting Co. for new station at Morristown, N. J.

Granted petition of The Tribune Building Co. (KLX) to intervene in the proceedings upon the application of Larry Rhine for new station in San Francisco.

Granted petition of Tri-State Broadcasting System (KTBS), Shreveport, La., for waiver of Rule 103.8 and accepted the amendment to its application for C. P., Docket 4744, without prejudice. The Broadcast Division directed further that the application in amended form be rerouted through channels for appropriate recommendations by various departments of the Commission, and that the hearing upon the application in its original form, now scheduled for September 27, be cancelled.

Granted petition of First Baptist Church, Pontiac, Mich., and accepted its appearance in the matter of its application for authority to transmit programs to CKLW, Windsor, Ontario, Canada.

Granted motion of W. H. Hartman Co. for continuance of the hearing upon its application for new station at Waterloo, Iowa, Docket 4340, and directed that the hearing be postponed until November 29, 1937.

Granted motion of Seaboard Broadcasting Corp. for continuance of hearing upon its application for new station at Savannah, Ga., Docket 4625, and directed that the hearing be postponed until October 26.

Denied petition of Earl Weir, St. Petersburg, Fla., to withdraw without prejudice his application for C. P., Docket 3868.

Denied petition of Havens and Martin, Inc., to withdraw without prejudice its application for new station at Petersburg, Va., Docket 4562.

The Commission approved the insertion of the following clause as a footnote to Rule 229:

9540)		15120)	
9550)	9550*	15130)	15130*
9560)		15140)	
11720)			
11730)	11730*	21500—	21500*
11740)			

APPLICATIONS RECEIVED

First Zone

WSAL—Frank M. Stearns, Salisbury, Md.—Modification of con-
1200 struction permit (B1-P-1613) for a new station, requesting approval of antenna, install new transmitter, and approval of transmitter and studio sites at 321 E. Main Street, Salisbury, Md.

WAAB—The Yankee Network, Inc., Boston, Mass.—Modification
1410 of license to change power of auxiliary transmitter from 500 watts to 500 watts night, 1 KW day.

WOKO—WOKO, Inc., Albany, N. Y.—License to use W.E. 106-B
1430 transmitter as an auxiliary, using 500 watts power.

Second Zone

WTAR—WTAR Radio Corp., Norfolk, Va.—Construction permit
780 to make changes in directional antenna and install new transmitter, and increase power from 1 KW to 5 KW.

WHAL—Harold F. Gross and Edmund C. Shields, Saginaw, Mich.
950 —Modification of construction permit (B2-P-936) for a new station, requesting change in hours of operation from day to unlimited time, using 500 watts.

WGAL—WGAL, Inc., Lancaster, Pa.—Construction permit to
1500 change frequency from **1500 kc.** to **1510 kc.**; increase power from 100 watts night, 250 watts day, to 1 KW; install a new transmitter; install directional antenna for night use; and move transmitter from 4-10 West King St., Lancaster, Pa., to Marietta Pike, Lancaster Twp., Lancaster, Pa. Amended re geographic location.

Third Zone

WFLA—Florida West Coast Broadcasting Co., Inc., Tampa, Fla.—
620 Modification of license to change studio site from Auditorium Music Hall, Clearwater, Fla., to Tarr Building, Tampa, Fla.

WBRC—Birmingham Broadcasting Co., Inc., Birmingham, Ala.—
930 Involuntary transfer of control of corporation from Marcellus D. Smith, Jr., deceased, to Eloise H. Smith, Executrix of the estate of Marcellus D. Smith, Jr.

WFOY—Fountain of Youth Properties, Inc., St. Augustine, Fla.—
1210 License to cover construction permit (B3-P-1839) for increase in power and changes in equipment.

WJBY—Gadsden Broadcasting Co., Inc., Gadsden, Ala.—License
1210 to cover construction permit (B3-P-1806) for changes in equipment, installation of vertical antenna, increase power, and move of transmitter and studio.

KPAC—Port Arthur College, Port Arthur Tex.—Construction per-
1260 mit to make changes in transmitter; install directional antenna for night use; change frequency from **1260 kc.** to **1230 kc.**; increase power from 500 watts to 1 KW; and change hours of operation from daytime to unlimited time.

WAML—New Laurel Radio Station, Inc., Laurel, Miss.—License
1310 to cover construction permit (B3-P-1825) for changes in equipment and increase in power.

WTAL—Florida Capitol Broadcasters, Inc., Tallahassee, Fla.—
1310 Construction permit to make changes in equipment and increase power from 100 watts to 100 watts night, 250 watts day.

WAPO—W. A. Patterson, Chattanooga, Tenn.—Construction per-
1420 mit to install a new transmitter and directional antenna for night use; change frequency from **1420 kc.** to **1120 kc.**; increase power from 100 watts night, 250 watts day, to 500 watts night, 1 KW day.

KTBS—Tri-State Broadcasting System, Inc., Shreveport, La.—
1450 Construction permit to change frequency from **1450 kc.** to **620 kc.** and install directional antenna for day and night

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* Available for non-government assignments to International Broadcast stations on a temporary basis and subject to cancellation at the discretion of the Commission without advance notice or hearing.

use. Amended to make changes in proposed directional antenna and move transmitter from Dixie Gardens, near Shreveport, La., to R. F. D. No. 1, Dixie Gardens, Shreveport, La. (approximately 3 miles from present site).

WRGA—Rome Broadcasting Corp., Rome, Ga.—License to cover
1500 construction permit (B3-P-1862) for changes in transmitting equipment.

NEW—Southern Broadcasting Corp., Covington, La.—Construc-
1500 tion permit for a new station to be operated on **1500 kc.**, 100 watts night, 250 watts day, unlimited time. Amended to give transmitter and studio sites as to be determined, Covington, La.

NEW—Jonas Weiland, Kinston, N. C.—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.**, 35 watts.

NEW—The Birmingham News Co., Birmingham, Ala.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 2 watts.

NEW—The Birmingham News Co., Birmingham, Ala.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 2 watts.

Fourth Zone

WTMJ—The Journal Co. (The Milwaukee Journal), Milwaukee,
620 Wis.—License to cover construction permit (B4-P-1713) for a new transmitter.

WHO—Central Broadcasting Co., Davenport, Iowa.—Special ex-
1000 perimental authorization to operate a facsimile station from 10 p. m. to 4 a. m., PST, on **1000 kc.**

KSOO—Sioux Falls Broadcast Assn., Inc., Sioux Falls, S. Dak.—
1110 License to cover construction permit (B4-P-1774) for installation of vertical antenna.

KELO—Sioux Falls Broadcast Assn., Inc., Sioux Falls, S. Dak.—
1200 License to cover construction permit (B4-P-696) as modified for a new station.

WHBF—Rock Island Broadcasting Co., Rock Island, Ill.—Con-
1240 struction permit to install vertical antenna; move transmitter from 102 18th Street, Rock Island, Ill., to SE¼ of Section 2, Twp. 17 N, Range 1 W, near Rock Island, Ill. Amended to change frequency from **1210 kc.** to **1240 kc.**; install a new transmitter; increase power from 100 watts night, 250 watts day, to 500 watts night, 1 KW day; and install directional antenna for night use.

WJBL—Commodore Broadcasting, Inc., Decatur, Ill.—Construc-
1310 tion permit to install a vertical antenna; change frequency from **1200 kc.** to **1310 kc.**, hours of operation from share WJBC to unlimited; and move transmitter from 301 N. Water St., Decatur, Ill., to Route 48, Decatur, Ill. Facilities of WBOW when WBOW assigned frequency of **1290 kc.** Amended to omit request for change in frequency and hours of operation and omit request for WBOW's facilities.

KGFW—Central Nebraska Broadcasting Corp., Kearney, Nebr.—
1310 Construction permit to install a new transmitter; erect a vertical antenna; increase power from 100 watts to 100 watts night, 250 watts day; and move transmitter and studio from 919 West 27th Street, Kearney, Nebr., to site to be determined, Kearney, Nebr.

NEW—Clinton Broadcasting Corp., Clinton, Iowa.—Construction
1310 permit for a new station to be operated on **1310 kc.**, 100 watts night, 250 watts day, unlimited time.

NEW—Burlington Broadcasting Co., Burlington, Iowa.—Construc-
1310 tion permit for a new station to be operated on **1310 kc.**, 100 watts, unlimited time. Amended re corporate structure.

WJBL—Commodore Broadcasting, Inc., Decatur, Ill.—Modification
1310 of license to change frequency from **1200 kc.** to **1310 kc.**, and hours of operation from share WJBC to unlimited time. Requests facilities of WBOW when WBOW is assigned **1290 kc.**

KFAM—The Times Publishing Co., St. Cloud, Minn.—Modifica-
1420 tion of construction permit (B4-P-884) for a new station, requesting changes in authorized equipment, approval of vertical antenna, approval of transmitter site at 9th Ave. and St. Germain St., St. Cloud, Minn., and studio at Breen Hotel, 9th Ave. and St. Germain St., St. Cloud, Minn. Amended to change type of equipment.

WMBD—Peoria Broadcasting Co., Peoria, Ill.—License to cover
1440 construction permit (B4-P-1353) for a new transmitter and increase in power.

WMBD—Peoria Broadcasting Co., Peoria, Ill.—Authority to de-
1440 termine operating power by direct measurement of antenna.

NEW—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Construction permit for a new relay broadcast station to be operated on **38900, 39100, 39300, 39500 kc.**, 2 watts.

W9XUP—National Battery Broadcasting Co., St. Paul, Minn.—Modification of construction permit (B4-PHB-37) for a new high frequency broadcast station, requesting approval of a fixed location at North Snelling Avenue, St. Paul, Minn., and antenna system.

NEW—KCMO Broadcasting Co., Kansas City, Mo.—Construction permit for a new relay broadcast station to be operated on **100000, 200000, 300000, 500000 kc.**, 5 watts.

NEW—Indianapolis Broadcasting, Inc., Area of Indianapolis, Ind.—Construction permit for a new relay broadcast station to be operated on **38900, 39100, 39300, 39500 kc.**, 2 watts.

NEW—KCMO Broadcasting Co., Kansas City, Mo.—Construction permit for a new relay broadcast station to be operated on **100000, 200000, 300000, 500000 kc.**, 10 watts.

Fifth Zone

KEHE—Hearst Radio, Inc., Los Angeles, Calif.—Modification of
780 license to change power from 1 KW night, 5 KW day, to 5 KW day and night.

NEW—Mollin Investment Co., Huntington Park, Calif.—Con-
1160 struction permit for a new station to be operated on **1160 kc.**, 100 watts, daytime only.

NEW—Kenneth H. Thompson, Whittier, Calif.—Construction per-
1170 mit for a new station to be operated on **1170 kc.**, 100 watts, limited time to WCAU.

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah.
1290 —Modification of construction permit (B5-P-126) for increase in power, equipment changes, antenna and transmitter site to be determined, further requesting new transmitter, installation of vertical antenna and approval of transmitter site at southwest of Salt Lake City, Utah. Amended to make changes in transmitter and approval of transmitter site at Salt Lake City, Utah.

KARM—George Harm, Fresno, Calif.—Modification of construc-
1310 tion permit (B5-P-905) for a new station, requesting authority to make changes in antenna and transmitting equipment.

KSRO—The Press Democrat Publishing Co., Santa Rosa, Calif.—
1310 License to cover construction permit (B5-P-759) as modified for a new station.

KGEZ—Donald C. Treloar, Kalispell, Mont.—License to cover con-
1310 struction permit (B5-P-1535) for new antenna and move of transmitter.

NEW—Evening News Press, Inc., Port Angeles, Wash.—Construc-
1500 tion permit for a new station to be operated on **1500 kc.**, 100 watts night, 250 watts day, unlimited time.

Puerto Rican Zone

WPRA—Puerto Rico Advertising Co., Mayaguez, P. R.—Con-
1370 struction permit to change frequency from **1370 kc.** to **630 kc.**; make changes in antenna; change power from 100 watts night, 250 watts day, to 250 watts day and night; and change hours of operation from specified hours to unlimited time.

The National Association of Broadcasters
NATIONAL PRESS BUILDING * * * * * WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

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McNinch Assumes Duties as Chairman of the FCC

TRANSCRIPT OF FIRST PRESS CONFERENCE

Frank R. McNinch, former chairman of the Federal Power Commission, was sworn in as chairman of the Federal Communications Commission on October 1, succeeding the late Anning S. Prall. The following day he held his first press conference and indicated that he would hold similar conferences regularly at least during the time new policies may be formulated by the Commission.

During the course of the conference with the newsmen the new chairman was asked many questions. He discussed radio monopoly, newspaper ownership of broadcasting stations, trafficking in station licenses and many other matters of similar interest. Following is a stenographic transcript of the first press conference:

Let's begin the conference by my giving you a copy of the President's letter to me with regard to my work at the Federal Communications Commission.

I have no prepared statement but will be glad to try to answer any questions you may want to ask me.

I may begin with a few general observations. First I want to say that my reception by the members of the Federal Communications Commission has been just as cordial as it could have been if they, instead of the President, had selected me for this job, and I have been given assurance by the members of the Commission that I shall have their full and hearty cooperation. I shall need and shall count heavily on their support, for without this my efforts would be futile. With the support of the Commission, and as one of the seven members thereof, acting in harmony, I am confident we shall be able to do some constructive things in the public interest.

I regard broadcasting as a public utility, subject to regulation and to me regulation does not mean "strangulation" but it does mean regulation by the Commission and not being regulated by the industry or anybody else. I have had a part in the work of the Power Commission as a member and later as Chairman. That industry has grown and prospered under a policy of vigorous yet fair regulation. It has definitely resulted in the elimination of some things in the industry which were not in the public interest in my opinion but, notwithstanding that, the sum total of the result is that that industry is today in my judgment on a sounder basis and enjoying a larger measure of prosperity than ever before in its history.

The Communications Commission's statute makes it perfectly clear that there can be no vested right in the use of radio frequencies. The statute provides, if I recall clearly, that before a license can be granted the licensee must waive any claim against the control of the United States. I shall do what I can within the statute to prevent or break up anything, if there has been anything, of what is commonly known as "trafficking in licenses."

Q. What do you mean by that?

A. I understand that under the statute the licensee has nothing to sell except the physical property which belongs to licensee. This seems clear from the provisions of the law against vesting any rights in the use of frequencies and the expressed waiver by licensee of any such claim and the further provisions forbidding transfers either voluntary or involuntary except with the consent of the Commission. One can sell only that to which he has title, either absolute or qualified.

Q. Would he have any good will?

A. None whatever, in my judgment. There can be no good will to pass on to another, it seems to me, when a license is for the limited term of six months and with no legal right to renewal and can be renewed or transferred only by written permission of the Commission and when furthermore the statute specifically forbids vested rights, within which term good will might be thought by

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some to come. I shall be interested to know, as licenses come before the Commission for action, what is the actual, legitimate cost or value of the equipment that would follow with the transfer of a license. In my opinion by reason of various statutory provisions the legal maxim, *caveat emptor,* "Let the buyer beware," has even more than usual significance because the buyer is put on notice by the statute that there is nothing he can purchase except physical property if the Commission is willing for the license to be transferred.

Q. In that connection would there be any advantage to a going concern?

A. I would not try to answer that categorically now, as I am not familiar with all the provisions of the statute. But "going concern" is a somewhat different thing than "good will." The latter implies, in part, the legal right to sell the continued use of a good name, carrying with it the good will of customers or the public, while "going concern" may, for illustration, include the legitimate expense of organizing a business and getting it going. However, I reserve completely my opinion on this question.

Q. Have you any views on newspaper ownership of stations?

A. I have not. I regard that as one of the important policy problems to be thought through and either determined by the Commission or presented to the Congress with such recommendations, if any, as the Commission may see fit to make for determination.

Q. Will you support Mr. Payne's request to Powell Crosley for a complete financial statement?

A. I neither now give nor fail to give support because I am not informed and, therefore, have no opinion at present.

Q. Have you any opinion in regard to exclusive rights in radio?

A. If by that you mean monopoly, I have. The statute forbids monopoly in broadcasting and my own views are in complete harmony with this provision of the statute. I am not now sufficiently informed to know whether there may be rare situations in which a limited monopoly may or may not be able to serve the public interest better and more economically. I want to think more about this.

Q. Monopoly would mean both local and national monopoly?

A. I should think so but on that I must reserve my opinion. However, I see at present no fundamental distinction.

Q. You have no flat feeling about networks owning stations?

A. No, I do not.

Q. How do you feel about Government ownership?

A. That is a subject to which I have not yet given thought.

Q. How many members of your Commission will sit on the radio division?

A. The present arrangement provides for three. Whether I may recommend a different arrangement I do not now know.

Q. You will serve on the radio division?

A. The Commission designates the members of the divisions. I want to be a member of each division, or at any rate to be in close touch with not only radio but also telephone and telegraph work equally. In that connection it may be a very good place for me to say that, while there has been considerably more in the press about radio than telephone and telegraph, I shall not permit my energies to be completely absorbed in any one particular phase of this Commission's work. I know very little about telephone and telegraph but I think all of us know —the man in the street knows—that telephone and telegraph affect universally and very materially both the social and economic welfare of our people. I shall take active interest in both of these industries and if there appear to be things existing there not in the public interest I shall go directly into them and assist the Commission in such way as I can in their correction.

Q. Do you think this Commission should engage in fixing charges in radio activities?

A. The statute forbids that. I am not certain that subsequent legislation should not provide for some measure of control of charges by radio just as the statute does provide for control of interstate charges made by telephone and telegraph. Saying that, I am advertent to the definition in the statute that telephone and telegraph are common carriers and that radio is not a common carrier but it is not necessary in law that an industry be a common carrier to be subject to regulation. I have read in the press now and then some statements about amounts of money supposed to have been made by this, that or another broadcasting organization. I know nothing about them. However, I have no hesitancy in saying that, while the statute does not now provide for regulation of broadcasting charges, I question the wisdom of a policy which would leave forever free from regulatory control the charges made by any public utility.

Q. Do you feel that since broadcasting stations are required to be licensed by the Federal Government that their fees should be subject to control by the Government? In other words, do you think that, since they have licenses from a Federal agency, that their degree of financial gain is to be regulated by the Federal Government?

A. The statute absolutely forbids the Commission doing what you indicate might be desirable. If the Commission had the authority, it would regulate the earnings by regulating the charges.

Q. Do you think that the radio industry should pay fees that would cover the cost of administration?

A. I have not thought that through. I have read articles pro and con and know that in other countries the arrangement is different than in the United States, but I have no opinion about it at present.

Q. Have you formed any opinion upon a tax for broadcasters?

A. No, I have not.

Q. This rate fixing, would that be rates charged on radio stations for their time?

A. Have they anything else to sell? I am not sufficiently informed to know the answer.

Q. Do you think there is a chance of recommendation to Congress in the next session?

A. I would hope that by next session I shall know more about the situation than I do now. I have tentative views but those are held in reserve until I know more about the situation and exchange views with my colleagues. I know little about my new work. My work has been in the electric power field. I am approaching my work with an open mind, desiring to hear and receive impressions and views of others who may be able to help me.

I hold to the doctrine of Thomas Jefferson, that "When a man accepts a public trust he should consider himself public property." There shall be no secrets about anything I do, nor any secrets about any opinions I may have unless I may think it inadvisable to announce an opinion before action. I am not here to do anything for anybody. I shall make such investigations as appear to be necessary to enable me to ascertain what may have been done, but which may not be beyond the power of correction. I am not going to spend my time in graveyards, listening to ghosts. I have a real job as I view it. I face the future but I shall not neglect the past if it appears to me that the past may be a lamp to guide my feet. There will be no covering up of anything by me. I care not how high nor how low it goes. I would not have accepted the job had I not been given a completely free hand to do what I think is right. My judgment and my conscience are going to be my only guides. As a member of an independent Commission, created by the Congress, I gladly recognize my responsibility to the Congress. Beyond that I have no boss except the public. I have been serving that public for some years and, if you know anything about my course on the Power Commission, you may guess fairly accurately what my course here may be.

Q. Do you anticipate any changes on the Commission now?

A. No.

Q. Have you any views as to investigation by Congress?

A. Knowing no more than I do about the situation, I cannot say that I have any views. Whether there should be an investigation by the Congress is a matter for the Congress and not for me or the Commission to determine. However, I shall make some investigation myself in order that I may work more effectively. I do not mean anything spectacular, or formal. I mean that I am going to try to get at what is the situation here in order that I may do my duty as it appears to me.

Q. What will be done about the transfers and licenses filed from time to time? Will they be acted upon immediately or wait until you have had time to form a policy?

A. I do not know what the present procedure is but I would not suggest any delay which would visit injustice on anyone. About the furthest I can go in that direction is that upon major matters pending before the Commission I shall hope that it will not appear to the Commission that giving me a reasonable time to inform myself will do injustice to anyone.

Q. Have you given any thought to the question of extending the license period?

A. I have not.

Q. You made the statement that there would be no covering up of anything about anyone either high or low. Is it your understanding that it has been done in the past?

A. No. That statement was based on what has been in the press. I do not know that there has been anything here that would not stand the white light of publicity if the facts were known. However, I think all of us are familiar with the saying that where there is a lot of smoke at least there may be a little fire. And I am a Bible reader, incidentally. The greatest piece of literature on earth. And one of the things I recall that the great preacher in Ecclesiastes said, is: "Where there is no wood the fire goeth out; and where there is no talebearer the strife ceaseth." I shall not put any wood on the fire. I shall try to dissuade any other who might be so inclined, for if there has been any fire, let's put it out.

Q. Do you intend to have regular press conferences now?

(Here followed free for all discussion and many suggestions. It was agreed that press conferences would be held, the details to be announced later.)

Q. Have you formed any opinion at all about super power stations?

A. No, I have not.

Q. Do you expect to have that matter settled before the International Telecommunications Conference?

A. No, I had not thought of it as waiting on any particular conference.

Mr. McNinch made public the following letter from the President which he received upon his appointment to the Communications Commission:

"As you go to your new assignment as Chairman of the Federal Communications Commission, I want you to know that I am confident you will render an important public service in a field which so vitally affects the public welfare. I am sure your colleagues and the public will expect and welcome from you aggressive and fearless leadership with fairness to all interests concerned. I hope and believe you will have the necessary support and cooperation of your associates and the staff, and you are assured of any help I can properly give you.

"I regard it as of prime importance that you assist the Commission in formulating policies and principles of action and procedure. After any Commission may have had sufficient experience to enable it to do so, the public and all who may have business with such agency should be advised as to principles and policies by which the Commission will be guided. In this way all who are concerned may be able to anticipate a reasonably consistent course of action.

"I earnestly hope you may be able to complete your assignment within a few months so that you may return to your post as Chairman of the Federal Power Commission."

The oath as chairman was administered on October 1 in the presence of the members of the Federal Communications Commission and of the Federal Power Commission, of which Mr. McNinch resigned as chairman to accept his new post at the request of President Roosevelt.

Judge Eugene O. Sykes, Acting Chairman of the Federal Communications Commission since the death of Mr. Prall, extended a hearty welcome on behalf of the Federal Communications Commission to the new Chairman. Judge Sykes said the government will find the services of Mr. McNinch most valuable.

Vice Chairman Clyde L. Seavey, of the Federal Power Commission, took occasion to pay a high tribute to Mr. McNinch saying he is a fine executive and a man of exceptional character. He expressed the belief that the new commissioners will learn "to love him as we have in our association with him as Chairman of the Federal Power Commission."

Responding to the hearty welcome of Judge Sykes, Mr. McNinch said "this is an occasion of mingled regret and pleasure." He expressed the hope that he is parting only for a short time from his colleagues and associates of the Federal Power Commission, where, he said, his association had been so delightful, but found compensation in this new opportunity to render valuable public service "in cooperation with those of us who are now charged with the responsibility of the Federal Communications Commission."

The entire staff of the Federal Power Commission assembled in its hearing room to pay a parting tribute to the man who has served with that Commission for seven years and for more than four years has been its Chairman.

General Counsel Oswald Ryan, Chief Engineer Roger B. McWhorter, and Mrs. Veitch of the Personnel Division, made brief addresses expressing appreciation of Mr. McNinch's service in the Federal Power Commission, the regret of the entire personnel at parting with their chief, wishing him success in his new office, and expressing hope for his early return.

Speaking to his "comrades" of the Federal Power Commission, Mr. McNinch thanked them for their loyalty, ability and devotion to the public service and said he would welcome a return upon completion of the special work to which he had been called. He paid a high tribute to Vice Chairman Seavey, who becomes Acting Chairman, spoke of his long experience, and told the Federal Power Commission staff to "carry on" with the same enthusiasm and efficiency that had been rendered him during his chairmanship.

The members of both the Federal Communications Commission and the Federal Power Commission were guests of Chairman McNinch at luncheon at the Raleigh Hotel, following his taking the oath of office at the Federal Communications Commission.

NAB BOARD OF DIRECTORS AND NAB STATE COMMITTEE WILL MEET IN NEW YORK CITY

The President of the NAB, John Elmer, announced this week that he had notified the Officers and Directors of the NAB that a meeting of the Board would be held in New York City Sunday, October 10, at 10:30 o'clock AM, at the Waldorf Astoria Hotel. Mr. Elmer also announced that a joint meeting of the Board of Directors and the NAB State Committee would be held at the same place at 10:30 AM Monday October 11 and that a further meeting of the Board of Directors would be held Monday afternoon at an hour yet to be determined.

These meetings are preparatory to the Special NAB Convention which will be convened in New York City at the Waldorf Astoria Hotel Tuesday, October 12, at 10 AM.

Facilities for registering Delegates will be available Monday and all who can are urged to register early.

COMMITTEE PREPARING FOR HABANA INTER-AMERICAN RADIO CONFERENCE

A meeting will be held in Room 7355 of the New Post Office Building at 10:00 A. M., Friday, October 8, 1937, for the purpose of considering the broadcast phases of the Inter-American Radio Conference to be held at Habana, Cuba, beginning November 1, 1937. This meeting of the Habana Preparatory Group will be devoted to matters relating to broadcasting in the band 540-1600 kc.

All interested parties are invited by the FCC to attend.

The NAB will be represented by James W. Baldwin, managing director.

MICHIGAN BROADCASTERS ORGANIZE

The broadcasters of the State of Michigan in a meeting held at Detroit, October 4, organized the Michigan Broadcasters Association.

The following were elected Officers and Directors: President, James F. Hopkins (WJBK); Vice-president, John E. Fetzer (WKZO); Secretary-treasurer, Howard Loeb (WFDF); Directors, William J. Scripps (WWJ); Owen Uridge (WJR); Arch Shawd (WXYZ); Roy Radner (WIBM).

NEW ORLEANS STATION RECOMMENDED

WSMB, Inc., applied to the Federal Communications Commission for a construction permit for the erection of a new station at New Orleans, La., to use 1500 kilocycles, 100 watts and 250 watts LS and unlimited time on the air.

Examiner Melvin H. Dalberg in Report No. I-497 recommended that the application be granted. He states that "because of the chain affiliations of several stations in the New Orleans area and of the rather indifferent service rendered by the two local stations, there appears to be a need for the local service contemplated by this application."

The Examiner states further that "no interference would occur to or from any existing station by reason of this grant." He says also that favorable action is recommended because the application "distinctly contemplates the rendering of service to the New Orleans area which does not now satisfactorily exist."

RECOMMENDS NEW TEXAS STATION

The Dr. William S. Jacobs Broadcasting Company applied to the Federal Communications Commission for a construction permit for the erection of a new station at Houston, Texas, to use 1220 kilocycles, 1,000 watts and unlimited time on the air.

Examiner Tyler Berry in Report No. I-498 recommended that the application be granted. He found that there is a need for the additional service in the area proposed to be served, that there is local talent available for the station and that granting of the application would be in the public interest.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3231. A complaint has been issued charging **James T. Jarrell,** trading as **Standard Business Training Institute,** Genesee Building, **Buffalo,** with use of unfair methods of competiton in the interstate sale of a correspondence course of instruction intended to prepare students for positions as traffic inspectors or checkers for transportation companies.

Use of the name Standard Business Training Institute, it is alleged, is misleading in that it implies and serves as a representation that Jarrell gives instruction in various business subjects and that his school is a large and an extensive institution. The complaint alleges that the respondent's course of instruction is limited to the one subject of traffic inspection, or checking, which is a type of employment rather than a business.

Nos. 3232-3233. Two complaints alleging price discrimination, in violation of the Robinson-Patman Act, have been issued, one against **American Optical Company, Southbridge, Mass.,** and its officers, and the other against **Bausch & Lomb Optical Co., Rochester, N. Y.,** and six wholesaling outlets which it controls.

The complaints allege that the respondents are discriminating in price between different purchasers of their optical supplies of like grade and quality, by allowing certain purchasers lower prices, or adjustments, rebates or discounts in the form of cash or commodities, which are not granted to other purchasers competitively engaged in the resale of optical products.

Customers in whose favor such price discriminations allegedly are made, the complaints charge, are generally the larger dealers, who thus are enabled to undersell their competitors or to furnish superior facilities and services to prospective purchasers, trade thereby being diverted from the smaller retailer to the more favored and larger dealer.

No. 3234. Consolidated Pinnacle Coal Company, 4363 Brighton Boulevard, **Denver, Colo.,** and its president, **Ellis Morrell,** are charged, in a complaint with use of unfair methods of competition in the interstate sale of coal.

As part of their trade name and in advertising matter the respondents allegedly feature the word "Pinnacle" which, according to the compaint, is understood by the purchasing public to signify coal of high quality obtained from the Pinnacle mine, located in Routt County, Colorado, and owned and operated for more than 25 years by Victor American Fuel Co., Denver. Pinnacle coal produced from this mine, the complaint sets out, has consistently maintained a high reputation because of its quality, utility and fuel value, and has long had a constant and favorable good will.

Cease and Desist Orders

The Commission has issued the following cease and desist orders:

No. 2737. An order to cease and desist has been issued against **Davis Paint Co., Inc.,** trading under its own name and as **Robertson Products Co.,** and against its subsidiaries, **Farm & Home Paint Co., New Method Paint Co.,** and **Berry J. Davis,** president and principal stockholder of **Davis Paint Co.,** all of **Kansas City, Mo.**

The order directs these respondents to discontinue certain unfair methods of competition in the sale of their products. They are to cease representing that any of the corporate respondents, except the Davis company, own and operate the factories wherein the products they sell are made; that Davis Paint Co. has factories located elsewhere than in Kansas City, Mo., and Cleveland, Ohio, and to cease asserting in guarantees, or in any other manner, that claims by customers for refunds or adjustments will be allowed, when such claims are not, in fact, so allowed.

Other representations prohibited by the order are that the respondents' paints can be purchased at prices substantially lower than the regular or current prices, and that such paints ordinarily sell for prices substantially higher than those represented to be special, when such are not the facts.

No. 2842. Misrepresentation of the quality of enamel kitchen ware and other enamel ware products sold under the name Federalware, is prohibited under an order to cease and desist entered against **Federal Enameling and Stamping Company, McKees Rock, Pa.**

The respondent company is ordered to discontinue use of the word "stainless," or any word of similar meaning, as a brand or label for or in advertising enamel ware unless the articles so described are made of a material which can successfully withstand the test of boiling in them a solution of 1½ per cent citric acid plus 1½ per cent malic acid for a half hour without showing visible signs of etching or stain.

No. 2931. An order has been entered against **New York State Sheet Metal Roofing** and **Air Conditioning Contractors' Association, Utica, N. Y., Fox Furnace Company, Elyria, Ohio,** and the officers of each, directing them to cease and desist from certain unfair methods of competition in connection with the interstate sale of hot air furnaces.

The New York State association is a trade organization whose membership consists of plumbing contractors and dealers in sheet metal roofing supplies and hot air furnaces. The Fox Company manufactures hot air furnaces.

The order prohibits the respondents from engaging in, by agreement or understanding, any of the following practices:

(1) Holding meetings to devise means of inducing members of trade associations similar to the New York State association not to purchase the products of manufacturers named by the respondents as being manufacturers dealing with mail order houses; (2) printing and publishing so-called "white lists" containing the names of manufacturers, approved by the respondents, who do not sell to mail order houses; (3) using in concert and agreement among themselves and with others coercive and concerted action, threats of boycott and other united action against manufacturers selling to mail order houses, and (4) causing publication and distribution of pamphlets and bulletins to various trade associations and their members, urging them to discontinue purchasing the products of manufacturers named in the pamphlets and bulletins, and urging the associations to induce their membership to discontinue trading with such manufacturers.

Practices ordered discontinued, it was found, tended to monopolize in the respondents the business of dealing in and distributing hot air furnaces; to unreasonably lessen and suppress competition in the industry, and to deprive the purchasing public of the advantages in price, service and other considerations which they would receive under conditions of free and fair competition .

No. 3033. Prohibiting certain unfair methods of competition in the sale of soaps, an order to cease and desist has been issued against **Babiglo Company, Inc.,** 37 West 20th St., **New York.**

Use of the words "olive" or "olive oil" alone or with other words to describe a soap composed in part of olive oil and in part of other oils and fats is banned under the order, unless there conspicuously appears in immediate conjunction with these words other designations truthfully describing the content of the soap.

Use of the expressions "Old Seville," "Old Madrid," or "Infanta," alone or with other words, or use of pictorial representations, as brands or labels for soap, to imply that it was produced in and imported from Spain, is prohibited unless such representations are true. Similar use of the words "Florentine" or "Rosario" is to be discontinued unless the soap was produced in and imported from Italy or Spain.

No. 3050. An order to cease and desist from use of unfair methods of competition, exclusive dealing contracts and price discrimination has been entered against **Christmas Club,** 341 Madison Ave., **New York,** engaged in the sale of pass books, account books, advertising literature, and other pharaphernalia for use by banks and trust companies in the conduct of Christmas clubs and other savings systems.

Some of the practices in which the corporation engaged were found by the Commission to have been in violation of Section 5 of the Federal Trade Commission Act, others in violation of Section 3 of the Clayton Act, and others violative of the Robinson-Patman Anti-Price Discrimination Act.

Among representations to be discontinued in advertising matter, or otherwise, are that the respondent corporation has the right to the sole and exclusive use of and has trade-marked the name "Christmas Club" for its systems; that it is the manufacturer and printer of its systems, unless and until it owns or controls an establishment in which such systems are printed, and that it has spent over a specified period more than $3,500,000, or any other sum, in promoting the Christmas Club name and plan, without accurately explaining the manner in which the sum was computed.

Stipulations

The Commission has entered into the following stipulations:

No. 01796. Drums, Inc., Detroit, has entered into a stipulation to discontinue false and misleading advertising in connection with the sale of Drums, a cleaning preparation for silks and other fabrics.

The respondent corporation agrees to cease advertising that Drums will not shrink, fade, spot, streak, or harm any fabric that cold water will not harm, unless this claim is qualified by the words "when used according to directions." Representations that the preparation renews colors and restores dulled and dirty fabrics to new beauty also will be discontinued.

No. 01868. J. R. Bourdeau, trading as Metallic Sign Letter Company, 431 North Clark St., Chicago, will stop using in advertising matter the words "gold" or "silver" in any manner so as to imply that the sign letters he sells in interstate commerce are made of gold or of silver, in whole or in part, when such is not a fact. He also will discontinue making unmodified representations of earnings in excess of the average earnings achieved by his active, full-time salesmen or dealers under normal business conditions.

No. 01870. The Perfect Manufacturing Company, trading as R. E. Engineers, Oakley, Cincinnati, selling a device designated Add-A-Tube for use in radio sets, will discontinue advertising that use of the product will give longer life to radio tubes and improve reception, unless the latter claim is limited to reception in the older types of sets; that sets equipped with Add-A-Tube will receive broadcasts from domestic or foreign stations not previously received, and that the product will give any radio the same tone, sharpness of selectivity, or clear reception as the latest, most expensive set on the market.

No. 01871. Nish A. Jamgotch, trading as Nish A. Jamgotch Company, 2628 Hennepin Ave., Minneapolis, selling Mothola, will desist from representing that the product affords a permanent protection against and insures safety from moths, and that the odor in most moth-proofing compounds is the moth-destroying property, and when the odor disappears the moth-proofing property of such compounds no longer remains.

No. 01872. Sara B. Plant, Burbank, Calif., trading as Cravex Company, will cease representing that her preparation designated Cravex is a cure for alcoholism or will cause the craving for liquor to disappear, or that it will have any direct effect on the liquor habit, unless this latter claim is expressly limited to soothing the nerves and improving the appetite.

No. 01873. F. Ellerton Smith, Springfield, Mass., trading as Fernando Publishing Company, will cease representing that the course in hypnotism which he sells enables one to control his destiny and overcome all obstacles, to cure disease of any sort without the use of medicine, and to be successful in everything. The respondent will stop using the word "professor" as a title for himself or any person connected with him in business, and will refrain from use of the word "doctor", unless it is stated clearly in connection with such word that he is a doctor of dental surgery.

No. 01874. Resolute Publications, Inc., 404 Fourth Ave., New York, agrees to desist from representing that its publications dealing with subjects in psychology enable one to throw off fear, inferiority and disease and to replace them with health, happiness and prosperity; that they reveal the complete laws of mastery of self and of any hostile factor in life, and that its Great Master Course or Fourteen Lesson Course, or any other article, is given free so long as the recipient is required to subscribe and pay for a magazine in order to obtain the article purported to be free.

No. 01875. Earle J. Hansch, 740 Broadway, Los Angeles, trading as Snugfit Company, agrees to stop advertising that through use of Snugfit, a dental product, one can correct plate trouble and overcome loosening or slipping of the plates; that the product is capable of adapting the plate to mouth tissues perfectly and that any comfort that may be derived through use of the product is permanent.

No. 01876. Foster Manufacturing Company, 736 Keith Building, Elyria, Ohio, engaged in selling Meco-Sazh Ointment and Meco-Sazh Body Machine and other massage devices, will discontinue representing that either of its products will grow hair, stop dandruff or keep the scalp healthy, unless this claim is limited to conditions due to lack of normal blood supply in the scalp area. The company also will cease advertising that Meco-Sazh Body Machine is capable of reducing fatty tissues as effectively as an expert masseur in constant attendance.

No. 01877. Alfred C. Schmidt, 141 North Main St., Memphis, Tenn., trading as Schmidt School of Taxidermy and selling a correspondence course in taxidermy, will discontinue representing that he guarantees to teach anyone by mail to mount animals and birds or to tan hides, or that his course is the finest regardless of the cost of similar courses. Schmidt will stop representing that the price of his course is limited as to the time of acceptance, or otherwise, when such price is the regular price and no limitation as to the acceptance thereof exists. He also will cease awarding diplomas to purchasers of his course unless they are required to demonstrate their knowledge of taxidermy by passing appropriate examinations or meeting other adequate requirements.

No. 2051. Wilbert W. Haase Company, Inc., and **American Vault Works, Inc.,** both of 1015 Troost Ave., **Forest Park, Ill.,** have entered into a stipulation to discontinue false and misleading advertising in the sale of burial vaults. Wilbert W. Haase is president of and a large stockholder in both companies.

The companies agreed to desist from using and from licensing others to use the word "asphalt" as a trade name, in advertising matter, or otherwise, to describe vaults which are not composed of asphalt in their entirety. The stipulation provides that if the vaults are composed in substantial part of asphalt and the word "asphalt" is used to describe them, then the word shall be immediately accompanied by other words so as to indicate clearly that the vaults are not composed wholly of asphalt but in part of some other material.

No. 2052. A stipulation to stop false and misleading representations in advertising certain radio sets has been entered into by **Western Auto Supply Company,** 2107 Grand St., **Kansas City, Mo.,** which operates retail stores in many cities throughout the United States.

The company agreed to discontinue using the words "World-Wide" or "All-Wave" either alone or with the words "Not Just Foreign," or with any other words, to describe radio sets which are not capable of reception over the entire meter range covering all broadcasts; and to cease representing that owners of its sets can have world-wide, continuous reception of short-wave transmissions, with loud-speaker volume, as dependably and as easily as with long-wave or broadcast transmissions.

No. 2053-2054. Misbranding of hosiery sold in interstate commerce will be discontinued by two concerns under stipulations entered into. The companies are **Chipman-Lacrosse Hosiery Mills Company, Inc., of East Flat Rock, N. C.,** and **Standard Hosiery Mills, Inc.,** of **Alamance, N. C.**

Both companies agreed to cease using the word "silk" alone or in any manner, so as to imply that hosiery so described is composed of silk, when this is not true. If hosiery is composed in substantial part of silk and the word "silk" is used to describe it, then, the stipulations provide, the word shall be immediately accompanied by other words in equally conspicuous type so as to indicate clearly that the products are not composed wholly of silk but in part of other materials.

No. 2055. Walton Hosiery Mills, Statesville, N. C., agreed to stop using the phrase "Silk Reinforced with Englo", alone or with any other words, as a brand for hosiery so as to imply that it is composed of a predominating quantity of silk reinforced with a smaller quantity of any material, when such is not a fact. The corporation also will cease using the word "silk" as descriptive of hosiery or the surface thereof so as to imply that it is composed of silk, when this is not true. If the hosiery or its surface is composed in substantial part of silk, and the word "silk" is used to describe its content, then the word shall be immediately accompanied by other words in equally conspicuous type to indicate clearly that the product is not composed wholly of silk, but of other materials.

No. 2057. Garant Hosiery Mills, Murfreesboro, Tenn., will refrain from branding its hosiery with the words "English Rib" so as to create the impression that the hosiery is made in England and in accordance with a process accomplished only by English style machines. In case the hosiery is manufactured elsewhere than in England, but on English style machines, and the words "English Rib" are used as descriptive thereof, then the country in which the hosiery is made shall be clearly indicated thereon.

No. 2056. Trading as **Star Radio Company,** 409 11th St., N. W., **Washington, D. C., Max D. Montague** and **Nathan N. Wallack,** engaged in the sale of washing and ironing machines, vacuum cleaners and radios, have entered into a stipulation to discontinue use in advertising matter, or otherwise, of the word "free" which refers to articles represented to be given without cost to the purchasers of other merchandise, when, in fact, the cost of such articles is included in the selling price of the merchandise.

No. 2059. Reliable Mattress Company, 2028 Walnut St., **St. Louis,** has entered into a stipulation to cease selling or supplying its customers for sale to others, mattresses to which are affixed any false, fictitious or misleading price in excess of the price at which such mattresses are usually sold at retail.

No. 2060. A stipulation to discontinue false and misleading advertising has been entered into by **Marvin Friedland,** trading as **Philadelphia Machinery Company,** 603 Arch St., **Philadelphia,** engaged in the sale of various types of machinery, including electric grinders and tool sets.

Friedland agreed to cease representing that any of his products are given free to the purchaser of other of his products, when the price of the former is included in the price of the latter, or when such product represented as being given free is included not as a gratuity, but for and in consideration of the purchase of some other article. The respondent also will cease advertising that any of his products have a greater value than the prices at which they are usually sold.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning, Monday, October 11.

Monday, October 11

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—S. L. Slover Corp., Norfolk, Va.—C. P., **1370 kc.,** 250 watts, unlimited time.

NEW—Harwell V. Shepard, Denton, Tex.—C. P., **1420 kc.,** 100 watts, daytime.

NEW—First Baptist Church, Pontiac, Mich.—Authority to transmit programs to Station CKLW, Windsor, Ontario, Canada.

KGAR—Tucson Motor Service Co., Tucson, Ariz.—C. P., **1340 kc.,** 250 watts, unlimited time. Present assignment: **1370 kc.,** 100 watts night, 250 watts LS, unlimited.

Tuesday, October 12

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—W. C. Irwin, Amarillo, Tex.—C. P., **1500 kc.,** 100 watts night, 250 watts LS, unlimited.

W3XAU—WCAU Broadcasting Co., Newton Square, Pa.—Modification of license, **6060, 9590, 15150 kc.,** 10 KW, unlimited. Present assignment: **6060, 9590 kc.,** 10 KW, unlimited.

W3XAU—WCAU Broadcasting Co., Newton Square, Pa.—Modification of license, **6060, 9590, 25750 kc.,** 10 KW, unlimited.

NEW—Four Lakes Broadcasting Co., Madison, Wis.—C. P., **830 kc.,** 100 watts, daytime.

KFDM—Sabine Broadcasting Co., Inc., Beaumont, Tex.—Voluntary assignment of license to Beaumont Broadcasting Co.; **560 kc.,** 500 watts night, 1 KW LS, unlimited.

NEW—Northwestern Broadcasting Co., Vernon, Tex. (R. H. Nichols, Pres.),—C. P., **1500 kc.,** 100 watts, unlimited.

Wednesday, October 13

HEARING BEFORE AN EXAMINER

(Broadcast)

W1XEH-W1XLU-W1XO-W1XT-WTIC—Travelers Broadcasting Service Corp., Hartford, Conn.—Voluntary assignment of license to Travelers Broadcasting Co.; **63500 kc.,** 150 watts, unlimited; **290000, 450000 kc.,** 5 watts; **31100, 34500, 37600, 40600 kc.,** 50 watts; **31100, 34600, 37600, 40600 kc.,** 100 watts; **1060 kc.** (SA for **1040 kc.**), 50 KW night, 50 KW LS, share WBAL (SA unlimited time KRLD simul. ex.).

WKBZ—Karl L. Ashbacker, Muskegon, Mich.—Modification of license, **1200 kc.**, 100 watts, 250 watts LS, unlimited.

NEW—Burl Vance Hedrick, Salisbury, N. C.—C. P., **1340 kc.**, 1 KW, daytime.

Thursday, October 14

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. 1-422:

NEW—Troy Broadcasting Co., Inc., Troy, N. Y.—C. P., **950 kc.**, 1 KW, daytime.

Examiner's Report No. 1-430:

WMBO—WMBO, Inc., Auburn, N. Y.—Authority to transfer control of corporation; **1310 kc.**, 100 watts, unlimited.

Examiner's Report No. 1-431:

NEW—Curtis Radiocasting Corp., Indianapolis, Ind.—C. P., **1500 kc.**, 100 watts, 250 watts LS, S.H.

WKBV—Knox Radio Corp., Richmond, Ind.—Modification of license, **1500 kc.**, 100 watts, unlimited time. Present assignment: **1500 kc.**, 100 watts, specified hours.

Examiner's Report No. 1-433:

NEW—Beaumont Broadcasting Assn., B. A. Steinhagen, Pres., Beaumont, Tex.—C. P., **1420 kc.**, 100 watts, unlimited time.

HEARING BEFORE AN EXAMINER

(Broadcast)

WAAB—The Yankee Network, Inc., Boston, Mass.—Modification of license, **1410 kc.**, 1 KW, unlimited time. Present assignment: **1410 kc.**, 500 watts night, 1 KW LS, unlimited.

NEW—Tri-City Broadcasting Co., Inc., Schenectady, N. Y.—C. P., **950 kc.**, 1 KW, unlimited.

WMFJ—W. Wright Esch, Daytona Beach, Fla.—Modification of C. P., **1240 kc.**, 1 KW, unlimited time (C. P. for **1420 kc.**, 100 watts, unlimited time).

WSAY—Brown Radio Service & Laboratory, Rochester, N. Y.—C. P., **1210 kc.**, 100 watts night, 250 watts LS, unlimited. Present assignment: **1210 kc.**, 100 watts, unlimited.

Friday, October 15

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—C. Bruce McConnell, Indianapolis, Ind.—C. P., **1500 kc.**, 100 watts, 250 watts LS, daily except Sunday, 10 a. m. to 12 noon, 6 to 10 p. m. (Requests hours now used by WKBV).

WKBV—Knox Radio Corp., Richmond, Ind.—Renewal of license, **1500 kc.**, 100 watts, specified hours.

KTUL—Tulsa Broadcasting Co., Inc., Tulsa, Okla.—C. P., **1400 kc.**, 1 KW, 5 KW LS, unlimited time. Present assignment: **1400 kc.**, 500 watts, 1 KW LS, unlimited.

NEW—John P. Harris, Hutchinson, Kans.—C. P., **710 kc.**, 1 KW, daytime.

APPLICATIONS GRANTED

KUMA—Albert H. Schermann, Yuma, Ariz.—Granted C. P. approving transmitter site and installation of vertical radiator.

WJBL—Commodore Broadcasting, Inc., Decatur, Ill.—Granted C. P. to move transmitter site locally and install vertical radiator.

KGFI—Eagle Broadcasting Co., Inc., Brownsville, Tex.—Granted license to cover C. P., **1500 kc.**, 100 watts night, 250 watts day, unlimited time.

WRGA—Rome Broadcasting Corp., Rome, Ga.—Granted license to cover C. P., **1500 kc.**, 100 watts night, 250 watts day, unlimited time.

KSRO—The Press Democrat Publishing Co., Santa Rosa, Calif.—Granted license to cover C. P. and modifications thereof; **1310 kc.**, 250 watts, daytime only.

WFOY—Fountain of Youth Properties, Inc., St. Augustine, Fla.—Granted license to cover C. P., **1210 kc.**, 100 watts night, 250 watts day, unlimited.

WOLS—O. Lee Stone, Florence, S. C.—Granted modification of C. P. extending completion date from 10-16-37 to 12-16-37.

WAAB—The Yankee Network, Inc., Boston, Mass.—Granted modification of license to change power of auxiliary transmitter for emergency purposes only, to correspond to the power of the main transmitter.

WXYZ—King-Trendle Broadcasting Corp., Detroit, Mich.—Granted extension of authority to transmit program from station WXYZ to station of Canadian Broadcasting Corp.

WEAU—Morgan Murphy, Eau Claire, Wis.—Granted authority to transfer control of corporation from Morgan Murphy to Elizabeth Murphy; **1050 kc.**, 1 KW, limited time.

WBRC—Eloise H. Smith, Executrix of the Estate of Marcellus D. Smith, Jr., Birmingham, Ala.—Granted involuntary transfer of control of Birmingham Broadcasting Co., Inc., licensee of WBRC, to Eloise H. Smith, as executrix of estate of Marcellus D. Smith, Jr., deceased (**930 kc.**, 1 KW, unlimited).

WBCM—James E. Davidson, Bay City, Mich.—Granted voluntary assignment of license to Bay Broadcasting Co., Inc., a newly organized corporation; **1410 kc.**, 500 watts day and night, unlimited.

KATE—Albert Lea Broadcasting Co., Albert Lea, Minn.—Granted modification of C. P. to change transmitter site locally and make changes in vertical radiator.

NEW—Indianapolis Broadcasting, Inc., Indianapolis, Ind. (Mobile) (2 applications).—Granted C. P. for new relay broadcast station, frequencies **38900, 39100, 39300** and **39500 kc.**, 2 watts.

NEW—Jonas Weiland, Kinston, N. C. (Mobile).—Granted C. P. for new relay broadcast station, frequencies **1622, 2058, 2150** and **2790 kc.**, 35 watts.

NEW—KCMO Broadcasting Co., Kansas City area (Mobile).—Granted C. P. for new experimental relay broadcast station, frequencies **100000, 200000, 300000** and **500000 kc.**, 5 watts.

NEW—KCMO Broadcasting Co., Kansas City area (Mobile).—Granted C. P. for new experimental relay broadcast station, frequencies **100000, 200000, 300000** and **500000 kc.**, 10 watts.

WAXG—Florida Capitol Broadcasters, Inc., Tallahassee, Fla. (Mobile).—Granted license to cover C. P. for new relay broadcast station, frequencies **1622, 2058, 2150** and **2790 kc.**, 40 watts.

W8XNO—Charleston Broadcasting Co., Charleston, W. Va.—Granted modification of C. P. extending commencement date to 11-2-37 and completion date to 5-2-38, and to use frequency **26100 kc.** on an experimental basis.

SET FOR HEARING

NEW—Mittelle Franklin Noble, Anniston, Ala.—C. P. to erect new station, **1420 kc.**, 100 watts, daytime only. Exact transmitter and studio sites to be determined with Commission's approval.

NEW—W. C. Ewing and Harry Layman, d/b as Cumberland Broadcasting Co., Fayetteville, N. C.—C. P. to erect new station, **1340 kc.**, 250 watts, daytime only. Exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

NEW—Young People's Assn. for the Propagation of the Gospel, Philadelphia, Pa.—C. P. for new station, **1220 kc.**, 1 KW, unlimited time, using directional antenna system for day and night-time operation.

NEW—Jack W. Hawkins and Barney H. Hubbs, d/b as Odessa Broadcasting Co., a partnership, Odessa, Tex.—C. P. to erect a new station, **1310 kc.**, 100 watts, daytime only. Exact transmitter site to be determined with Commission's approval.

NEW—William F. Huffman, Wisconsin Rapids, Wis.—C. P. to erect a new station, **580 kc.**, 250 watts, unlimited time, using directional antenna system for night-time operation. Exact studio site to be determined with Commission's approval.

WILL—University of Illinois, Urbana, Ill.—C. P. to make changes in equipment and increase day power from 1 KW to 5 KW, using present directional antenna system.

WDZ—WDZ Broadcasting Co., Tuscola, Ill.—C. P. to install new equipment and increase day power from 250 watts to 1 KW.

WBAA—Purdue University, W. Lafayette, Ind.—C. P. to move station from W. Lafayette, Ind., to near Indianapolis, exact location to be determined subject to Commission approval; to install new equipment; increase power to 1 KW night, 5 KW day; and change hours of operation to unlimited (now operates on **890 kc.**, 500 watts night, 1 KW day, specified hours).

WIP—Pennsylvania Broadcasting Co., Inc., Philadelphia, Pa.—C. P. to install new equipment and increase day power from 1 KW to 5 KW. Exact transmitter site and type of antenna to be determined with Commission's approval.

WJNO—Hazlewood, Inc., W. Palm Beach, Fla.—C. P. to install new transmitter, change frequency from **1200 kc.** to **1330 kc.,** and increase power from 100 watts night, 250 watts day, to 1 KW, unlimited time.

WGBI—Scranton Broadcasters, Inc., Scranton, Pa.—Modification of license to increase night power from 500 watts to 1 KW.

WCPO—Scripps-Howard Radio, Inc., Cincinnati, Ohio.—Modification of license to increase power for night-time operation from 100 watts to 250 watts. To be heard before the Broadcast Division.

WNBR—Memphis Commercial Appeal Co., Memphis, Tenn.—Authority to transfer control of corporation to Memphis Press-Scimitar Co. (**1430 kc.,** 500 watts, 1 KW LS, unlimited).

KRGV—M. S. Niles, Weslaco, Tex.—Authority to transfer control of KRGV, Inc., to O. L. Taylor, Gene A. Howe and T. E. Snowden; **1260 kc.,** 500 watts (C. P. 1 KW), unlimited.

WGES—H. J. Guyon, Thomas H. Guyon, Wm. F. Moss, Louis E. Moulds, Gene T. Dyer (stockholders of Oak Leaves Broadcasting Station, Inc.), Chicago, Ill.—Authority to transfer control from present stockholders to WSBC, Inc.; **1360 kc.,** 500 watts night and day except Sundays, when station has 1 KW LS, share WSBT.

SPECIAL AUTHORIZATIONS

KFJM—University of North Dakota, Grand Forks, N. Dak.—Granted special temporary authority to operate with power of 1 KW from local sunset (September sunset, 6:45 p. m.; October sunset, 5:45 p. m., CST), to the conclusion of football games on October 1, 15 and 22.

Radio Service Corp. of Utah, Salt Lake City, Utah.—Granted special temporary authority to operate two relay broadcast transmitters on frequencies **39700, 39900, 40800** and **41400 kc.,** 15 watts, for the period October 1 to October 30, 1937, to relay broadcast test runs and actual races of Captain Eyston on the Bonneville Salt Flats to be rebroadcast over KSL.

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Granted special temporary authority to operate a 100-watt crystal controlled transmitter between the hours of 1 and 6 a. m., EST, for the period October 4 to November 2, 1937, in order to conduct tests on several sites in the vicinity of Philadelphia.

WMBC—Michigan Broadcasting Co., Detroit, Mich.—Granted special temporary authority to rebroadcast over station WMBC ten-minute program Wednesday between 7 and 7:30 p. m., CST, October 6, originating over state police station WRDS.

WBEO—The Lake Superior Broadcasting Co., Marquette, Mich.—Granted special temporary authority to operate during afternoon hours not now covered by license, for the duration of the World Series games beginning October 6.

WNLC—Thames Broadcasting Corp., New London, Conn.—Granted special temporary authority to operate from local sunset (November sunset, 4:30) to 5 p. m., EST, Sundays, November 7, 14, 21 and 28, 1937, in order to broadcast program of Rev. Charles E. Coughlin.

WRUF—University of Florida, Gainesville, Fla.—Granted special temporary authority to operate simultaneously with station KOA from local sunset (October sunset, 7:15 p. m.) to 8 p. m., EST, October 8, in order to broadcast preliminaries to football game played between Temple University and University of Florida at Philadelphia.

WPHR—WLBC, Inc., Petersburg, Va.—Granted special temporary authority to operate from local sunset (October sunset, 5:30 p. m.) to 6 p. m., EST, on Saturdays, October 9, 16, 23 and 30, in order to broadcast football games.

WBEO—The Lake Superior Broadcasting Co., Marquette, Mich.—Granted special temporary authority to operate from 7:30 to 8:30 p. m., CST, October 9, in order to broadcast a special program originating at Crystal Falls, Mich., for Michigan State Democratic Committee.

WHDF—The Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authority to operate from 6:30 p. m. to 8:45 p. m., CST, October 9, in order to broadcast program to be held at Crystal Falls arranged by the Democratic State Committee. Also granted special temporary authority to operate from 10 to 10:15 a. m., CST, October 12, 13, 14, 15 and 16, 1937, in order to broadcast musical program made up from the WBS program library, and from 10:15 to 10:30 a. m., CST, October 12, 13, 14, 15 and 16, in order to accommodate the Rexall Magic Hour program.

KGFL—KGFL, Inc., Roswell, N. Mex.—Granted special temporary authority to operate simultaneously with KICA from 7:30 to 10:30 p. m., MST, on October 15, 22, 29; November 5 and 12, 1937, in order to broadcast Roswell High School football games.

WBRB—Monmouth Broadcasting Co., Red Bank, N. J.—Granted special temporary authority to operate simultaneously with WGNY from 2 to 3 p. m., EST, October 16 and November 13, 1937, in order to broadcast football games from high school stadium at Red Bank.

KWTO—Ozarks Broadcasting Co., Springfield, Mo.—Granted special temporary authority to rebroadcast over KWTO conversation carried on between experimental stations W5XAR and W5XAS of the Western Radio Telegraph Co., for a period of not more than 1 hour between October 18 and 24, 1937, flying weather permitting.

WBAA—Purdue University, W. Lafayette, Ind.—Granted special temporary authority to operate from 4 to 5 p. m., CST, Saturday, October 30, 1937, in order that station WBAA may broadcast the Purdue-Iowa State football game.

WNYC—City of New York Department of Plant and Structures, New York City.—Granted special temporary authority to operate from 5:45 to 11 p. m., election night, November 2, 1937, in order to broadcast municipal election returns.

WMPC—The First Methodist Protestant Church of Lapeer, Mich.—Granted special temporary authority to operate from 9 to 10 a. m., EST, Monday, Tuesday, Wednesday, Thursday, Friday and Sunday mornings, for a period not to exceed 30 days, in order to broadcast certain educational programs.

WIOD-WMBF—Isle of Dreams Broadcasting Corp., Miami, Fla.—Granted special temporary authority to operate on a frequency of **610 kc.,** with 1 KW power, between the hours of 1 and 6 a. m., EST, for period October 6 to 15, 1937, in order that measurements may be made to determine whether or not present antenna system complies with requirements of Rule 131.

WAXB-WAXC—Alford J. Williams, c/o Gulf Oil Corp., Pittsburgh, Pa.—Granted extension of special temporary authority to operate RCA Type H aircraft transmitter, 5 watts, on board plane NR-1050 owned by A. J. Williams, and RCA Type AVT-7 transmitter, portable on ground, on frequencies **1646, 2090, 2190, 2830 kc.,** as relay broadcast stations for the period October 31 to November 29, 1937, for testing and transmission of program communication service between plane and portable transmitter on ground, in connection with flight demonstrations and Junior Aviator activities at various locations over the U. S.

WEST—Associated Broadcasters, Inc., Easton, Pa.—Denied special temporary authority to operate simultaneously with WKBO from 5:15 to 6 p. m., EST, for the period beginning October 1 and ending no later than October 30, 1937.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KALE, Portland, Ore.; KCRC, Enid, Okla.; KDFN, Casper, Wyo.; KECA, Los Angeles, Calif.; KFBK, Sacramento, Calif.; KFH, Wichita, Kans.; KFJM, Grand Forks, N. Dak.; KGA, Spokane, Wash.; KGER, Long Beach, Calif.; KGHF, Pueblo, Colo.; KGIR, Butte, Mont.; KGNO, Amarillo, Texas; KGNF, North Platte, Nebr.; KGNO, Dodge City, Kans.; KIDO, Boise, Idaho; KIEM, Eureka, Calif.; KLO, Ogden, Utah; KMO, Tacoma, Wash.; KOH, Reno. Nev.; KOMA, Oklahoma City; KOY, Phoenix, Ariz.; KQV, Pittsburgh, Pa.; KRNT, Des Moines, Iowa; KSO, Des Moines; KSTP, St. Paul, Minn.; KWK, St. Louis, Mo.; WAAB and auxiliary, Boston; WBBR, Brooklyn, N. Y.; WBNS, Columbus, Ohio; WCSC, Charleston, S. C.; WDRC, Hartford, Conn.; WEVD, New York City; WFAB, New York City; WFBL, Syracuse, N. Y.; WGES, Chicago; WHIS, Bluefield, W. Va.; WJSV, Washington, D. C.; WKBW, Buffalo, N. Y.; WMPS, Memphis, Tenn.; WORK, York, Pa.; WSPD, Toledo, Ohio; WSFA, Montgomery, Ala.; WSMK, Dayton, Ohio.

ACTION ON EXAMINERS' REPORTS

WFEA—Ex. Rep. 1-180—New Hampshire Broadcasting Co., Manchester, N. H.—Granted renewal of license; **1340 kc.,** 500 watts night, 1 KW day, unlimited time. Order effective November 23, 1937. Examiner P. W. Seward sustained.

KINY—Ex. Rep. 1-386—Edwin A. Kraft, Juneau, Alaska—Granted C. P. to install new equipment; install vertical antenna; change frequencies from **1310 kc.** to **1430 kc.** and increase power from 100 watts to 250 watts, unlimited time. Order effective November 23, 1937. Examiner R. H. Hyde reversed.

KLPM—Ex. Rep. 1-400—John B. Cooley, Minot, N. Dak.—Granted C. P. to make changes in equipment; install vertical antenna; move transmitter from 26 E. Central Ave. to near Minot; change frequencies from **1240 kc.** to **1360 kc.**; increase power from 250 watts to 500 watts night, 1 KW day; change hours of operation from specified to unlimited. Order effective November 23, 1937. Examiner J. P. Bramhall sustained.

ORAL ARGUMENTS GRANTED

Oral Arguments were granted, to be held January 6, 1938, on the following Examiners' Reports:

Ex. Rep. 1-485, KGKO, Wichita Falls, Broadcasting Co., Fort Worth, Texas; Ex. Rep. 1-490, Warren B. Worcester, San Diego, Calif., and Ex. Rep. 1-493, Abraham Plotkin, Chicago, Ill., and Philadelphia Radio Broadcasting Co., Philadelphia.

APPLICATIONS DISMISSED

The following applications, heretofore set for hearing, were dismissed at request of applicants:

NEW—James F. Hurley, Jr., Salisbury, N. C.—C. P., **1500 kc.**, 100 watts, daytime.

NEW—W. Va. Broadcasting Corp., Wheeling, W. Va.—C. P., **1310 kc.**, 100 watts, unlimited.

KNOW—KUT Broadcasting Co., Austin, Texas—Voluntary assignment of license to Hearst Radio Inc.; **1500 kc.**, 100 watts, unlimited.

WACO—KTSA Broadcasting Co., Waco, Texas.—Voluntary assignment of license to Hearst Radio, Inc.; **1420 kc.**, 100 watts, unlimited.

NEW—W. Va. Broadcasting Corp., Charleston, W. Va.—C. P., **1500 kc.**, 100 watts, 250 watts, LS, unlimited.

KTSA—KTSA Broadcasting Co., San Antonio, Texas.—Voluntary assignment of license to Hearst Radio, Inc.; **550 kc.**, 1 KW, 5 KW LS, unlimited.

APPLICATIONS DENIED

NEW—Hollenbeck Heights Christian Church, Los Angeles.—Application for C. P., **1170 kc.**, 100 watts, limited time, heretofore set for hearing, was denied as in case of default for failure of applicant to file an appearance in accordance with Rule 104.6 (c).

NEW—J. F. Rodgers, Harlingen, Texas.—Application for C. P. for **1370 kc.**, 100 watts, 250 watts, LS, unlimited, heretofore set for hearing, was denied as in case of default for failure of applicant to file an appearance in accordance with Rule 104.6 (c).

MISCELLANEOUS

NEW—Earl Weir, St. Petersburg, Fla.—Application for C. P., **1370 kc.**, 100 watts, unlimited time, heretofore set for hearing, was dismissed with prejudice, inasmuch as request for withdrawal was received less than 30 days prior to hearing scheduled thereon.

Granted petition of WAVE, Inc., Louisville, Ky., to intervene in the hearing on the application of Kentucky Broadcasting Corp. for a C. P. to establish a new station at Louisville using **1210 kc.**, 100 watts, 250 watts, LS, unlimited time.

Granted petition of the Colonial Broadcasting Corp., Newport News, Va., to intervene in the proceedings upon the application of S. L. Slover Corp., Norfolk, Va., for C. P. for new station to use **1370 kc.**, 100 watts, 250 watts, LS, unlimited time.

Granted petition of Glenn Van Auken (WGVA), Indianapolis, Ind., to intervene in the proceeding upon the application of Bruce McConnell for a C. P. to establish a new station at Indianapolis on frequency **1500 kc.**, 100 watts, 250 watts, LS, daytime hours, except Sunday from 10 a. m. to 12 noon; 6 to 10 p. m.

Granted petition of the Evening News Association, Inc. (WWJ), Detroit, Mich., to intervene in the hearing upon the application of George B. Storer for a C. P. to establish a new station on frequency **800 kc.**, 1 KW, daytime hours, at Pontiac, Mich.

Granted petition of Augusta Broadcasting Co. (WRDW), Augusta, Ga., to intervene in the hearing of the application of Wm. Avera Wynne (WEED), Rocky Mount, N. C., for C. P., **1240 kc.**, 500 watts, unlimited time, waiving the ten-day requirement of Rule 105.20 with respect to the filing of petitions for intervention in hearings.

Granted petition of Northern Corp. (WMEX), Boston, to intervene in the hearing upon the application of the Yankee Network, Inc. (WAAB), for modification of license, specifying the frequency **1410 kc.**, 1 KW, unlimited time.

Granted petition of WCAE, Inc., Pittsburgh, Pa., to intervene in the proceeding upon the application of WWPO, Inc., Pittsburgh, Pa., for a C. P. to establish a new station upon frequency **1120 kc.**, 250 watts, unlimited time.

Granted petition of Floyd A. Parton, San Jose, Calif., to intervene in the proceedings upon the application of George H. Payne for C. P. to establish a new station on frequency **1440 kc.**, 500 watts, unlimited time.

Granted petition of the Citizens Broadcasting Corp., Schenectady, N. Y., to intervene in the proceeding on the application of the Tri-City Broadcasting Co., Inc., Schenectady, for a C. P. to establish a new station on frequency **950 kc.**, 1 KW, unlimited time.

Granted petition of WJAS, Pittsburgh Radio Supply House, Pittsburgh, Pa., to intervene in the hearing on the application of WWPO, Inc., for authority to establish a broadcast station using frequency **1120 kc.**, 250 watts, unlimited time.

Granted petition of Charleston Broadcasting Co., Charleston, W. Va., to intervene in the hearing on the application of the Kanawha Valley Broadcasting Co. for C. P. to establish a new station at Charleston, W. Va., to operate on frequency **1500 kc.**, 100 watts, unlimited time.

Granted petition of James F. Hopkins, Inc., WJBX, Detroit, Mich., to intervene in the hearing upon the application of the Cadillac Broadcasting Corp., Detroit, for a C. P. to establish a new station upon the frequency **1140 kc.**, 500 watts, daytime hours.

Granted petition of the Madison Broadcasting Co., Madison, Wis., in the hearing upon the application of the Four Lakes Broadcasting Co., for C. P. to erect a new station at Madison, Wis., to operate on **830 kc.**, 100 watts, daytime only.

Granted petition of the South Carolina Broadcasting Co., Inc., WCSC, Charleston, S. C., to intervene in the hearing on the application of Santo Settile for a C. P. to erect a new station at Charleston, S. C., to operate on frequency **1200 kc.**, with 100 watts night, 250 watts, LS, unlimited.

Granted petition of Jules J. Rubens for authority to intervene in the hearing on the application of Martin E. O'Brien, for C. P. to erect a new broadcast station at Aurora, Ill., to operate on **1280 kc.**, 250 watts, daytime only.

Granted request to cancel oral argument now set for November 4, 1937, in the matter of the application of W. E. Whitmore for C. P., to erect a new station at Hobbs, N. Mex., to use **1500 kc.**, 100 watts, daytime only, as the Big Springs Broadcasting Co., Big Springs, Texas, has withdrawn its exceptions to Examiner's Report No. 1-449, recommending grant of Whitmore application.

Granted petition of Travelers Broadcasting Service Corp. and The Travelers Broadcasting Co. for continuance of hearing upon their applications for assignment of licenses for stations WTIC, W1XT, W1XO, W1XLU, W1XEH, Hartford, Conn., now scheduled for October 13, for a period approximately 7 days, the new hearing date to be fixed by Dockets.

Denied petition of W. A. Barnette, Greenwood, S. C., for postponement or cancellation of the hearing upon his application for C. P. to establish a new broadcast station on **1370 kc.**, 250 watts, daytime hours. A hearing on this application is now scheduled for October 25.

Denied petition of Floyd A. Parton for a continuance of hearing upon his application for C. P. for new station at San Jose, Calif., using **1170 kc.**, 250 watts, daytime hours, and upon the application of George H. Payne for C. P. to establish a station at San Jose using frequency **1440 kc.**, 500 watts, unlimited time. A hearing on these applications is scheduled for October 25.

Granted petition of Pulitzer Publishing Company for extension of time for oral argument in re Examiner's Report No. 1-452, and that all parties will be given one hour.

Granted motion of applicant S. L. Slover Corp., Norfolk, Va., for continuance of hearing for a period of 30 days, on application for C. P. for new station using frequency **1370 kc.**, 100 watts, 250 watts LS, unlimited time.

Granted petition of Fred M. Weil for order to take deposition before Orville W. Duell, a notary public, at the Continental Hotel, Grand Coulee, Wash, such deposition to be taken on October 9,

1937. Fred M. Weil is an applicant for a new station at Grand Coulee, to use **1420 kc.,** 100 watts, 250 watts LS, unlimited.

Denied petition of Ellwood Warwick Lippincott, Inc., for continuance of oral argument on the application of the Bend Bulletin, now scheduled for October 28, 1937, to such time as oral argument is had on the application of Lippincott, which was heard by an Examiner on September 21, 1937, and whose report has not yet been submitted.

Granted petition of A. H. Belo Corp. (WPAA), Dallas, Tex., that Rule 104.6(b) be waived, and that the answer submitted by WFAA to applicant's appearance in Docket 3054 involving application of George B. Storer, for C. P. to erect a new station at Pontiac, Mich., be accepted and made a part of the record.

Granted request of Interstate Broadcasting Co., Inc. (WQXR), respondents, for oral argument upon Ex. Rep. 1-461, covering application of Ann Arbor Broadcasting Co., Inc., for C. P. to establish a new station on frequency **1550 kc.,** 1 KW, unlimited time. (Oral argument scheduled for December 16, 1937.)

Denied petition of Durham Radio Corp. (WDNC) for reopening of hearing upon its application for C. P. specifying **600 kc.,** 1 KW, unlimited time, directional antenna night, and to allow an amendment to the application with regard to the proposed directive antenna system, and the introduction of additional engineering testimony.

Dismissed petition filed by J. K. Patrick & Company requesting the Commission to affirm Examiner's Report No. 1-474 and to grant the authority requested therein, and cancelled oral argument set for December 9, 1937.

EXAMINERS' REPORTS RELEASED SINCE SEPTEMBER 28

NEW—Ex. Rep. 1-497: WSMB, Inc., New Orleans, La.—Examiner Melvin H. Dalberg recommended grant of C. P. to erect a new station to operate on frequency **1500 kc.,** with 250 watts day, 100 watts night, unlimited hours.

NEW—Ex. Rep. 1-498: Dr. Wm. States Jacobs Broadcasting Co., Houston, Tex.—Examiner Tyler Berry recommended grant of C. P. to construct a new station to operate on **1220 kc.,** 1 KW, unlimited time.

RATIFICATIONS

The Broadcast Division ratified the following actions taken on the dates shown:

WTMJ—The Journal Company, Milwaukee, Wis.—Granted extension equipment test period 10 days from September 27, 1937.

KTMS—The News Press Publishing Co., Santa Barbara, Calif.—Granted extension equipment test period 15 days from September 30, however, no tests permitted October 11, 3:10 to 3:30 a. m., EST, due to Commission monitoring schedule.

WWJ—The Evening News Assn., Detroit, Mich.—Granted extension special temporary authority to operate for the period October 1 to 30, with an increase in night power to 5 KW, in order to overcome interference.

KGDY—Voice of So. Dakota, Huron, S. Dak.—Granted extension special temporary authority to remain silent for the period October 1 to October 30, inclusive, for the purpose of rebuilding transmitter.

KOTN—Universal Broadcasting Corp., Pine Bluff, Ark.—Granted special temporary authority to operate from local sunset (October sunset, 5:30 p. m.) to 6 p. m., CST, October 3, 10, 17, 24 and 31, in order to broadcast Vesper service of local church.

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Granted special temporary authority to operate simultaneously with WGNY from 1:45 p. m. to 3 p. m., EST, October 2, 9, 16, 23 and 30, in order to broadcast football games from Yale Bowl.

WBLY—Herbert Lee Blye, Lima, Ohio.—Upon consideration of a motion by Herbert Lee Blye for leave to withdraw his application for C. P. to make changes in equipment and increase day power from 100 to 250 watts, the Broadcast Division directed that said application be dismissed with prejudice, and an order be entered accordingly and forwarded to all interested parties.

Granted the petition of George H. Payne to intervene in the proceedings upon the application of the Pacific Agricultural Foundation, Ltd. (KQW), San Jose Calif., for C. P.

Granted petition of the Central California Broadcasters, Inc. (KRE), to intervene in the proceedings upon the application of Larry Rhine for C. P. for new station at San Francisco.

Granted petition of the Piedmont Broadcasting Corp. to intervene in the proceedings upon the application of Burl Vance Hedrick for C. P. for new station at Salisbury, N. C.

Granted petition of the City of St. Paul, Minn., to intervene in the proceedings upon the application of National Battery Broadcasting Co. (KSTP) for C. P.

Same except City of Minneapolis, Minn., to intervene in application of KSTP.

Granted motion of Westchester Broadcasting Corp., to continue the hearing upon its application for special experimental authority now scheduled for October 4, until December 3, 1937.

The Broadcast Division directed that the hearing upon the application of J. F. Rodgers for C. P., now scheduled for October 20, be continued until October 29, to be heard in consolidation with the application of the Valley Publishing Co. for C. P.

Denied request of the Curtis Radiocasting Corp. of modification of the order issued to it for the taking of depostions with respect to the application of the Knox Radio Corp. for renewal of license for station WKBV, Richmond, Ind.

The Broadcast Division (1) denied the motion of C. Bruce McConnell requesting the Commission to change the date for the taking of depositions by Knox Radio Corp. in Richmond, Ind., in support of its application for renewal of license, and (2) granted the motion of C. Bruce McConnell requesting the Commission to vacate its order heretofore issued to Knox Radio Corp. authorizing the taking of the deposition of Dr. Wm. C. Dennis in Washington, D. C., on Oct. 6, in connection with the above application, and directed that the said order be revoked.

Continued, without date, the oral argument scheduled for Thursday, September 30, upon the exceptions to Ex. Rept. 1-387, involving the application of Johnson City Broadcasting Co., Johnson City, Tenn., and Ex. Rept. 1-389, involving the applications of Knoxville Journal Broadcasting Co. and Richard M. Casto.

Granted petition of KRGV, Inc., to intervene in the proceedings upon the application of the Valley Publishing Co., for C. P. for new station at Harlingen, Tex.

Granted petition of KRGV, Inc., to intervene in the proceedings upon the application of J. F. Rodgers for C. P. for new station at Harlingen, Tex.

APPLICATIONS RECEIVED

First Zone

NEW—Sentinel Broadcasting Corp., Syracuse, N. Y.—Construc-
620 tion permit for a new station to be operated on **620 kc.,** 500 watts, unlimited time. To use directional antenna night.

WLAW—Hildreth & Rogers Co., Lawrence, Mass.—Modification
680 of construction permit (B1-P-1058) for new station, requesting approval of vertical antenna, approval of studio site at 278 Essex Street, Lawrence, Mass., and transmitter site at Lawrence, Mass.

W2XJI—Bamberger Broadcasting Service, Inc., New York, N. Y.—Modification of construction permit for a new high frequency broadcast station, requesting extension of commencement date from 5-1-37 to 11-1-37 and completion date from 11-1-37 to 5-1-38.

Second Zone

WOSU—The Ohio State University, Columbus, Ohio.—Construc-
570 tion permit to install a new vertical antenna and move transmitter from corner Neil and Woodruff Avenues, Columbus, Ohio, to Worthington Road, northwest of Columbus, Ohio.

NEW—Harold F. Gross, Lansing, Mich.—Construction permit for
630 a new station to be operated on **580 kc.,** 500 watts night, 1 KW day, unlimited time. Amended to change from a construction permit for a new station to a construction permit for WJIM requesting change in frequency from **1210 kc.** to **630 kc.;** make changes in equipment; install directional antenna for day and night use; increase power from 100 watts night, 250 watts day, to 500 watts night, 1 KW day; and move transmitter locally.

WGH—Hampton Roads Broadcasting Corp., Newport News, Va.—
1310 Extension of special experimental authorization to operate a facsimile station from 12 p. m. to 6 a. m., on 100 watts, from 12-1-37 to 6-1-38.

NEW—Colonial Broadcasting Corp., Norfolk, Va.—Construction
1370 permit for a new station to be operated on **1370 kc.,** 100 watts night, 250 watts day, unlimited time.

NEW—Cleveland City Board of Education (Charles H. Lake, Supt.), Cleveland, Ohio.—Construction permit for a new high frequency broadcast station to be operated on **26400 kc.,** 500 watts.

Third Zone

NEW—Brenau College, Gainesville, Ga.—Construction permit for
1210 a new station to be operated on **1420 kc.**, 100 watts night, 250 watts day, unlimited time. Amended to change requested frequency from **1420 kc.** to **1210 kc.**, and power from 100 watts night, 250 watts day, to 100 watts.

NEW—State Broadcasting Corp., Gretna, La.—Construction per-
1370 mit for a new station to be operated on **1370 kc.**, 100 watts night, 250 watts day, limited time. Amended to change hours of operation from limited time to specified hours.

NEW—Pinellas Broadcasting Co., St. Petersburg, Fla.—Construc-
1370 tion permit for a new station to be operated on **1370 kc.**, 100 watts night, 250 watts day, unlimited time.

NEW—Piedmont Broadcasting Corp., Salisbury, N. C.—Construc-
1500 tion permit for a new station to be operated on **1500 kc.**, 100 watts, daytime only.

W4XFG—The National Life & Accident Insurance Co., Inc., Area of Nashville, Tenn.—License to cover construction permit (B3-PRE-136) for a new relay broadcast station.

NEW—Southwestern Sales Corp., Area of Tulsa, Okla.—Construction permit for a new relay broadcast station to be operated on **39700, 39900, 40800, 41400 kc.**, 20 watts.

NEW—Southwestern Sales Corp., Area of Tulsa, Okla.—Construction permit for a new relay broadcast station to be operated on **39700, 39900, 40800, 41400 kc.**, 20 watts.

Fourth Zone

WTMJ—The Journal Co. (The Milwaukee Journal), Milwaukee,
620 Wis.—License to use old W.E. Type 94992 (5 KW) transmitter as an auxiliary transmitter.

WISN—Hearst Radio, Inc., Milwaukee, Wis.—Modification of
1120 license to change power from 250 watts night, 1 KW day, to 1 KW day and night.

KWNO—Harry Dahl, Otto M. Schlabach, Maxwell H. White and
1200 Herman R. Wiecking, d/b as Winona Radio Service, Winona, Minn.—Modification of construction permit (B4-P-983) as modified for a new station, requesting changes in transmitting equipment and increase in power from 100 watts to 250 watts. Amended to extend commencement and completion dates from 10-14-37 and 4-12-38, respectively, to 30 days after grant and 180 days thereafter.

WJDL—Commodore Broadcasting, Inc., Decatur, Ill.—Authority
1200 to transfer control of corporation from Charles R. Cook to Decatur Newspapers, Inc., 127½ shares common stock.

KOIL—Central States Broadcasting Co., Lincoln, Nebr.—Authority
1260 to determine operating power by direct measurement of antenna.

WCLS—WCLS, Inc., Joliet, Ill.—Transfer control of corporation
1310 from R. W. Hoffman to L. W. Wood, 51%.

WCBS—WCBS, Inc., Springfield, Ill.—License to cover construc-
1420 tion permit (B4-P-1861) for new equipment, increase in power and change in hours of operation.

WTMV—Mississippi Valley Broadcasting Co., Inc., East St. Louis,
1500 Ill.—Construction permit to install a new transmitter; install directional antenna for night use; change frequency from **1500 kc.** to **1510 kc.**, power from 100 watts night, 250 watts day, to 1 KW night, 5 KW day; move transmitter from 5th and Broadway, East St. Louis, Ill., to 3 miles east of East St. Louis, Ill.

W9XUY—Central States Broadcasting Co., Omaha, Nebr.—Modification of construction permit (B4-PHB-25) for a new high frequency broadcast station, requesting changes in equipment.

Fifth Zone

KPFA—The Peoples Forum of the Air., Helena, Mont.—License to
1210 cover construction permit (B5-P-1577) as modified, for a new station.

NEW—Mountain Top Trans Radio Corp., Denver, Colo.—Con-
1370 struction permit for a new station to be operated on **1370 kilocycles**, 100 watts night, 250 watts day, unlimited time. (Formerly filed in the name of The Neusteter Suit Co. B5-P-1930.)

KIEM—Redwood Broadcasting Co., Inc., Eureka, Calif.—Author-
1450 ity to transfer control of corporation from Harold H. Hanseth to William B. Smullin, Times Publishing Co. (a corp.) and Standard Printing Co. (a corp.) 18,750 shares common stock.

NEW—Don Lee Broadcasting System, Area of Southern California. —Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kilocycles**, 2 watts.

NEW—Don Lee Broadcasting System, Area of Southern California. —Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kilocycles**, 2 watts.

Alaskan Zone

KFQD—Anchorage Radio Club, Inc., Anchorage, Territory of
780 Alaska.—Construction permit to make changes in equipment.

NEW—Anchorage Radio Club, Inc., Anchorage, Territory of Alaska.—Construction permit for a new experimental broadcast station to be operated on **3492.5, 6425 kilocycles**, 175 watts.

The National Association of Broadcasters

NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.

JAMES W. BALDWIN, Managing Director

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Copyright, 1937. The National Association of Broadcasters

Broadcasters Urged to Preserve Station Autonomy in AFM Dealings

(Resolution, page 2323)

Special NAB Convention Votes to Reorganize Association

(Story, page 2324)

FCC Abolishes Divisions—Seven Members to Act on all Matters

(Story, page 2326)

In Re AFM Dealings

RESOLUTION CONSIDERED AT AND ACTED UPON BY THE BOARD OF DIRECTORS OF THE NATIONAL ASSOCIATION OF BROADCASTERS AT A SPECIAL CONVENTION HELD AT THE WALDORF ASTORIA HOTEL, NEW YORK CITY, OCTOBER 12 AND 13.

WHEREAS, the broadcasting stations of the United States are licensed by the federal government under a mandate to serve the public interest, convenience and/or necessity; and

WHEREAS, radio broadcasting constitutes the greatest medium of simultaneous mass communication the world has ever known; and

WHEREAS, every consideration should and is being given by the industry to the social aspects of unemployment, in giving relief, the radio industry must keep foremost its grave responsibility to protect the freedom and growth of this marvelous facility for public service; and

WHEREAS, the broadcasting stations by virtue of long experience in rendering public service, have found that the public interest requires, in addition to locally produced programs by union musicians, the broadcasting of other local programs and of network and transcription programs; and

WHEREAS, there has not been and there is not now any dispute between the broadcasting industry and the American Federation of Musicians, in regard to wages, hours or working conditions; and

WHEREAS, negotiations between the American Federation of Musicians and committees representing a substantial part of the broadcasting industry have resulted in a conclusion as to the degree of re-employment acceptable to the American Federation of Musicians; but

WHEREAS, the American Federation of Musicians seeks to impose upon the broadcasting industry, by uniform contract, a system which in effect gives to the American Federation of Musicians the sole right to license the procurement by those stations of network and transcription programs; and

WHEREAS, such contract in effect transferring the control of the operation of any station may be sufficient ground for revocation of that station's federal license to broadcast, and also may constitute a violation of the federal statutes relating to restraint of trade; therefore now be it

RESOLVED, That the Board of Directors of the National Association of Broadcasters recom-

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mends to broadcasters that any agreement entered into between the American Federation of Musicians and broadcasting stations should specifically provide that such agreements shall not contain any restrictions designed to prevent any station from broadcasting network, transcription or any other programs including those of civic, educational, religious, fraternal and public events character construed by it to be in the public interest; and that each station should consult its own counsel in all matters affecting (1) arbitration, (2) sympathetic strikes, (3) inviolability of contracts, (4) possible restraint of trade, and (5) its obligations to serve the public interest in providing educational and entertainment programs.

PROPOSAL FOR REORGANIZATION OF NAB

The following Resolution was adopted unanimously at the Special NAB Convention held at the Waldorf Astoria Hotel, New York City, October 12 and 13, 1937.

RESOLVED:

1. That the Bureau of Copyrights of the National Association of Broadcasters be and it is hereby divorced from the Association and required to function henceforth as a separate and private business enterprise, the Association, however, to continue its stock ownership in the Bureau, and the Board of Directors to be authorized by majority vote from time to time to appropriate funds of the Association for the purpose of further support of the Bureau, but only if and to the extent that a real need for such support develops and upon a clear showing by the Bureau of the nature and extent of such need.

2. That the proposal for increase in membership dues, now before this meeting for consideration, be adopted.

3. That a Committee of five members of the Association, consisting of Mark Etheridge, Chairman; Ed Allen, Ed Craney, Walter J. Damm, and John Shepard, III, be and it is hereby created, and charged with the duty of perfecting and presenting to the Association detailed plans for the reorganization and future development of the Association, and the Board of Directors of the Association is hereby instructed to appropriate and pay for the Committee's expenses, including the employment of a secretary and any necessary personnel.

4. That at this meeting the Board of Directors of the Association fix a time and place for the next regular meeting of the Association, at which the report of said Committee of Five shall be considered.

The above points were explained as follows:

Paragraph 1

The Bureau of Copyrights was created under a resolution adopted by the membership of the Association. It has been developed by the Managing Director under the supervision of the Board of Directors. Today it is a separate corporation. Nevertheless it is being conducted within the offices of the Association and is making use of the Association's personnel, finances and facilities. All of this was necessary to give effect to the resolution adopted by the Association.

There is now a widespread feeling among the members that the Bureau is ready to proceed on its own feet and that it will make better progress as an independent organization; in other words, that the period during which the Association willingly gave liberal support to the Bureau is now over, and that with its present public domain library and transcribed selections, the Bureau will go forward more rapidly if it must look to its own work to produce revenue to meet its expenses instead of being dependent upon the Association for such revenue. These members believe that the funds of the Association must henceforth be devoted to the general work of the Association and cannot be further diverted to the purposes of the Bureau.

In order that the benefit of the pioneering work heretofore done may not be lost, it is hoped that the Bureau will devote more effort to a vigorous promotion and sales program for the service which the Bureau has to offer. Members of the Association are urged to support it by purchase of the library as insurance against future withdrawals of licenses by any licensing organization. To meet the case where a real need develops at any time in the future for support of the Bureau by the Association, it is suggested that the Board of Directors be given authority to appropriate funds for this purpose, but only upon a clear showing by the Bureau as to the nature and extent of this need.

Paragraph 2

This point needs little discussion. Members consulted have stated they are ready and willing to pay increased dues, and pay willingly, for the performance of what they believe are the necessary and proper functions of the Association. If the program herein outlined is to be carried out, a substantial increase in dues must be approved. Failure of this proposal will defeat the program.

Paragraph 3

In a meeting such as this it is obviously impossible to develop a detailed plan for the future. It is unfortunate that such a plan has not been presented for consideration of the members in advance of this meeting. Even if such plan were ready, however, it would be impossible to put it into effect for the very good reason that this is a special meeting, called for a special purpose, and the Association's Constitution and By-Laws will not permit actions other than those outlined in the resolution summoning the meeting. Many valuable suggestions for reorganization of the Association have been advanced, and some of these have received consideration in recent meetings of the Board and other groups. The purpose of the proposed Committee of Five is to give thought and study to these suggestions, weigh them in the light of the needs of the industry, set up the objectives to be achieved, and recommend the necessary changes in the Constitution and By-Laws of the organization to permit achievement of these objectives.

Conceivably, this Committee would give thought and study to such suggestions as the employment of a President who might be compensated for his services and recommend such changes in the basic law of the Association which would define the scope of his authority and his duties. It is hoped and expected that it would adopt policies so sound in principle that each and every unit of this industry, from the largest networks to the smallest part-time station would be proud of its membership in the organization, and that provision would be made to make such policies effective by binding each member to adhere strictly to them. If it is the will of the industry to appoint and compensate such a leader, then each member should bind himself to follow his leadership.

These are merely illustrations. Many more must be considered. But it would be the duty of this Committee to draft a report, complete in detail, place a copy of it in the hands of each member at least 60 days in advance of the date for the next meeting and invite criticism of the recommendations contained in the report. The Committee would then be expected to redraft its report in the light of the suggestions and criticisms of the members and send copies of such revised report to each and every member at least 30 days in advance of the meeting in order that each member may come to the meeting prepared to act formally and finally upon the report. The report in its finished form should contain estimates of cost, and if further increases in dues payments are necessary, the necessary changes in the By-Laws should be recommended. The report should be complete in detail, the recommendations definite, and there should be included therewith, drafts of all amendments to the Constitution and By-Laws required to give effect to the recommendations. Through the work of this Committee, the regular meeting of the membership would be in position to take definite and decisive action upon the program for the future development of the Association. To complete the task expected of it, the Committee of Five will necessarily need the assistance of personnel, including a secretary, and will have other expenses. The Board of Directors should, therefore, have authority to meet these expenses.

Paragraph 4

This meeting has the power to fix a time and place for the next annual meeting. At such regular annual meeting the terms of all officers and one third of the members of the Board will terminate, elections will be held, and the recommendations of the Committee of Five may be approved or rejected. The complete reorganization program which is being started here should be carried to conclusion at that meeting. The meeting ought to be held in January and in any event not later than February.

LOUCKS ACTS AS COUNSEL FOR RE-ORGANIZATION COMMITTEE

The Committee created at the Special NAB Convention to perfect and present to the Association detailed plans for the reorganization and future development of the Association has retained Phillip G. Loucks, formerly Managing Director of the NAB, and presently practicing law in Washington, D. C., as Counsel to the Committee. Mr. Loucks has accepted the assignment to serve until the work of the Committee is completed.

247 STATIONS REPRESENTED AT NAB CONVENTION

A total of 334 persons representing 247 stations registered during the two-day session of the Special NAB Convention at the Waldorf Astoria Hotel, New York, N. Y., October 12-13, 1937.

The transcript of the proceedings will be printed at the earliest possible date.

NAB ENGINEERING COMMITTEE SUBMITS RECOMMENDATIONS ON TECHNICAL ASPECTS HABANA RADIO CONFERENCE

The Engineering Committee of the NAB has recommended to the Board of Directors of the NAB that the Committee be authorized and directed to present the following recommendations to the U. S. Delegation to the Habana Radio Conference to begin November 1, 1937:

The NAB Engineering Committee endorses in principle the resolutions adopted at the March Habana Conference (outlined in mimeograph form No. 23201) as applying internationally but with the reservation that it recommends:

(a) That the standards of interference and protection shall not be binding upon any nation as determining such factors as applied between stations located within its own boundaries.

(b) That the permissible intensity of interfering signal specified on page 20 of the "Final Minutes of the Regional Radio Conference convened in the City of Habana from March 15th to March 29, 1937" (outlined in mimeograph No. 20769) with reference to Class I stations using Class A clear channels shall not permit a decrease in the distances set forth in the Table on page 8.

(c) That the contours within which interference is to be measured, as specified in the same table should be measured by day for daytime interference and by night for nighttime interference, and should be specified for lower values of signal intensity for each class other than Classes I and II, than are there set forth.

(d) That the definitions and tables should be revised so as not to conflict with the foregoing recommendations.

BROADCAST ADVERTISING VOLUME TO BE COMPUTED IN TERMS OF UNIT HOURS INSTEAD OF DOLLARS

By unanimous agreement, the members of the NAB soon will discontinue the computation of broadcast advertising volume in terms of dollars. Instead, they will indicate the volume of business in terms of unit hours. This change in policy was effected at the Special Convention by the adoption of a resolution offered by Harold Hough, NAB Treasurer, and General Manager of WBAP, Fort Worth, Texas.

John Elmer, NAB President, appointed the following committee to work out necessary details to effect the change: Harold Hough, Chairman; H. M. Beville, Jr. (NBC), Ralph R. Brunton (KJBS), Tom C. Gooch (KRLD), John Karol (CBS), Lambdin Kay (WSB), Gene O'Fallon (KFEL), and Robert A. Schmid (MBS).

Mr. Hough has taken the matter up with officials of the network companies and reports that the matter is under advisement. The committee expects to make an early announcement concerning the rules, regulations and definitions required to establish uniformity in procedure.

The text of the resolution follows:

"Whereas, It has been the custom of agencies, broadcasting stations, and the management of the chains to use the term 'dollars' in referring to gains and losses and amount of broadcasting business; and,

"Whereas, This method does not present a true, fair, accurate picture of the business of the broadcasting industry, particularly, in relation of the receipts to the stations.

"Whereas, The published revenue, as submitted to the public by the agencies, stations and chains, does not show that portion being actually received by the stations, but makes a misleading analysis, as no account is published of the percentage going to the stations, percentage for commissions, or the percentage for line charges, which is misleading to the public, the Federal Communications Commission, and the advertisers; therefore be it

"Resolved, That it is the wish of the National Association of Broadcasters that the standard yard stick of measurement on broadcast business, in the future, be computed and published in the terms of unit hours instead of gross dollars; be it further

Resolved, That the National Association of Broadcasters urge all agencies, member stations and non-member stations to adopt the policy of presentation of unit hours, instead of gross dollars; and be it further

Resolved, That a request be made to the National Broadcasting Company, the Columbia Broadcasting System, the Mutual Broadcasting System, and any other chain, to use the practice of presenting any volume in phrases of unit hours instead of gross dollars; be it further

Resolved, That the president of the National Association of Broadcasters appoint a committee to confer with the chain management and to present to them the views of the National Association of Broadcasters.

FCC ABOLISHES DIVISIONS—SEVEN MEMBERS TO ACT ON ALL MATTERS

The Federal Communications Commission has announced that effective November 15 it will abolish its three divisions which came into existence in July, 1934.

In this connection Chairman McNinch made public the following statement at a press conference on Thursday:

By unanimous vote the Federal Communications Commission has adopted an order, proposed by Chairman Frank R. McNinch, which abolishes the three divisions, Broadcast, Telegraph and Telephone, effective November 15.

Following is a copy of Order No. 20, as adopted:

"The divisions of the Commission created by Commission Order No. 1, adopted July 17, 1934, are hereby dissolved and abolished as of November 15, 1937, and all powers and functions heretofore and presently vested in such divisions shall thereafter be exercised by the Commission.

"Chairman NcNinch, with such assistance as he may require, is hereby directed to prepare for submission to the Commission at the earliest practicable date such new and supplementary rules and regulations and such modifications of the present rules and regulations as are made necessary by this order."

Chairman McNinch stated that approval of Order No. 20 by the members of the Commission "was not merely that of assent but that, after a thorough and full discussion of the proposed order, it was clear that it had the unreserved approval of the judgment of every member of the Commission."

"Some of the reasons," said Chairman McNinch, "underlying this fundamental change of organization policy are that experience has shown that to subdivide a small Commission has a divisive effect and tends away from cooperation and mutual understanding; the assignment of such important work as has heretofore been handled by divisions theoretically composed of three Commissioners, but in fact functioning with two Commissioners because of the impracticability of the Chairman's keeping himself currently informed and attending meetings, has resulted in two members of the Commission carrying an unnecessary load of responsibility and exercising an undesirably large portion of the power and functions of the Commission, while at the same time denying the other Commissioners any practical oppportunity to participate in decisions. When such major phases of the Commission's work, as Broadcasting, Telephone, and Telegraph, have been committed to the handling and decision of only two members, these two members have been denied opportunity to exchange views with and profit by free discussion and expression of opinions by the other Commissioners. Commissioners not on a particular Division have felt a natural reluctance to inquire into the work committed to others, hence, they were denied effective expression of their views upon pending matters. Furthermore, the segregation of Commissioners into units, with power to act, unavoidably requires that they specialize in their thought and action upon limited phases of the Commission's work and this, with other reasons above mentioned, prevents a rounded development of every Commissioner's knowledge of and experience in the whole field of the Commission's work.

"A Commission functioning as such," continued Chairman McNinch, "has the benefit of the free discussion and exchange of views, it learns better to cooperate, the Commissioners gain a better understanding of each other, and they influence and share in every important responsibility. The aggregate wisdom and judgment of seven minds is surely greater than any two or three of the seven.

"I am delighted at the hearty approval given by my colleagues to the proposed reorganization plan and I am confident we are thereby laying a solid foundation and making a real start toward functioning cooperatively and much more effectively."

In connection with the abolition of the three divisions the Commission also automatically abolished the offices of the directors of the three divisions.

Dealing with this matter the Chairman made the following statement:

Before adopting Order No. 20 abolishing the divisions, the Commission faced squarely and honestly the fact that the abolishing of the divisions would have the unavoidable consequence of abolishing the positions of Director of the three divisions. This was a genuine cause of regret to the Commission, as the Commission spoke highly of the Directors and they are regarded as uniformly loyal, faithful and capable of performing their present duties. However, under the language of the statute, there is unfortunately no provision for their continuance in their present capacity. If any or all of them are able to qualify under the statute and also meet the requirements of any position now open or hereafter available, the Commission would find pleasure in giving preferential consideration to them.

RADIO LEGISLATION AT SPECIAL SESSION

President Roosevelt has called a special session of Congress to convene on November 15.

There is much radio legislation which will be pending as the session convenes. All of the bills which were introduced at the last session and on which no action was taken will be in a position for action at the coming special session.

Details of the pending radio legislation were printed in Volume 5, Number 36 of NAB Reports.

RULE AMENDED ON CALL LETTER ANNOUNCEMENTS

The Federal Communications Commission this week made public an amendment of its Rule 175, dealing with the announcement of call letters by broadcast stations. The Commission's statement is as follows:

Rule 175, as amended, reads as follows:

"Each licensee of a broadcast station shall announce the call letters and location as frequently as practicable during the hours of operation, and in any event before or after each program being broadcast. In no event shall more than 30 minutes elapse between such announcements, and in so far as practicable these announcements shall be made on the hour and half hour. These requirements are waived when such announcements would interrupt a single consecutive speech, play, symphony concert or operatic production of longer duration than 30 minutes; and in such cases the announcement of the call letters and location shall be made as soon as possible."

The Commission announces the following interpretation of the second sentence which reads: "In no event shall more than 30 minutes elapse between such announcements, and in so far as practicable these announcements shall be made on the hour and half hour."

Call letters of stations need not be announced within *exactly* 30 minutes or less of the previous announcement but shall be made as near thereto as practicable. During variety-show programs, baseball game broadcasts, etc., of an hour or more in duration, the call letter announcements shall be made on the hour and half hour within a 5-minute period thereof. That is, the half hour announcement shall be made between 25 and 35 minutes after the hour, and likewise the hour announcement shall be within 5 minutes of the hour.

The interpretation given above in no way affects the waiver clause given in the last sentence of this rule.

RECOMMENDS DENIAL OF CALIFORNIA STATION

Richard Field Lewis applied to the Federal Communications Commission for a construction permit for a new station at Oakland, Calif., to use 1160 kilocycles, 1,000 watts, and daytime operation.

Examiner P. W. Seward, in Report No. I-501, recommended that the application be denied. He states that "the evidence adduced at the hearing does not show a need for additional daytime radio broadcast service in the area proposed to be served." It is further stated by the Examiner that the granting of the application would be in violation of the Communications Act "in that it would increase the apparent excessive radio broadcast service available in the area proposed to be served and would not be a fair, efficient, and equitable distribution of radio service."

DENIAL RECOMMENDED FOR NEW MICHIGAN STATION

The Genesee Radio Corporation applied to the Federal Communications Commission for a construction permit for the erection of a new station at Flint, Michigan, to use 1200 kilocycles, 100 watts and 250 watts LS, and specified hours of operation.

Examiner P. W. Seward, in Report No. I-500, recommended that the application be denied. He found that the evidence did not disclose a need for additional radio service in the area proposed to be served. The Examiner states also that "the evidence adduced at the hearing shows that the proposed station would be owned and controlled by virtually the same individuals who own and control the only other radio broadcast station in Flint." The Examiner states that the granting of the application would not be in the public interest.

CHANGES RECOMMENDED FOR KPQ

Broadcasting station KPQ, Wenatchee, Wash., operating on 1500 kilocycles, 100 watts, 250 watts LS, and unlimited time, applied to the Federal Communications Commission to change its frequency to 1360 kilocycles, and increase its power to 1,000 watts, with unlimited time.

Examiner Melvin H. Dalberg, in Report No. I-499, recommended that the application be granted. He states that "the broadcast service provided by the applicant is and has been of a meritorious nature, and of considerable interest to the agricultural industry of the community." The Examiner stated further that the need for the proposed additional service was fully established in the case. He says that the interests of KGER "would be affected to a very small extent."

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints issued against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3235. Misrepresentation of the therapeutic value of certain medicinal products he sells in interstate commerce is alleged in a complaint issued against **Earl C. Noyes,** trading as **Seyon Products Company, Inc.,** and as **End-O-Corn Laboratories, Inc.,** with his principal place of business at 129 State St., **Rutland, Vt.,** and 4 East Garfield Blvd., **Chicago.**

Products sold under the names Seyon Fluid, Seyon Ointment and Seyon Lax-O-Tabs allegedly are advertised by Noyes as constituting competent and effective remedies and cures for neuritis, lumbago, neuralgia, rheumatism, arthritis and sciatica. According to the complaint, such representations are false and misleading in that the preparations are not effective in the treatment of the ailments or diseases named, and will not relieve pain incident to such conditions or have any beneficial effect on the causative factors thereof.

The complaint charges that the respondent also falsely represents that Seyon Ointment is a competent remedy for headaches and head and chest colds and that his preparation known as End-O-Corn will competently remove corns.

No. 3236. Use of certain unfair methods of competition, in violation of Section 5 of the Federal Trade Commission Act, is alleged in a complaint issued against **Fox-Weis Company,** 1130 Chestnut St., **Philadelphia,** engaged in the sale of furs and fur garments.

The complaint charges that the respondent company in advertising matter designates certain of its fur garments as "black seal", "Hudson seal" and "French seal", the advertisements in some instances not qualifying such designations, while in others the words "dyed coney" or "dyed muskrat" appear in substantially smaller type, so as not to be easily readable, and are not in close proximity to, but are widely separated from, the designations.

According to the complaint, the garments bearing the designations referred to are not made from furs and skins of the seal, but from rabbit or muskrat skins so dressed and dyed as to resemble garments manufactured from furs and skins of the seal. It is alleged that rabbit and muskrat skins are inferior to sealskins in pliability and durability of the leather and in wearing quality and luster of the fur.

No. 3238. Three individuals trading under various names in the sale and distribution of premium certificates, coupons and cards redeemable in silverware, chinaware and earthenware, are charged with unfair competition in a complaint. The respondents are **William C.** and **Lorina Steffy,** and **G. N. Parkinson,** 549 West Washington Boulevard, **Chicago.** The complaint also charges use of an alleged sales promotion plan involving a lottery.

Representations of the respondents are alleged to have created the impression among purchasers that retailers buying certificates, coupons or cards from the respondents are dealing directly with the manufacturers; that the respondents would redeem certificates with silverware, chinaware or earthenware of the same grade and quality as samples displayed; that full sets of such ware would be furnished to purchasers of certificates, and that the respondents would redeem certificates calling for silverware in "Genuine Rogers 1847 Silverware", when, according to the complaint, these were not the facts and the respondents' representations were highly deceptive, false and misleading.

No. 3239. Misrepresentation of the composition of certain fabrics is alleged in a complaint issued against **Colonial Mills, Inc.,** 469 7th Ave., **New York,** engaged in the manufacture and sale of silk, rayon and other cloths.

Garment manufacturers purchasing certain fabrics from Colonial Mills, Inc., were supplied by the respondent company with tags and labels to be attached, and which were attached, to the garments manufactured from such fabrics, according to the complaint. On these tags and labels, it is alleged, were the words "This garment is made of Satin Amorosa Pure Dye with Crown Rayon Yarn", the words "Satin Amorosa Pure Dye" appearing in much larger and more conspicuous type than the words "with Crown Rayon Yarn".

The complaint charges that other labels furnished customers bore the words "Amora Crepe Pure Dye of Celanese Yarn", while in newspaper advertisements fabrics were described as "Satin Amorosa".

No. 3240. A complaint has been issued charging **Harland L. Herb,** 644 Diversey Boulevard, **Chicago,** with unfair competition in the sale of Prostories, represented as a new discovery and as a treatment and cure for disturbances of the prostate gland. The respondent is in business under the name National Scientific Products Co.

According to the complaint, the respondent's product is not a new medical discovery or scientific development of a new medical principle, and does not constitute a competent and effective remedy or cure for certain diseases and disorders of the prostate gland.

Stipulations

The Commission has entered the following stipulations:

No. 01878. L. C. Cleveland, trading as Dr. Cleveland and as Dr. L. C. Cleveland, 503 Missouri Ave., East St. Louis, Ill., in the sale of dental plates, agrees to stop asserting that it is easier for a layman to take impressions than for "someone to do it for you", and that results are guaranteed. Cleveland also stipulates that he will not advertise the plates as being capable of correcting stomach ailments, or that one's health depends on good fitting plates, and he will cease asserting, inferentially or otherwise, that the plates will correct an old or wrinkled appearance.

No. 01879. M. R. Temple, 625 Kansas Ave., Topeka, Kans., trading as The Bartow Company, will discontinue advertising Dr. Robison's Foot Powder as constituting a competent treatment or effective remedy for athlete's foot, unless specifically limited to relief of local manifestations and symptoms thereof. He will cease asserting that this product will afford relief in all cases of foot pain and that it is guaranteed.

No. 01880. Excelsior Laboratory, Inc., 205 East 42nd St., New York, in the sale of D. Gosewisch's Garlic Tablets, will discontinue representing that this preparation is of any value in the treatment of high blood pressure, unless the assertion is limited to the relief of dizziness, headaches or other symptoms accompanying high blood pressure, or to the relief of high blood pressure when the preparation is used continuously and in specified doses at prescribed intervals. He stipulates that neither the tablets nor any element thereof will be advertised as being capable of normalizing glandular action, purifying the blood stream, adequately supplying minerals needed by the body, or neutralizing poisons in the system.

No. 01881. The Benjamin Air Rifle Company, St. Louis, Mo., agreed to cease advertising that its products are the only genuine compressed air rifles and pistols on the market, unless such claim is limited to those types of rifles and pistols in which the use of compressed air as the propellent force is an exclusive feature of the respondent company's equipment. The company will stop representing that the Benjamin air rifle is the hardest shooting air rifle made, unless limited to such types of its air rifles as are known to employ a greater propellent force than similar types sold by competitors. The company also will discontinue representing that ammunition is given free, when the purchase of any product or the rendering of a service is required in order to obtain the product which is offered free.

No. 01882. Bathasweet Corporation, 1901 Park Ave., New York, agrees to discontinue representing that Bathasweet, a chemical compound for softening water, contains the secret of beautiful body skin, and that through the use of this preparation in the bath water, skin imperfections will disappear.

No. 01883. Ethel Townsend, 126 West 46th St., New York, trading as Granwell Sales Co., agrees to stop advertising Dawson's Cream as being competent for use in "correcting" the eyebrows, and to cease representing that it will remove all hairs, that it discourages hair growth, is prepared from natural materials, and is absolutely safe.

No. 01884. Fred Reppert, Decatur, Ind., stipulated that he will refrain from advertising that by subscribing to his home study course in auctioneering a person can make any definite sum or have an income equal to or better than the average income from a business investment of $50,000. He also will stop representing that testimonial letters relate to his home study course, when in fact they are written by persons not familiar with it, or not written with such course in mind, and that the course may be obtained free when a price is charged therefor and the amount paid is merely credited as part payment for another course of instruction offered. The respondent agreed to discontinue issuing certificates to the effect that a subscriber to his course is a qualified auctioneer, unless an adequate plan is adopted and followed to determine whether or not such is a fact, and unless the issuance of such certificates is limited to those who fulfill the requirements of the plan.

No. 01885. R. B. Hanson, trading as F. & H. Radio Laboratories, Fargo, N. Dak., stipulates that he will cease representing that his aerial eliminator will give results equal to those obtained from a 75-foot wire aerial; that it will enable the user to get nation-wide reception, unless this claim is limited to its use with modern, high-powered sets; that it will improve the selectivity, tone and volume of receiving sets and reduce fading, and that it is used in Government hospitals.

No. 01886. Makers of Kal, 2354 West Washington Blvd., Los Angeles, engaged in selling Kal, recommended as a food supplement, will stop advertising that two teaspoonsful of the product contain calcium in an amount equal to that present in three pints of milk, and that glowing skin, healthy nails, strong teeth and bones, or a harmonious nervous system depend on calcium or on a quickly available source of calcium. The respondent corporation also agrees to discontinue representing that Kal protects the body from the harmful or devitalizing effects of malnutrition, and that through its use one may enjoy health, energy, vitality, or fight old age.

No. 01887. H. M. Heefner, 760 M. E. Taylor Building, Louisville, Ky., trading as Heefner Arch Support Company, agrees to cease representing that use of the Heefner Arch Support will cure foot ailments and enable one to walk normally; that the product is an effective remedy for bunions or rheumatism; that it restores the natural structure of the arch, unless this claim is limited to its aid to nature in the restoration thereof, and that any result which may be effected by use of the arch will be permanent.

No. 01888. Coleman Lamp and Stove Company, 250 North St. Francis Ave., **Wichita, Kans.,** has entered into a stipulation to discontinue certain unfair representations in the sale of its lamps and lanterns.

The respondent company will cease making certain assertions to the effect that its lamps are more efficient than other lamps on the market, such as the representation that one Coleman lamp produces more light than any number of any specific watt electric light bulbs; gives 300 candlepower live pressure light, or is 4 to 20 times brighter than any non-pressure wick-type lamp. These assertions are to be discontinued unless competent scientific tests support the claims.

No. 01889. I. Putnam, Inc., Elmira, N. Y., operating as Hart & Co., will stop advertising that use of its device known as Klutch will make loose dental plates firm and prevent them from dropping or chafing; that it will be of value in improving the fit of artificial teeth except in cases where slight inaccuracies occur, and that it will be of substantial value in cases where changes in gum tissue or improper fitting make correction of the plates necessary.

No. 2058. G. Fox & Co., Inc., Main St., **Hartford, Conn.,** and **A. & J. Engel, Inc.,** 20 West 33rd St., **New York,** have entered into a stipulation to discontinue false and misleading representations in connection with the advertising and sale of fur garments. According to the stipulation, the Engel company ships fur products to the Fox company department store, and the two corporations cooperate in the sale of such products.

The companies agreed to cease representing, designating or describing fur products in any manner other than by use of the correct name of the fur of which the products are composed as the last word of the description, which word shall be printed in type not less conspicuous than that in which the accompanying descriptive words appear.

No. 2061. Max Leavitt and the Estate of Morris Bell, trading as Cape Ann Manufacturing Company, Gloucester, Mass., in the sale of trousers, agree to cease use of the words "Government Khaki" as descriptive of their products, and the word "Government" with "Khaki" or other words so as to imply that the products to which such words refer are made by or for the United States Government or in accordance with governmental specifications. They also will stop employing the word "waterproof" alone or with the word "guaranteed" to describe trousers which are not impervious to water.

No. 2062. Monness & Shapiro, 513 Broadway, New York, also engaged in the sale of trousers, signed a stipulation substantially the same as the one (2061) entered into by Cape Ann Manufacturing Company.

No. 2063. United Clothing Company, Inc., 739 Seventh St., N. W., Washington, D. C., operating a retail clothing store, stipulates that it will discontinue using in advertising matter the word "free" alone or with other words as descriptive of merchandise represented to be given free with the purchase of other merchandise, when, in fact, the article is not given as a gratuity but only for and in consideration of the purchase of some other article.

No. 2064. Under a stipulation entered into, the **Perfect Circle Company, Hagerstown, Ind.,** will cease certain misrepresentations in advertising a piston ring which it manufactures and sells under the name X-90.

The company agrees to discontinue use in advertising matter or otherwise of representations, the effect of which is to imply that by equipping old, worn motors with its piston rings, the power, speed and acceleration of a new car will in all cases be instantly restored; that all improvements and developments in piston rings since 1907 have come out of the Perfect Circle laboratories, or that the X-90 piston ring will operate at maximum efficiency at all speeds, when such statements are not warranted by the facts and not supported by the weight of scientific evidence.

No. 2065. Metropolitan Vineyards Company, Inc., 17 Fulton St., Brooklyn, engaged in the manufacture of wine from grapes, agrees to stop employing the word "vineyards" as part of the corporate or trade name under which it sells grape wines, and to cease using the word "vineyards" in any manner implying that it actually owns and operates a vineyard or vineyards in which are grown the grapes used in the manufacture of its wines as sold under the corporate name containing the word "vineyards", when such is not a fact. The stipulation points out that the respondent company, although leasing a small vineyard, purchases a substantial part of its grape supply from vineyards which it neither owns and operates nor controls.

No. 2066. John E. Gramling, trading as Nu-Grape Bottling Company, having headquarters at Opelika, Ala., and warehouses at Alexander City, Ala., and LaGrange, Ga., agrees to stop using any sales plan involving a lotterv or gift enterprise in the sale of his beverages. According to the stipulation, Gramling's soft drink known as Wynola was sold in bottles capped with so-called "flicker" crowns, some of which bore numerals such as 5, 10 or 25 on the inside, so as to be completely hidden from the view of customers until after removal of the cap or cork. A customer purchasing one of the bottles with the cap revealing such a number received by lot or chance, either the indicated amount of cash or merchandise according to the stipulation.

No. 2067. Kee Lox Manufacturing Company, Rochester, N. Y., in the sale of carbon paper, agrees to stop the use in advertising of the words "The only non-grease carbon paper", or of other phrases of similar meaning, so as to imply that there are no other non-grease carbon papers on the market, or that competitive products on the market are made with the use of grease.

The stipulation points out that the respondent company's carbon paper is not now and for some time past has not been the only non-grease carbon paper on the market.

No. 2068. Edison Pen Company, Inc., Petersburg, Va., trading as Southern Pen Company, agrees to cease furnishing resellers of its products, for their use, with labels, bands or other printed matter bearing false or fictitious prices in excess of the prices at which the Edison company's products actually are sold, or prices which misleadingly exaggerate the true value of its products.

The respondent company also stipulates that it will cease furnishing resellers of its articles with so-called guarantee certificates representing that products sold by Edison Pen Company, Inc., will be repaired without charge, when such is not a fact. The stipulation points out that the respondent company requires purchasers to remit 30 cents for postage and insurance, and that this amount fully compensates the company for any and all repair work over and above mailing and insurance costs.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, October 18:

Monday, October 18

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Voice of Detroit, Inc., Detroit, Mich.—C. P., **1120 kc.,** 500 watts night, 1 KW LS, unlimited.

NEW—Martin R. O'Brien, Aurora, Ill.—C. P., **1250 kc.,** 250 watts, LS, daytime.

NEW—George B. Storer, Pontiac, Mich.—C. P., **800 kc.,** 1 KW LS, daytime.

NEW—Gerald A. Travis, La Porter, Ind.—C. P., **1420 kc.,** 250 watts, LS, daytime.

NEW—WWPO, Inc., Pittsburgh, Pa.—C. P., **1120 kc.,** 250 watts, LS, unlimited.

NEW—Times Printing Co., Chattanooga, Tenn.—C. P., **1120 kc.,** 500 watts night, 1 KW LS, unlimited (using directional antenna day and night).

NEW—Cadillac Broadcasting Corp., Detroit, Mich.—C. P., **1140 kc.,** 500 watts, daytime.

FURTHER HEARING BEFORE AN EXAMINER

NEW—Fred M. Weil, Grand Coulee, Wash.—C. P., **1420 kc.,** 100 watts night, 250 watts, LS, unlimited.

Tuesday, October 19

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Sam Houston Broadcasting Assn., H. G. Webster, Pres., Huntsville, Texas.—C. P., **1500 kc.,** 100 watts, daytime.

NEW—Pacific Radio Corp., Grants Pass, Oreg.—C. P., **1320 kc.,** 500 watts, daytime.

NEW—Shirley D. Parker, Yakima, Wash.—C. P., **1310 kc.,** 100 watts, 250 watts, LS, unlimited.

NEW—Kanawha Valley Broadcasting Co., Charleston, W. Va.—C. P., **1500 kc.,** 100 watts, unlimited.

Wednesday, October 20

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—O. C. Burke, Dickinson, Texas.—C. P., **1500 kc.,** 100 watts, unlimited time.

NEW—Chas. F. Engle, Natchez, Miss.—C. P., **1210 kc.,** 100 watts, 250 watts, LS, unlimited.

KVEC—Christina M. Jacobson, tr/as The Valley Electric Co., San Luis Obispo, Calif.—Modification of license, **1200 kc.,** 100 watts, 250 watts, LS, unlimited. Present Assignment: **1200 kc.,** 250 watts, daytime.

KVOL—Evangeline Broadcasting Co., Inc., Lafayette, La.—C. P., **1310 kc.,** 100 watts night, 250 watts, LS, unlimited. Present Assignment: **1310 kc.,** 100 watts, unlimited.

Thursday, October 21

ORAL ARGUMENT BEFORE BROADCAST DIVISION

Examiner's Report No. 1-434:

WMBH—Joplin Broadcasting Co., Joplin, Mo.—C. P., **1380 kc.,** 500 watts, unlimited time. Present Assignment: **1420 kc.,** 100 watts, 250 watts, LS, unlimited.

Examiner's Report No. 1-437:

NEW—Valley Broadcasting Co., Youngstown, Ohio.—C. P., **1350 kc.,** 1 KW, unlimited time.

Examiner's Report No. 1-407:

NEW—Juan Piza, San Juan, P. R.—C. P., **1500 kc.,** 100 watts, 250 watts, LS, unlimited.

Friday, October 22

HEARING BEFORE THE BROADCAST DIVISION

W1XAL—World Wide Broadcasting Corp., Boston, Mass.—Modification of license, **6040, 11790, 15250, 21460, 9550, 11730, 15130, 21500 kc.,** 20 KW, unlimited time, according to Rule 983.

W9XF—National Broadcasting Co., Inc., Downer's Grove, Ill.—C. P., **6100, 9550, 11730, 15130, 17780, 21500 kc.,** 50 KW, unlimited, according to Rule 983.

W2XAD—General Electric Co., Schenectady, N. Y.—C. P., **9500, 15330, 21500 kc.,** 100,000 watts, unlimited time, according to Rule 983.

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Gila Broadcasting Co., Safford, Ariz.—C. P., **1420 kc.,** 100 watts, 250 watts, LS, unlimited.

NEW—Richland Broadcasting Co., Mansfield, Ohio.—C. P., **1370 kc.,** 100 watts, LS, daytime.

KFBI—The Farmers & Bakers Broadcasting Corp., Wichita, Kans. —C. P., **1050 kc.**, 5 KW, unlimited time. Present Assignment: same facilities (requests a move from Abilene, Kans. to Wichita, Kans., exact site to be determined).

APPLICATIONS GRANTED

WTAL—Florida Capitol Broadcasters, Inc., Tallahassee, Fla.—Granted C. P. to make changes in equipment and increase day power to 250 watts.

WIRE—Indianapolis Broadcasting, Inc., Indianapolis, Ind.—Granted C. P. to move transmitter locally; install new equipment and make changes in directional antenna system.

KGFW—Central Nebraska Broadcasting Corp., Kearney, Nebr.—Granted C. P. to move transmitter and studio location to site to be determined with Commission's approval; install new equipment and vertical radiator; increase day power to 250 watts.

WGN—WGN, Inc., Chicago, Ill.—Granted C. P. to move transmitter to 2½ miles SE of Schaumberg, Ill.; move studio to 441 No. Mich. Ave., Chicago; install new equipment and vertical radiator.

WMBD—Peoria Broadcasting Co., Peoria, Ill.—Granted license to cover C. P., **1440 kc.**, 1 KW night, 5 KW day, unlimited time. Also granted authority to determine operating power by direct measurement of antenna input.

WJBY—Gadsden Broadcasting Co., Inc., Gadsden, Ala.—Granted license to cover C. P.; **1210 kc.**, 100 watts night, 250 watts day, unlimited time.

WOKO—WOKO, Inc., Albany, N. Y.—Granted license to use WE 106-B transmitter as auxiliary with 500 watts power.

WAML—New Laurel Radio Station, Inc., Laurel, Miss.—Granted license to cover C. P.; **1310 kc.**, 100 watts night, 250 watts day, unlimited.

KPFA—The Peoples Forum of the Air, Helena, Mont.—Granted license to cover C. P. as modified; **1210 kc.**, 100 watts night, 250 watts day, unlimited.

KSOO—Sioux Falls Broadcasting Assn., Inc., Sioux Falls, S. Dak.—Granted license to cover C. P.; **1110 kc.**, 2½ KW day, limited time.

KELO—Sioux Falls Broadcasting Assn., Inc., Sioux Falls, S. Dak.—Granted license to cover C. P. as modified, for new station; **1200 kc.**, 100 watts, unlimited time.

WSAL—Frank M. Stearns, Salisbury, Md.—Granted modification of C. P., approving transmitter and studio at 321 E. Main St. changes in authorized equipment and approval of vertical radiator.

KWNO—Winona Radio Service, Winona, Minn.—Granted modification of C. P. for changes in equipment, increase in day power to 250 watts; extension of commencement date to 30 days after grant and completion date to 180 days thereafter.

WMC—Memphis Commercial Appeal Co., Memphis, Tenn.—Granted authority to determine operating power by direct measurement of antenna input, compliance terms of Rule 137.

KVI—Laura M. Doernbecher, Executrix of Estate of Edward M. Doernbecher, deceased, Tacoma, Wash.—Granted authority for involuntary transfer of control of corporation from Puget Sound Broadcasting Co., Inc., from Edward M. Doernbecher, deceased, to Laura M. Doernbecher, executrix of estate of Edward M. Doernbecher; **570 kc.**, 1 KW night, 5 KW day, unlimited time.

KOIL—Central States Broadcasting Co., Omaha, Nebr.—Granted license to cover C. P. as modified; **1260 kc.**, 1 KW night, 5 KW day, unlimited. Also granted authority to determine operating power by direct measurement of antenna input, compliance terms of Rule 137.

NEW—Don Lee Broadcasting System, Mobile (Area of Southern Calif.), (2 Applications).—Granted C. P. for new relay station; frequencies **31100, 34600, 37600** and **40600 kc.**, experimental; 2 watts.

NEW—Southwestern Sales Corp., Mobile (Area of Tulsa, Okla.), (2 Applications).—Granted C. P. for new relay station; frequencies **39700, 39900, 40800** and **41400 kcs.**, experimental; 20 watts.

W4XB—Isle of Dreams Broadcasting Corp., Miami Beach, Fla.—Granted modification of C. P. to move transmitter locally, extend commencement date to 60 days after grant and completion date to 180 days thereafter.

NEW—Indianapolis Power & Light Co., Mobile (Indianapolis, Ind.).—Granted C. P. for new relay station; frequencies **31100, 34600, 37600, 40600 kc.**, experimental; 40 watts, unlimited.

NEW—Birmingham News Co., Mobile (Area of Birmingham, Ala.), (2 Applications).—Granted C. P. for new relay station; frequencies **31100, 34600, 37600, 40600 kc.**, experimental; 2 watts power, unlimited.

SET FOR HEARING

NEW—Evening News Press, Inc., Port Angeles, Wash.—C. P. for new station; **1500 kc.**, 100 watts night, 250 watts day, unlimited time. Exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

WOOD—King-Trendle Broadcasting Corp., Grand Rapids, Mich.—C. P. to move transmitter site locally to site to be determined with Commission's approval; install new equipment; change frequencies from **1270 kc.** to **1010 kc.**, power from 500 watts night and day, sharing WASH to 250 watts, unlimited time.

WSJS—Piedmont Publishing Co., Winston-Salem, N. C.—C. P. for move of transmitter to ⅛ mile west of O. E. Holder Homeplace, Oldtown Township, N. C. Install new equipment with directional antenna system; change frequencies from **1310** to **900 kc.**, increase power from 100 watts, unlimited time, to 1 KW night, 5 KW day, using D. A. nighttime use.

WKBN—WKBN, Broadcasting Corp., Youngstown, Ohio.—Amended modification, C. P. to install directional antenna for day and nighttime operation when WOSU is operating; increase operation from specified hours to unlimited; extend commencement date to 30 days after grant and completion date to 6 months thereafter.

KEHE—Hearst Radio, Inc., Los Angeles, Calif.—Modification of license to increase night power from 1 KW to 5 KW. To be heard before the Broadcast Division.

KANS—Charles C. Theis, Wichita, Kans.—Transfer control of KANS Broadcasting Co. licensee KANS, to Herbert Hollister and Don Searle; **1210 kc.**, 100 watts, unlimited.

RENEWAL OF LICENSES

The following stations were granted renewal of license for the regular period:

KFAC, Los Angeles; KGB, San Diego; KRIS, Corpus Christi, Texas; KSCJ, Sioux City, Iowa, and auxiliary; KTBS, Shreveport, La.; KTUL, Tulsa, Okla.; WADC, Village of Tallmadge, Ohio; WALA, Mobile, Ala.; WAWZ, Zarephath, N. J.; WBIG, Greensboro, N. C.; WCKY, Covington, Ky.; WGAR, Cleveland, Ohio; WHAZ, Troy, N. Y.; WHBL, Sheboygan, Wis.; WHDL, Olean, N. Y.; WHEC, Rochester, N. Y.; WHK, Cleveland, Ohio; WIRE, Indianapolis; WLAC, Nashville, Tenn.; WMBD, Peoria, Ill.; WNBC, New Britain, Conn.; WQDM, St. Albans, Vt.; WROK, Rockford, Ill.; WSAI, Cincinnati; WSAR, Fall River, Mass.; WTAQ, Green Bay, Wis.

WHIO—Miami Valley Broadcasting Corp., Dayton, Ohio.—Granted renewal of license for the period ending April 1, 1938.

The following stations were granted renewal of International Broadcast experimental station licenses:

W2XE, Wayne, N. J.; W2XE, Wayne, N. J.; W8XAL, Mason, Ohio; W2XAD, So. Schenectady, N. Y.; W2XAF, So. Schenectady, N. Y.; W4XB, Miami Beach, Fla.; W9XF, Downer's Grove, Ill.; W3XAU, Newton Square, Pa.; W1XK, Millis, Mass.; W8XK, Saxonburg, Pa.

WJLF—WBNS, Inc., Mobile.—Granted renewal of relay broadcast station license for the period ending October 1, 1938.

SPECIAL AUTHORIZATIONS

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Granted special temporary authority to use Model 105-C WE transmitter in place of transmitter now licensed, for period not to exceed 7 days, due to mechanical difficulties with present transmitter and while same is undergoing repairs.

KFDY—South Dakota State College, Brookings, S. Dak.—Granted special temporary authority to operate from 2 to 5 p. m., October 16, in order to broadcast football game, and 10:30 a. m. to 12:30 p. m. and 2 to 5 p. m., CST, October 23, in order to broadcast parade and game.

KGEK—Elmer G. Boehler, Sterling, Colo.—Granted special temporary authority to operate Saturdays, October 16, 23 and 30, from 1:30 to 2:30 p. m., MST, in order to broadcast the livestock auctions from local sales pavilion.

KQV—KQV Broadcasting Co., Pittsburgh, Pa.—Granted special temporary authority to operate simultaneously with WSMK from 6 to 6:30 p. m., EST, October 9, 16, 23 and 30, in order to broadcast Notre Dame football games.

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted special temporary authority to operate on Saturdays, October 9, 16, 23 and 30 and November 6, 2 to 3 p. m., EST, in order to broadcast weekly safety talks, football scores and general news; Sundays, October 10, 17, 24, 31, and November 7, 1937, 8:30 to 10 a. m. and 2 to 3 p. m., EST, in order to broadcast various religious programs in morning and the Catholic Evidence Guild in p. m.; to operate 8:30 to 10 a. m. and 2 to 3 p. m., EST, October 12, in order to broadcast news and variety musical programs in a. m. and Columbus Day program p. m.

WGNY—Peter Goelet, Newburgh, N. Y.—Granted special temporary authority to operate simultaneously with WGBB between hours of 11 a. m. and 3 p. m., EST, Wednesday, October 13, in order to broadcast ceremonies in connection with dedication of new Poughkeepsie Post Office, on which occasion the President will speak.

KICA—Western Broadcasters, Inc., Clovis, N. Mex.—Granted special temporary authority to operate simultaneously with KGFL from 6:30 to 7:30 p. m., EST, October 15 and 29, and from 4:30 to 5:30 p. m., MST, November 11, in order to broadcast Clovis high school football games.

WKBV—Knox Radio Corp., Richmond, Ind.—Granted special temporary authority to operate from 9:45 to 10 a. m., CST, October 18, 20, 22, 25, 27, 29; November 1, 3, 5, 8, 10, 12, 15, 1937, in order to broadcast Chapel Service direct from Earlham College.

WSAJ—Grove City College, Grove City, Pa.—Granted special temporary authority to operate from 1:45 to 5 p. m., EST, October 23 and 30 and November 20, in order to broadcast home games of the football season.

WNAD—University of Oklahoma, Norman, Okla.—Granted special temporary authority to operate from 2 to 4 p. m., CST, November 2, 3, 4, 9, 10, 11, 16, 17, 18, 23 and 30, and from 10:30 a. m. to 11:30 a. m., CST, November 2, 3, 4, 9, 10, 11, 16, 17, 18, 23 and 30, in order to broadcast special educational programs (provided KGGF remains silent).

KQV—KWV Broadcasting Co., Pittsburgh, Pa.—Granted special temporary authority to operate simultaneously with WSMK from 5:15 p. m. to 5:30 p. m., EST, Sundays only, November 7, 14, 21 and 28, in order to broadcast religious programs.

KFRO—Voice of Longview, Longview, Tex.—Granted special temporary authority to operate from local sunset (November, 5:15 p. m.) to 9 p. m., CST, using 100 watts power, on Sunday, November 7, 14, 21 and 28, in order to broadcast services of the Kelly Memorial Methodist Church, Longview, Tex.

ORAL ARGUMENT

The Broadcast Division granted oral argument to be held January 13, 1938, in re Ex. Rep. 1-494, Earl Yates, Las Cruces, N. Mex.

EXAMINERS' REPORTS RELEASED SINCE OCTOBER 5, 1937

KPQ—Ex. Rep. 1-499: Wescoast Broadcasting Co., Wenatchee, Wash.—Examiner Melvin H. Dalberg recommended grant of C. P. to change frequency from **1500 kc.** to **1360 kc.,** power from 100 watts, 250 watts LS, to 1 KW.

NEW—Ex. Rep. 1-500: Genesee Radio Corp., Flint, Mich.—Examiner P. W. Seward recommended denial of C. P. for new station to operate on **1200 kc.,** 100 watts, 250 watts LS, specified hours.

NEW—Ex. Rep. 1-501: Richard Field Lewis, Oakland, Calif.—Examiner P. W. Seward recommended denial of C. P. for new station to operate on frequency **1160 kc.,** 1 KW, daytime.

APPLICATIONS DISMISSED

The following application, heretofore set for hearing, was dismissed at request of applicant:

WLAP—American Broadcasting Corp. of Kentucky, Lexington, Ky.—C. P., **610 kc.,** 500 watts, 1 KW LS, unlimited.

APPLICATIONS DENIED

NEW—Richland Broadcasting Co.. Mansfield, Ohio.—Application for C. P., **1370 kc.,** 100 watts, daytime, heretofore set for hearing, was denied as in case of default for failure of applicant to file an appearance.

WCOP—Massachusetts Broadcasting Corp., Boston, Mass.—Denied special temporary authority to operate from local sunset (October sunset, 5 p. m.) to 8 p. m., EST, October 17 to 31, inclusive, and from local sunset (November, 4:30 p. m.) to 8 p. m., EST, November 1, in order to broadcast elections for Mayor, City Council and School Committee.

MISCELLANEOUS

Granted petition of Don Lee Broadcasting System (KGB) to intervene in the proceedings upon the application of Union Tribune Broadcasting Co. for new station at San Diego to use **1480 kc.,** 5 KW, unlimited time.

Granted petition to George Roy Clough (KLUF), Galveston, Tex., to intervene in the proceedings upon the application of O. C. Burke for a new station at Dickinson, Tex., to use **1500 kc.,** 100 watts, unlimited time.

Granted petition of Pacific Agricultural Foundation, Ltd. (KQW), to intervene in the proceedings on the application of Floyd A. Parton for a new station at San Jose, Calif., to use **1170 kc.,** 250 watts, daytime.

Granted petition of Radio Station KFH Company to intervene in the proceedings upon the application of the Farmers & Bankers Broadcasting Corp. for C. P. to move from Abilene, Kans., to Wichita, Kans.

Granted petition of KANS Broadcasting Co. to intervene in the proceedings on the application of Farmers & Bankers Broadcasting Corp. for C. P. to move station.

Granted petition of Michigan Broadcasting Company (WMBC) to intervene in the proceedings on the application of Cadillac Broadcasting Corp. for new station at Detroit, Mich., using **1140 kc.,** 500 watts, daytime.

Granted petition of Walker & Downing Radio Corp. to intervene in the proceedings upon the application of WWPO, Inc., Pittsburgh, Pa., or C. P., using **1120 kc.,** 250 watts, unlimited.

Denied petition of W. C. Ewing and Harry Layman, tr/as Cumberland Broadcasting Co., to defer decision upon the application of C. Frank Walker and Waldo W. Prima, d/b as Radio Station WFNC, for new station at Fayetteville, N. C., using **1210 kc.,** 250 watts, daytime.

Denied motion of Magnolia Petroleum Co., Sabine Broadcasting Company and Port Arthur College for postponement of oral argument and decision upon application of Beaumont Broadcasting Assn. for new station at Beaumont, Tex., to use **1420 kc.,** 100 watts, unlimited.

Denied petition of Southland Industries, Inc. (WOAI), San Antonio, Tex., for continuance of hearing upon application of the Valley Publishing Co., Harlingen, Tex., for C. P., to establish a new station, using **1200 kc.,** 100 watts, 250 watts LS, unlimited time.

Granted petition of respondent WWPO, Inc., to waive rule and accept answer to applicant's appearance, Times Printing Co., for new station at Chattanooga, Tenn., to use **1120 kc.,** 500 watts, 1 KW, unlimited.

Granted motion of Tom Olsen to withdraw his application for C. P. to use **1500 kc.,** 250 watts, daytime, without prejudice, station to be located at Port Angeles, Wash.

Granted petition to withdraw without prejudice application of W. A. Barnette for new station located at Greenwood, S. C., to use **1370 kc.,** 250 watts, daytime.

Granted request of Tri-State Broadcasting Co., Inc. (WDAH), to withdraw without prejudice application for modification of license to use **1200 kc.,** 100 watts, 250 watts LS, unlimited time.

Granted petition of George B. Storer to withdraw, without prejudice, his application for new station at Pontiac, Mich., to use **800 kc.,** 1 KW, daytime only.

Granted petition of Carl Latenser for order to take depositions of two witnesses at Atchison, Kans., in support of his application for new station at Atchison, Kans., to use **1420 kc.,** 100 watts, daytime.

The Commission dismissed the petition of Richard E. O'Dea for reconsideration of the action of the Broadcast Division in denying his protest in the matter of the application for transfer of control of Station WOV, New York City, from John Iraci to Arde Bulova (Docket 4245).

Pursuant to Stay Orders issued by the United States Court of Appeals for the District of Columbia in Causes No. 7044, Voice of Brooklyn, Inc., v. Federal Communications Commission, and 7045, United States Broadcasting Corp. v. Federal Communications Commission, and in compliance with said Orders, the Commission extended existing temporary licenses of WLTH and WARD for the period beginning November 1, 1937, to continue subject to the further order of the Court and the Commission pending determination of the issues raised by said appeal.

RATIFICATIONS

The Broadcast Division ratified the following actions taken on the dates shown:

KSO—Sioux Falls Broadcast Assn., Inc., Sioux Falls, S. Dak.—Granted extension program test period 30 days from October 12.

KELO—Sioux Falls Broadcast Assn., Inc., Sioux Falls, N. Dak.—Granted extension program test period 30 days from October 8.

WTMJ—The Journal Co., Milwaukee, Wis.—Granted extension equipment test period 10 days from October 7.

WMBO—WMBO, Inc., Auburn, N. Y.—Granted extension program test period 30 days from October 8.

WDAS—WDAS Broadcasting Station, Inc., Philadelphia, Pa.—Granted authority to operate auxiliary transmitter as main transmitter for period not exceeding 10 days.

WCAX—Burlington Daily News, Inc., Burlington, Vt.—Granted special temporary authority to operate from 2 to 4:30 p. m., EST, October 6 to 12, inclusive in order to broadcast sponsored World Series baseball games.

WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Granted extension special temporary authority to operate from local sunset (October 5:30 p. m., November sunset, 5 p. m.) to 6 p. m., CST, for the period October 8 to November 6, in order to broadcast news bulletins, football scores, and other special events.

WLB—University of Minnesota, Minneapolis, Minn.; WTCN—Minn. Broadcasting Corp., Minneapolis, Minn.—Granted extension of special temporary authority to conduct joint broadcast between 1:45 p. m. Saturdays, to include the following dates: November 6, 13, 20 and 27, using the 5 KW transmitter of WTCN in order to broadcast U. of M. football games. Action taken, October 7.

KAXZ—United Air Lines Transport Corp., Washington, D. C.—Granted special temporary authority, to operate already licensed aircraft radio transmitter aboard plane owned by United Air Lines Transport Corp. bearing call letters KHAZT, as a relay broadcast station on frequency **2790 kc.**, on October 11, to relay broadcast news broadcast for rebroadcast over station WENR. Also for the period beginning October and ending no later than October 15, weather permitting, relay broadcast Lights of Ages Celebration for rebroadcast over station WCFL. Action taken, October 9.

Granted petition of Cumberland Broadcasting Co. to intervene in the proceedings upon the application of Burl Vance Hedrick for new station at Salisbury, N. C. Action taken 10-8.

Granted petition of Cadillac Broadcasting Corp. to intervene in the proceedings upon the application of Voice of Detroit, Inc., for new station at Detroit, Mich. Action taken 10-2.

Granted motion of Badger Broadcasting Co., Inc., Intervener, for a continuance of the hearing upon the application of Four Lakes Broadcasting Co. until such date as may be designated for the hearing upon the application of Madison Broadcasting Co. Action taken 10-7.

Granted petition of Lynchburg Broadcasting Corp. for a continuance of the hearing upon its application for C. P., now scheduled for October 5, and directed that said hearing be continued until December 7. Action taken 10-2.

Granted petition of Larry Rhine for continuance of hearing upon his application for C. P., now scheduled for October 6, and directed that said hearing be continued until December 6, 1937. Action taken 10-2.

Granted motion of Karl L. Achbacker for a continuance of hearing upon his application for modification of license, now scheduled for October 13, and directed that said hearing be continued until November 22, the same date that his application for voluntary assignment of license is to be heard. Action taken 10-5.

Granted petition of Brown Radio Service & Lab. (WSAY) for a continuance of the hearing upon its application for C. P., until November 18. Action taken 10-6.

Granted the request of WREN Broadcasting Co. for postponement of the oral argument upon its application, Docket 4415, until October 28, 1937.

Granted the request of Red River Valley Broadcasting Corp. (KRRV) Sherman, Texas, to withdraw without prejudice its application for C. P. to install new equipment; change frequencies from **1310 to 1450 kcs.**, increase power to 500 watts day and night, unlimited; (request contingent upon granting of KTB's application for change in frequencies), and directed that an order dismissing said application without prejudice be entered accordingly and forwarded to all interested parties.

SPECIAL AUTHORIZATIONS

KGGF—Powell & Platz, Coffeyville, Kans.—Granted special temporary authority to operate from 8:15 to 9:15 p. m., CST, November 24, and from 7:15 to 9:15 p. m., CST, November 25 (provided WNAD remains silent), in order that KGGF may broadcast during time WNAD is silent for University Thanksgiving vacation.

WNAD—University of Oklahoma, Norman, Okla.—To remain silent on above dates.

APPLICATIONS RECEIVED

First Zone

WSNJ—Eastern States Broadcasting Corp., Bridgeton, New Jersey.—
1210 Authority to determine operating power by direct measurement of antenna.

W1XOJ—The Yankee Network, Inc. Within 50 miles of the City of Boston, Mass.—Modification of construction permit (B1-PHB-39) for a new high frequency broadcast station, requesting approval of transmitter site at Summit Mt. Wachusett, Princeton, Massachusetts.

NEW—WDRC, Incorporated, Hartford, Conn.—Construction permit for a new relay broadcast station to be operated on **39700, 39900, 40800, 41400 kc.**, 15 watts.

NEW—C. M. Jansky, Jr., & Stuart L. Bailey, d/b as Jansky & Bailey, Vicinity, District of Columbia—Construction permit for a new high frequency broadcast station to be operated on **40300 kc.**, 5000 watts. Amended: To change power from 5000 watts to 1000 watts.

Second Zone

NEW—Cuyahoga Valley Broadcasting Co., Cleveland, Ohio.—
1500 Construction permit for a new station to be operated on **1500 kc.**, 100 watts, unlimited time. Amended: To change requested hours of operation from unlimited to daytime and make changes in corporate structure.

WRTD—The Times Dispatch Publishing Co., Inc., Richmond,
1500 Va.—Voluntary assignment of license from Times-Dispatch Publishing Co., Inc., to Times-Dispatch Radio Corp.

Third Zone

WMC—Memphis Commercial Appeal Co., Memphis, Tenn.—Construction
780 permit to make changes in directional antenna for night use and change power from 1 KW night, 5 KW day, to 5 KW day and night.

WJBO—Baton Rouge Broadcasting Co., Inc., Baton Rouge, La.—
1120 Construction permit to make changes in equipment and increase power from 500 watts to 1 KW.

KHBG—Okmulgee Broadcasting Corp., Okmulgee, Okla.—License
1210 to cover construction permit (B3-P-1224) as modified for a new station.

WAIR—C. G. Hill, George D. Walker and Susan H. Walker,
1250 Winston-Salem, N. C.—Modification of license to change hours of operation from daytime to unlimited time, using 250 watts power.

KRQA—J. Laurance Martin, Santa Fe, N. Mex.—Voluntary assignment
1310 of license from J. Laurance Martin to I. E. Lambert.

NEW—Radio Enterprises, Inc., Lufkin, Tex.—Construction permit
1310 for a new station to be operated on **1310 kc.**, 100 watts, daytime.

WRDW—Augusta Broadcasting Co., Augusta, Ga.—Construction
1500 permit to install a new transmitter; install directional antenna for night use; change frequency from **1500 kc.** to **1240 kc.**; and increase power from 100 watts night, 250 watts day, to 1 KW day and night.

NEW—Panama City Broadcasting Co., Panama City, Fla.—Construction
1500 permit for a new station to be operated on **1500 kc.**, 100 watts, daytime. Amended to make changes in equipment and change requested power from 100 watts to 250 watts.

NEW—The National Life & Accident Insurance Co., Inc., Nashville, Tenn.—Construction permit for a new experimental broadcast station to be operated on **300000, 330000, 360000 kc.**, 15 watts.

NEW—The National Life & Accident Insurance Co., Inc., Nashville, Tenn.—License to cover above construction permit.

Fourth Zone

WDGY—Dr. George W. Young, Minneapolis, Minn.—Modifica-
1180 tion of construction permit (B4-P-1420) as modified for a new transmitter, further requesting change in type of equipment.

W9XRM—Arthur Malcolm McGregor and Dorothy Charlotte McGregor, Bloomington, Ill.—License to cover construction permit (B4-PRE-82) for a new relay broadcast station.

NEW—Mason City Globe-Gazette Co., area Mason City, Iowa.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.,** 2 watts.

NEW—Mason City Globe-Gazette Co., area Mason City, Iowa.—License to cover above construction permit.

NEW—Mason City Globe-Gazette Co., area Mason City, Iowa.—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.,** 125 watts.

W9XUO—Radio Station KFH Co., Wichita, Kans.—License to cover construction permit (B4-PRE-87) for a new relay broadcast station.

Fifth Zone

KMPC—KMPC, The Station of the Stars, Inc., Beverly Hills,
710 Calif.—Special experimental authorization to operate unlimited time experimentally for period from 8-1-37 to 2-1-38. Amended: To change name from Beverly Hills Broadcasting Corp. to KMPC, The Station of the Stars, Inc.

W6XBL—Radio Service Corporation, Utah, Mobile—Salt Lake City, Utah.—Reinstatement and modification of construction permit (B5-PRE-56) for a relay broadcast station to be operated on **39700, 39900, 40800, 41400 kc.,** 5 watts, requesting change in power from 5 watts to 17 watts and changes in equipment.

W6XBK—Radio Service Corporation of Utah, Mobile, Salt Lake City, Utah.—Reinstatement and modification of construction permit (B5-PRE-57) for a new relay broadcast station to be operated on **39700, 39900, 40800, 41400 kc.,** 5 watts, requesting change in power from 5 watts to 17 watts and changes in equipment.

NEW—Fisher's Blend Station, Inc., Area of Seattle, Wash.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.,** 15 watts.

The National Association of Broadcasters

NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.

JAMES W. BALDWIN, Managing Director

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FCC ANNOUNCES NEW FREQUENCY ALLOCATION

The Federal Communications Commission has announced (Mimeograph 23463) action with reference to the entire useful radio spectrum comprising frequencies from 10 kilocycles to 300,000 kilocycles.

Heretofore the rules of the Commission with respect to the use of radio for practical purposes have been confined to that portion of the radio spectrum from 10 kilocycles to 25,000 kilocycles. As a result of experimentation during the past few years, and as a result of a hearing held on June 15, 1936, and further as the result of collaboration with the various Government Departments utilizing radio for their own purposes, the Commission has decided to provide allocations of frequencies to various classes of service in the newly developed portion of the radio spectrum from 25,000 kilocycles to 300,000 kilocycles. In other words, from the standpoint of space in the so-called radio ether, there now comes under regulation ten times the "ether space" than has ever before been attempted in this country.

The Commission's Orders in addition took into consideration certain minor changes developing as a result of experience in the older established portion of the spectrum up to and including 25,000 kilocycles. However, the most significant action is with reference to the so-called ultra high frequencies up to and including 300,000 kilocycles, and in this the Commission has not only allocated space for various radio services utilized for the preservation of life and property, but also has allocated considerable space for broadcasting, including television.

The importance of this action is the profound influence it will have upon the development of the radio industry, because in a manner it sets up guiding-posts for every phase of the industry, including research, design, manufacture and practical operation.

With respect to television, the action taken by the Commission is merely one step of many which in the opinion of the Commission may be required before television can become a reliable service to the public. Some of these many steps must be taken by the industry in the development of proper standards which in turn the Commission must approve before television can technically be of the greatest use to the public on any scale.

At the proper time in the future, the policies which will govern the operation of television service in this country must be determined, particularly with reference to those matters which relate to the avoidance of monopolies. The Commission must in the future prescribe such rules as will insure the utilization of television stations in a manner conforming to the public interest, convenience and necessity, particularly that phase which will provide television transmission facilities as a medium of public self-expression by all creeds, classes and social-economic schools of thought.

The investigations and determinations of the Commission justify the statement that there does not appear to be an immediate outlook for the recognition of television service on a commercial basis. The Commission believes that the general public is entitled to this information for its own protection. The Commission will inform the public from time to time with respect to further developments in television.

It is considered that the step taken by the Commission in promulgating the orders concerning the new allocation constitutes one of the most important basic actions taken in recent years in the development of radio; and while future technical developments and perhaps international agreements may require some modification in detail, there is now laid the corner stone of a vast new development of radio in its application to the service of the public.

IN THE MATTER OF FREQUENCY ALLOCATION TO SERVICES IN THE FREQUENCY RANGE FROM 10 KILOCYCLES TO 300,000 KILOCYCLES.

The Federal Communications Commission (Mimeograph 23263) has issued Orders Nos. 18 and 19 and a report of the Commission covering the allocation of frequencies throughout the radio spectrum from 10 to 300,-

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000 kilocycles. (See Mimeograph Nos. 23415, 23416, 23417 copies of which have or will be mailed to all licensees.) These orders and the report of the Commission contain the decision of the Commission on the informal engineering hearing which was held before the Commission en banc from June 15 to 29, 1936.

Order No. 18 carries with it Part I of Rule 229 covering the allocation of frequencies between 10 kilocycles and 30,000 kilocycles. It is pointed out that no changes are involved with respect to frequencies between 10 kilocycles and 25,000 kilocycles and 28,000 and 30,000 kilocycles. Since Rule 229 was printed in 1932, the Commission has from time to time adopted a number of individual changes with respect to certain services. The order gives an up to the minute listing of such changes and should be considered merely as a recapitulation of frequencies in accordance with past actions of the Commission with the exception of the band 25,000 to 28,000 kilocycles, which has been specifically reallocated to new services except for broadcasting between 25,600 and 26,600 kilocycles, effective 3:00 a. m., E.S.T., October 13, 1938.

Order No. 19 carries with it Part II of Rule 229 covering the allocation of frequencies between 30,000 and 300,000 kilocycles. All of the frequencies listed in this range, except amateur between 56,000 and 60,000 kilocycles, are assigned to specific services for the first time. All outstanding licenses in this frequency range, except amateur and point-to-point communication in Hawaii, are for experimental services.

Inasmuch as only a relatively few frequencies above 25,000 kilocycles are now in use, it may be possible for the Commission to make some regular assignments within this band prior to the effective date of the order; however, it is not expected that the existing licensed frequencies will be changed over to the new frequencies or that assignments of a permanent nature will be made on the present experimental channels prior to the effective date of the order.

Although the transmission characteristics of frequencies above 30,000 kilocycles for which commercial apparatus has been provided, are sufficiently well known at this time to leave no doubt as to their usefulness in many established services, there has not yet been enough developments to permit frequencies within this range to be used with closer separations than those shown in the table. In the actual assignments to be made, proper technical consideration will be given to such items as radio wave propagation characteristics, limitations with respect to available equipment, portability of apparatus, frequency band of emission, stability of carrier frequency, selectivity of receivers, power, and station locations.

It is to be understood that the action of the Commission in promulgating Rule 229, listing frequencies above 30,000 kilocycles to specific services, is to serve only as a guide to the specific frequencies which may be used by a given service. At a later date the Commission will modify its rules and regulations governing individual services so as to make provision for restricted use of these frequencies by individual station assignments. For example, it will be noted that twenty-nine frequencies are assigned to the police service in the band 30,000 to 40,000 kilocycles. This does not mean that all of these frequencies are available to all police departments, but rather that the service as a whole will be assigned frequencies from those designated for police use. In all probability, certain of these frequencies will be designated for low-power mobile police operation and will be duplicated over relatively short distances, as compared to the police frequencies which will be assigned for high-power fixed police stations. The regulation embodying restrictions as to all classes of stations will be promulgated well in advance of the effective date of October 1938, when Order No. 19 becomes effective.

Broadcasting

The allocation of ultra high frequencies virtually affects several important broadcast services, namely: television, facsimile, relay, high frequency and experimental broadcast services.

The action taken by the Commission today with respect to television is merely one step of many which are required before television can become a reliable service to the public. Some of these many steps must be taken by the industry in the development of proper standards which in turn the Commission must approve before television can technically be of the greatest use to the public on any scale.

Also the Commission, at the proper time in the future, must determine the policies which will govern the operation of television service in this country, particularly with reference to those matters which relate to the avoidance of monopolies. And the Commission must also in the future prescribe such rules and policies as will insure the utilization of television stations in a manner conforming to the public interest, convenience and necessity, particularly that phase which will provide television transmission facilities as a medium of public self-expression by all creeds, classes and social-economic schools of thought.

The investigations and determinations of the Commission justify the statement that there does not appear to be an immediate outlook for the recognition of television service on a commercial basis. The Commission believes that the general public is entitled to this information for its own protection. The Commission will inform the public from time to time with respect to further developments in television.

Seven channels between 44,000 and 108,000 kilocycles are made available for the assignment of television stations. Television broadcast is also assigned twelve channels between 156,000 and 300,000 kilocycles. Each television channel is 6 megacycles in width and provides for the picture broadcast as well as the accompanying synchronized sound. Television stations will be assigned these channels on an experimental basis with the same requirements as are now imposed. This experimental basis will be continued until the several remaining technical problems have been solved and standards of transmission and reception are adopted.

In the band 41,020 to 43,980 kilocycles, 75 channels are made available for assignment to aural broadcast stations. The Commission at an early date will consider carefully the needs and requirements for high frequency broadcast stations using both conventional modulation and frequency modulation, as well as the needs of educational broadcast systems. The record of the June 15, 1936 hearing concerning the purpose and needs for the educational broadcast systems will be given most careful consideration in the details of assignment.

Sixteen channels for relay broadcast stations are provided in the band from 30,830 to 39,820 kilocycles. These channels will enable a continuance of the existing stations as well as provide additional facilities for the growth of relay broadcast service. This number of channels and limited interference range is such that consideration may be given the licensing of every regular broadcast station for two relay stations in this band, the frequencies, however, being available on a shared basis with other relay stations.

Police Service

The allocation of frequencies between 30,000 kilocycles and 40,000 kilocycles provides twenty-nine frequencies for assignment to the police service. Of these frequencies, twenty-five will be available to municipal and county government and four to state police agencies. The frequencies will be assigned on a shared use basis in accordance with an engineering plan which will be announced at a future date and embodied in the Rules and Regulations. This plan will take into consideration important factors such as geographical separation, maximum power employed, number of mobile units operated in conjunction with a fixed station, area to be served and other important considerations.

It is contemplated that one group of frequencies will be assigned to fixed stations of relatively large power outputs and another group to those fixed stations employing lesser powers. A third group will be available exclusively for mobile units.

As in the past, it will be necessary that contiguous municipal and county governments serving the same or adjacent areas cooperate to the fullest extent and coordinate their needs for radio communication service.

The four frequencies to be assigned for state police communication will be available for relatively low-power portable or mobile units to be used for such purposes as riots, floods, traffic congestion, etc., in local areas within a state.

It is anticipated that, for the present, the nine frequencies assigned to the police service in the frequency band 132-144 megacycles, will more or less remain somewhat experimental in nature.

Aviation

In view of the projected plans of the Bureau of Air Commerce to use ultra high frequencies for radio beacons, airport traffic control, blind landing devices and other navigational aids, it was only necessary to provide a limited number of frequencies for this service to take care of uses not included in the scope of the Bureau's plans.

In the frequency band 30,000-40,000 kilocycles, four frequencies have been allocated and are designed primarily for use in instructing student pilots during initial solo flights. The use of radio as a safety aid during such instruction has proven itself invaluable in the prevention of aircraft accidents; especially at airports where there is a large volume of traffic.

The frequency band 129,000-132,000 kilocycles has been allocated to aviation for airport traffic control. This band is adjacent to a band allocated to the government for a similar use. Provision has been made for six airport frequency assignments separated by approximately 500 kilocycles. This allocation will permit the use of a separate and distinct frequency for each airport in localities where several airports are in close proximity to each other. Each assignment is protected by intervening guard bands to provide the maximum degree of safety.

In the frequency band 132,000-144,000 kilocycles, 11 frequencies have been assigned to the aviation service and are designed primarily for radiotelephone service for aircraft in flight. However, it is anticipated that other aviation uses may also be made of these frequencies in accordance with rules and regulations to be promulgated in the future.

Fixed Service

In view of the decided and extensive demand for frequencies for the various classes of service, which by their very nature are dependent upon radio for communication rather than wire lines, it is only possible to provide frequencies for the fixed service for use in areas where wire facilities are either not available or, due to circuitous wire routing, the use of radio may be found justified for economic reasons. Consequently, a limited number of frequencies have been made available for fixed service.

Experimental Service

This service has been assigned a number of frequencies throughout the bands 30,000 to 40,000 kilocycles and

132,000 to 140,000 kilocycles for shared use by all persons who are granted licenses to carry on fundamental research for development of the technique of the radio art. It is the purpose of the Commission to encourage experimentation in all cases where fundamental research for the development of the technique of the radio art is the prime purpose of such experimentation.

Forestry Service

The Commission has recognized the value of radio communication in forestry development and conservation work and in the suppression of forest fires. Ten frequencies have been provided for this service to be used on a shared basis. Contiguous states, necessarily, must cooperate in their use to reduce any interference to each other.

The Commission will promulgate rules and regulations governing this new class of service well in advance of the effective date of the allocation.

Mobile Press Service

The primary purpose of allocating frequencies to this service, which differs essentially from the mobile press service now authorized in the existing Rules and Regulations, is to provide channels of communication for the collection of press material from points where wire facilities are unavailable or inadequate.

Geophysical and Motion Picture Services

In order to permit these services to render a short distance radio communication service similar to the service now authorized by the existing Rules and Regulations, frequencies have been allocated to a limited extent. These frequencies will be available on a shared basis to both services.

Coastal and Ship Harbor

Frequencies allocated to this service are designed primarily for the purpose of providing a public coastal harbor service in the higher frequency range similar to that now authorized in the band 2100-2200 kilocycles and 2500 to 2600 kilocycles.

Special Emergency

In view of the increasing demand for this type of service, additional frequencies have been allocated for short distance communication, particularly within corporate city limits. For the present, the existing Rules and Regulations governing this service will apply and all frequencies will be assigned on a shared basis.

Marine Fire

Frequencies allocated to marine fire are to be used in a similar manner to the service now conducted in accordance with existing Rules and Regulations. However, provision has been made to permit two-way radio communication with mobile ship stations if desired.

Special Services

At present, the Commission receives many requests for the use of radio facilities by services not recognized in the existing Rules and Regulations. Such services are usually of a temporary nature and of short duration. It is proposed to assign frequencies whenever the Commission finds such use is in the public interest, convenience or necessity. Authorizations will be made on a temporary basis for a specific period of time.

PENNSYLVANIA SUPREME COURT DECIDES AGAINST BROADCASTER IN WARING RECORD CASE.

The appeal of Station WDAS was without avail when the highest Court of Pennsylvania, on October 8, affirmed the lower court which had enjoined the station from broadcasting phonograph records of Fred Waring's Orchestra.

The appellate court, in the majority opinion of Judge Stern, ruled that though "it may be said the ordinary musician does nothing more than render articulate the silent composition" great actors and vocal and instrumental artists by their interpretations add something to the composition which is a right of property and which in no way overlaps or duplicates the property right of the author of the composition. "All that need now be decided," the Court said, "is that such a property right inheres in the case of those artists who elevate interpretations to the realm of independent works of art." The court decided that the testimony showed that Waring's Band measured up to this standard. In overruling the station's contention that Waring individually had no rights but that the musicians or the incorporated orchestra owned these rights the Court ruled that the orchestra's performance is a composite work, Waring and the musicians contributing thereto, no one individual being able to claim an individual property right in the composite production and that although Waring individually would ordinarily have no right of action, the orchestra being incorporated, the Court would disregard the fact that the corporation should have been the plaintiff instead of Waring and consider Waring, as the owner of all but two of the shares of the corporate stock, to be in reality the real party in interest. The Court further held that it was no defense to the station that Waring may have assigned his rights to the National Association of Performing Artists.

The Court then discussed the argument of the station that the property rights of the plaintiff had been lost upon the general public sale of the records and that such rights could not be reserved and said that such cases as supported that principle were comparatively early decisions and involved situations where the restrictions were against public policy as in restraint of trade or situations where the rights could have been protected by copyrighting the work under the statute. It held that no such public policy against the restriction on the use of the records existed in this case and that the rights could not be protected by copyright registration of the records as the statute does not permit the copyrighting of records. It said that restrictions have, notably in England, been held to follow an article after it is sold and, in this country in the trading stamp and ticket scalper cases. The Court said the notice on the record was not an unreasonable restriction and was sufficient notice to purchasers of the existence and extent of the restriction imposed upon them by the understanding between the Victor Company and Waring.

The Court found an additional ground for the injunction forbidding the use of Waring records, namely that of unfair competition. The station and the Waring Band were in competition as both were furnishing entertainment to the public over the radio and both were receiving revenue from advertisers, said the Court, and furthermore it probably must become increasingly difficult for the Band to obtain $13,500 a broadcast if innumerable reiterations of it are permitted for 75 cents, and the constant broadcasting of records must diminish the commercial value of the Band performances. The records being old ones, said the Court, the public would be liable to judge the ability of the Band by work rendered before it had attained its present degree of excellence.

Judge Maxey wrote a separate opinion concurring in the result but on the sole ground that Waring's right of privacy had been invaded by the broadcasting of the records. He expressed the belief that the standard of excellence of the artist's work should have no bearing on the case but that any artist who restricted his work should be permitted to enjoin the broadcasting of his performance.

Comments

The Waring case of course turned on peculiar facts in that Waring had not signed the usual form of contract conveying all rights to the phonograph record company. There are six other suits pending in other states where such written contracts are involved and decisions in which may be rendered this winter, notably the Crumit case in New York. The Federal Court in Boston has already decided that under the standard form of Victor contract the band leader Noble had no rights left to assert against a hotel using the records in its cafe.

NEW MINNESOTA STATION RECOMMENDED

F. B. Clements & Company applied to the Federal Communications Commission for a construction permit to erect a new station at Mankato, Minn., to use 1500 kilocycles, 100 watts and 250 watts, LS, and unlimited time on the air.

Examiner P. W. Seward, in Report No. I-504, recommended that the application be granted. The Examiner states that the evidence adduced at the hearing showed a need for additional radio broadcast service in the area proposed to be served. Also he found "that the interests of no other radio station will be adversely affected by reason of the grant."

RECOMMENDS DENYING CLEVELAND STATION

The Great Lakes Broadcasting Corporation applied to the Federal Communications Commission for a construction permit for a new broadcasting station at Cleveland, Ohio, to use 1270 kilocycles, 1,000 watts and 5,000 watts LS and unlimited time.

Examiner Tyler Berry, in Report No. I-502, recommended that the application be denied. It is stated that "the evidence does not show that the applicant is financially qualified to construct and operate the proposed station." The Examiner further states that "the evidence does not show a substantial need for the additional service proposed by the applicant as the service proposed does not differ materially from the service now being rendered by the stations serving the area."

DENIAL OF FALL RIVER STATION RECOMMENDED

The Fall River Herald News Publishing Company applied to the Federal Communications Commission for a construction permit for a new station at Fall River to use 1210 kilocycles, 100 watts night and 250 watts LS and unlimited time on the air.

Examiner Robert L. Irwin, in Report No. I-503, recommended that the application be denied. In recommending the denial of the application the Examiner states that "The applicant has shown that it has the necessary legal qualifications to hold a construction permit, and that it has adequate financial and technical ability to construct and operate a station such as proposed. But the applicant owns and publishes the only English-language newspaper in the city, and considers Station WSAR, the only station in the city, a competitor in the advertising and news field to such an extent that it does not permit local advertisers to refer to programs of the station in their paid ads in the paper. If the Commission were to authorize the applicant to establish a new station in the city, it would then give to the applicant a two to one advantage over the established broadcasting facilities in the city, in so far as news and advertising dissemination is concerned. Such condition is not conducive to the public interest."

RECOMMENDS DENIAL FOR RHODE ISLAND STATION

The Colonial Network, Inc., applied to the Federal Communications Commission for a construction permit for the erection of a new broadcast station at Providence, R. I., to use 720 kilocycles, 1,000 watts and limited operation.

Examiner Tyler Berry, in Report No. I-505, recommended that the application be denied. He states that "the record does not show definitely how much of the capital stock of the applicant corporation has been issued and paid for."

Also the Examiner states that the interests of several pending applications would be affected because of possible interference if this application were granted. The interest of existing stations would also be affected through interference if the application were granted. It is further stated by the Examiner that "the applicant failed to show any substantial need for the additional service proposed."

CHANGES RECOMMENDED FOR KRE UNDER CONDITIONS

Broadcasting Station KRE, Berkeley, Calif., operating on 1370 kilocycles, 100 watts and 250 watts LS and unlimited time applied to the Federal Communications Commission to change its frequency to 1440 kilocycles, and increase its power to 500 watts and 1,000 watts LS.

Examiner Melvin H. Dalberg, in Report No. I-507, recommended that the application be granted "contingent upon the granting of the application of Station KGGC for a change in frequency from 1420 kilocycles to 1370 kilocycles and a denial of the application of Charles S. Osborne, Jr., for a new station at Fresno, Calif., on 1440 kilocycles." The Examiner states also that there appears to be need for additional service in the area proposed to be served.

RECOMMENDS DENYING WITH PREJUDICE

Geraldine Alberghane applied to the Federal Communications Commission for a construction permit for the erection of a new station at Pawtucket, R. I., to use 720 kilocycles, 1,000 watts and daytime operation.

Examiner Tyler Berry, in Report No. I-506, recommended that the application be dismissed with prejudice. When the case came on for hearing no appearance was entered for the applicant and no evidence was offered in support of the application. Counsel for the respondents moved that the application be dismissed with prejudice.

APPLICATION DISMISSED WITH PREJUDICE RECOMMENDED

The Chickasha Daily Express applied to the Federal Communications Commission for a construction permit for the erection of a new station at Chickasha, Okla., to use 1500 kilocycles, 250 watts and daytime operation.

Examiner Tyler Berry, in Report No. I-508, recommended that the application be dismissed with prejudice. The Examiner states that at the hearing counsel for the applicant entered a motion that the applicant be permitted to withdraw the application on the ground that after it had been filed it was discovered that the operation of a station on the proposed assignment would result in objectionable interference.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3237. Use of practices which result in misleading retail dealers and their customers as to the fiber content of women's cloth coats is alleged in a complaint issued against two **New York City** concerns, **Form Maid Coat Company, Inc.,** 545 Eighth Ave., and **Walter-Lewis & Co.,** 450 Seventh Ave. Form Maid Coat Company manufactures the coats in question from a fabric sold to it by Walter-Lewis & Co.

The complaint alleges that the two firms have an understanding under which Walter-Lewis & Co., in selling the fabric to Form Maid Coat Company, supplies this customer with labels to be attached to the garments manufactured from such fabric. These labels, according to the complaint, depict a camel together with palm trees and mountains or pyramids, bear the words "Genuine Camel's Hair", and are attached to the finished garment.

No. 3241. Al Hartman, Inc., 1400 Broadway, **New York,** is named respondent in a complaint alleging unfair methods of competition in connection with the interstate sale of certain dresses.

The complaint alleges that dresses sold by Hartman, Inc., were described in newspaper advertising as "Indo-China washable crepe prints", and had attached to them tags bearing certain assertions, one of which was that "Owing to the peculiar delicacy of all silk weaves, manufacturers will not guarantee them as flawless, or against perspiration, slipping or roughing".

The descriptive phrase used in such advertisements and the language appearing on the tags, it is charged, served as representations to purchasers that the garments so referred to were silk dresses, when, according to the complaint, they were not composed of silk, but of other materials.

No. 3242. Rudolph H. Ray, 422 North D Street, **Fremont, Nebr.,** engaged in the manufacture and sale of cement burial vaults, is charged in a complaint with making false representations in advertising his products. The respondent trades as Ray Individual Mausoleum Company, Fremont, and as The Individual Mausoleum Company, Deshler, Nebr.

In advertising matter furnished to undertakers who are his customers, Ray, the complaint alleges, falsely represents that his individual mausoleum or cement vault is a perfect surface burial vault which assures preservation of the body encased therein; that the bodies are forever preserved, are absolutely secure from water and will continue to remain in a perfect state of preservation indefinitely, and that the vaults are everlasting and waterproof.

No. 3243. A complaint has been issued against **The Eta Company, Inc.,** 227 West Huron St., **Chicago,** and **Willis J. Sheeman,** president and principal stockholder. The complaint alleges unfair competition in the sale of so-called dehydrated or concentrated foods, and of books and other printed matter purportedly relating to health and hygiene.

Various representations allegedly were made concerning the respondents' 18 foods, sold under the general name of Eta Concentrated Food, such as that Eta Food Sodium will improve digestion, prevent fermentation of food, and remove acid and waste, and that Eta Food Chlorine will remove impurities and make tissues dense and elastic. These and various other representations, according to the complaint, are misleading and deceptive, both as to the efficacy of the respondents' foods in remedying the ailments and diseases mentioned, and as to conditions resulting from a lack of minerals purportedly supplied by such foods. The complaint charges that these foods, when taken as directed by the respondent, do not contain a sufficient amount of certain minerals to remedy or correct a deficiency thereof in the diet.

No. 3244. Alleging use of certain unfair methods of competition in violation of Section 5 of the Federal Trade Commission Act, a complaint has been issued against **Harry A.** and **Louis G. Rippner,** trading as **John Hancock Pen Company,** 1514 Prospect Ave., **Cleveland, Ohio.**

The respondents allegedly advertised in circulars that certain of their fountain pens, which they represented as being worth $5, could be purchased for a limited time only by remitting 60 cents with a certificate having a purported value of $4.40.

The pens so advertised, the complaint alleges, are not offered for sale for a limited time, the certificate referred to does not have any value whatever, and the pens are not of $5 value, but are of a type having a value much less than that represented, and ordinarily are sold in the usual course of trade for approximately 60 cents, the price advertised as a special introductory offer.

Stipulations

The Commission has entered into the following stipulations:

No. 01890. General Pharmacal Company, 205 East 6th St., **Cincinnati,** has entered into a stipulation to discontinue certain misleading representations in advertising its medicinal preparations, Pep-Ti-Kao, Etro Tablets, and Feyex.

The respondent company agrees to stop asserting that Pep-Ti-Kao will rid the stomach of the trouble-making portion of acid, unless the word "rid" is qualified by use of the word "temporarily" or some similar word.

Other allegations to be banned are that Etro Tablets will relieve nervous tension caused by excitement, work, or worry, and that Feyex is a competent remedy in the treatment or prevention of hay fever.

No. 01891. Under a stipulation entered into, **Print-Rite, Inc.,** 1115 Hennepin Ave., **Minneapolis,** agrees to cease certain misleading advertising representations in the sale of Handy Record System, an accounting system for cafes and restaurants.

In soliciting salespersons or dealers, the respondent company will not represent or imply that such persons can earn any amount which actually is in excess of amounts earned by its salespersons under normal business conditions.

No. 01892. American Plierench Corporation, 4809 North Ashland Ave., **Chicago,** has entered into a stipulation to desist from certain misleading representations in the advertisement of its Eifel-Geared Plierench.

In the sale of this tool, the respondent agrees to cease representing that any article is given free, when the purchase of other articles is required to obtain the purported gift article. The respondent company also will discontinue making unmodified representations of possible earnings of prospective salesmen in excess of the average earnings of its regular salespersons achieved under normal business conditions.

No. 01893. H. R. Blumstengel, 728 Delaware St., **Kansas City, Mo.,** entered into a stipulation to cease representing that the use of M-Royds Treatment, which he sells, may save one from an operation, that the treatment is a tonic, or will help build strength, and will give one freedom from the affliction of piles.

No. 2069. Louis Eugene Lensky, trading as Lelens Silver Company, 4175 Woolwine Boulevard, Los Angeles, will stop using any plan of promoting the sale of silverware, chinaware or novelties which involves the use of a lottery or any scheme of chance whereby any article is given as a premium in consideration of the purchase of any other article, or whereby the price to be paid for the article is determined by lot or chance. According to the stipulation, Lensky used push cards to promote the sale of his merchandise.

No. 2070. B. B. B. Company, Limited, 620 Fifth Ave., New York, selling smoking pipes, agrees to discontinue using the words "Best British Brand" as descriptive of pipes not made in England. The company also will cease using the slogan "A Quality Pipe Since 1847", or the phrase "Established 1847", so as to imply that the pipes so represented are the same as those which are now and have been manufactured in England since 1847, or that the B. B. B. Company, Limited, was established in 1847.

No. 2071. James McCreery & Co., operating a department store at 5th Ave. and 34th St., New York, agrees to discontinue using in advertising matter or otherwise the word "linen", alone or in connection with the word "acetate", so as to imply that the products to which the words refer are composed of linen when such is not a fact. The company advertised certain garments for women as "Acetate linen", when in fact they were not made of linen, but were composed of other materials.

No. 2072. Weiss Trading Corporation, 158 Bowery, New York, will cease using in advertising matter any pictorial or other representations implying that orders it receives for show case cement will be filled with the cement depicted and described in its catalog, when this is not a fact. The corporation will stop representing its products in any manner which may tend to mislead purchasers into the erroneous belief that it fills orders only with the advertised products for which orders have been received. According to the stipulation, the corporation advertised Diamond Show Case Cement in its catalog, but, in some instances, filled orders received in response to the advertisement with a cement of another brand.

No. 2073. Bruce Company, 206 East Monroe St., Springfield, Ill., dealer in musical instruments, stipulated that it will discontinue representations to the effect that certain pianos it offers for sale are instruments which, having been sold previously on a deferred payment plan, have been repossessed because of the inability of the purchasers to meet the payments, with the result that such pianos are being sacrificed for the balances due, when such is not a fact. The company also will desist from the use of any false and misleading representations with respect to the retail price for which the instruments originally sold.

No. 2074. Jack Schwartz, Inc., operating a retail clothing store at **705 Seventh St., N. W., Washington, D. C.,** will refrain from the use in advertising matter, or otherwise, of the word "free", alone or with other words, as descriptive of merchandise represented to be given with the purchase of other merchandise, when, in fact, the so-called free merchandise is not given as a gratuity but only in consideration of the purchase of some other product. According to the stipulation, the company advertised that an article of wearing apparel would be given to the purchaser of a suit or top coat, when, in fact, the price of the article referred to as free was included in the price asked for the suit or top coat.

Cease and Desist Order

The Commission has issued the following cease and desist order:

No. 2477. An order has been entered directing **Nacional Destilerias Corporation,** 130 East Washington Building, **Indianapolis,** to discontinue representing itself to be a distiller of spirituous beverages, when such is not a fact.

The Commission found that the respondent corporation is a wholesaler of rum, brandy, gins and cordials which it imports from the Philippine Island. According to the findings, the words "Nacional Destilerias" are the Spanish equivalent for "National Distillers", and are so similar in spelling and sound to the English equivalent thereof as to be readily misunderstood by a substantial portion of the purchasing public to mean "National Distillers".

FEDERAL COMMUNICATIONS COMMISSION ACTION

There was no meeting of the Broadcast Division of the Commission at the usual time this week because all of the members of the Commission were hearing disbarment proceedings against Paul M. Segal and George S. Smith.

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, October 25.

Monday, October 25

HEARING BEFORE AN EXAMINER

(Broadcast)

WTIC—Travelers Broadcasting Service Corp., Hartford, Conn.—Voluntary assignment of license to Travelers Broadcasting Co.; **1060 kc.**, 50 KW, shares with WBAL (SA for **1040 kc.** simultaneous operation with KRLD, unlimited).

W1XEH—Travelers Broadcasting Service Corp., Hartford, Conn.—Voluntary assignment of license to Travelers Broadcasting Co.; **63500 kc.**, 150 watts, unlimited, according to rule 983.

W1XLU—Travelers Broadcasting Service Corp., Hartford, Conn.—Voluntary assignment of license to Travelers Broadcasting Co.; **105000, 200000, 290000, 450000 kc.**, 5 watts, to operate according to Rules 983, 1002, 1004).

W1XO—Travelers Broadcasting Service Corp., Hartford, Conn.—Voluntary assignment of license to Travelers Broadcasting Co.; **31100, 34600, 40600 kc.**, 50 watts, to operate according to Rules 983, 1002 and 1004).

W1XT—Travelers Broadcasting Service Corp., Hartford, Conn.—Voluntary assignment of license to Travelers Broadcasting Co.; **31100, 34600, 40600, 37600 kc.**, 100 watts, to operate according to Rules 983, 1002 and 1004).

NEW—George H. Payne, San Jose, Calif.—C. P., **1440 kc.**, 500 watts, unlimited.

NEW—Floyd A. Parton, San Jose, Calif.—C. P., **1170 kc.**, 250 watts, daytime.

Tuesday, October 26

HEARING BEFORE AN EXAMINER

(Broadcast)

WGNY—Peter Goelet, Newburg, N. Y.—C. P.; **1210 kc.**, 100 watts night, 250 watts LS; shares with WBRB, WFAS and WGBB. Present assignment: **1210 kc.**, 100 watts; shares with WBRB, WFAS and WGBB.

NEW—Colonial Broadcasters, Inc., Savannah, Ga.—C. P.; **1310 kc.**, 100 watts, unlimited time.

WDWS—The Champaign News-Gazette, Inc., Champaign, Ill.—C. P.; **1370 kc.**, 100 watts night, 250 watts LS, unlimited time. Present assignment: **1370 kc.**, 100 watts LS, daytime.

NEW—Seaboard Broadcasting Corp., Savannah, Ga.—C. P.; **1310 kc.**, 100 watts night, 250 watts LS, unlimited time.

Thursday, October 28

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—J. T. Griffin, Fort Smith, Ark.—C. P.; **880 kc.**, 1 KW LS, daytime.

KTSM—Tri-State Broadcasting Co., El Paso, Texas.—C. P.; **1350 kc.**, 500 watts night, 500 watts LS, unlimited time. Present assignment: **1310 kc.**, 100 watts night, shares WDAH, 250 watts LS. Permanent authority to carry WDAH's schedule.

ORAL ARGUMENT BEFORE THE BROADCAST DIVISION

Examiner's Report No. 1-435:

NEW—West Texas Broadcasting Co., Wichita Falls, Tex.—C. P.; **1380 kc.**, 1 KW, unlimited time.

NEW—Wichita Broadcasting Co., Wichita Falls, Tex.—C. P.; **620 kc.**, 250 watts, 1 KW LS, unlimited time.

NEW—Faith Broadcasting Co., Inc., Wichita Falls, Tex.—C. P.; **1380 kc.**, 1 KW, 5 KW LS, unlimited time.

KFPL—C. C. Baxter, Dublin, Tex.—Voluntary assignment of license; **1310 kc.**, 100 watts, 100 watts LS (C. P., 100 watts, 250 watts LS, unlimited time).

KFPL—WFTX, Inc., Wichita Falls, Tex.—C. P.; **1500 kc.**, 100 watts, 250 watts LS, unlimited time. Present assignment: **1310 kc.**, 100 watts, 250 watts LS, unlimited time.

Examiner's Report No. 1-439:

NEW—Chase S. Osborn, Jr., Fresno, Cal.—C. P.; **1440 kc.**, 500 watts, unlimited time.

Examiner's Report No. 1-432:

NEW—The Bend Bulletin, Bend, Ore.—C. P.; **1310 kc.**, 100 watts, 250 watts LS, unlimited time.

Examiner's Report No. 1-441:

NEW—The Waterloo Times-Tribune, Pub. Co., Waterloo, Ia.—C. P.; **1370 kc.**, 100 watts, daytime.

Examiner's Report No. 1-421:

WREN—The WREN Broadcasting Co., Inc., Lawrence, Kans.—Authority to transfer control of Corporation. **1220 kc.**, 1 KW night, 5 KW LS shares with KFKU.

Friday, October 29

HEARING BEFORE AN EXAMINER

(Broadcast)

WLAK—Lake Region Broadcasting Co., Lakeland, Fla.—C. P.; **1310 kc.**, 100 watts night, 250 watts LS, unlimited time.

APPLICATIONS RECEIVED

First Zone

1260 WNBX—WNBX Broadcasting Corp., Springfield, Vt.—Modification of license to change name from WNBX Broadcasting Corp., to Twin State Broadcasting Corp.

1290 WATR—The WATR Co., Inc., Waterbury, Conn.—Modification of construction permit (B1-P-1207) for changes in equipment, increase in power, change in frequency and hours of operation and move of transmitter, requesting extension of commencement and completion dates from 10-3-37 and 4-3-38 to 1-3-38 and 7-3-38.

Second Zone

1210 NEW—Joe L. Smith, Jr., Beckley, W. Va.—Construction permit for a new station to be operated on **1210 kc.**, 100 watts night, 250 watts day, unlimited time.

1450 WGAR—WGAR Broadcasting Co., Cleveland, Ohio.—License to cover construction permit (B2-P-1887) for changes in equipment.

1500 WOMI—Owensboro Broadcasting Co., Owensboro, Ky.—Modification of construction permit (B2-P-1013) as modified, for a new station, requesting changes in authorized equipment and change power from 100 watts to 100 watts night, 250 watts.

W3XPF—Farnsworth Television, Inc. of Pennsylvania, Springfield, Pa.—Modification of construction permit (B2-PF-12) as modified, for a new television station, requesting extension of completion date from 11-5-37 to 1-5-38.

Third Zone

620 WFLA—Florida West Coast Broadcasting Co., Inc., Clearwater, Fla.—Modification of license to increase power from 1 KW night, 5 KW day to 5 KW day and night.

880 WCOC—Mississippi Broadcasting Co., Inc., Meridian, Miss.—Modification of construction permit (B3-P-1434) as modified, for changes in equipment, increase in power and move of transmitter, requesting extension of completion date from 11-10-37 to 1-10-38.

1210 NEW—Brenau College, Gainesville, Ga.—Construction permit for a new station to be operated on **1210 kc.**, 100 watts, unlimited time. Amended: To make changes in antenna.

1500 WHEF—Attala Broadcasting Corp., Kosciusko, Miss.—Authority to transfer control of corporation from C. E. Wharton, M. B. Wharton & J. E. Wharton to Roy L. Heidelberg and J. E. Richards. Amended: To transfer control of corporation from J. E. Wharton to Roy L. Heidelberg, 1834 shares common stock.

Fourth Zone

1200 WCAT—South Dakota State School of Mines, Rapid City, S. Dak.—Modification of license to change specified hours from 1:30 to 2:30 p. m. to 12:00 to 2:00 p. m.

1240 WHBF—Rock Island Broadcasting Co., Rock Island, Ill.—Construction permit to change frequency from **1210 kc.** to **1240 kc.**, install a new transmitter, increase power from 100 watts night, 250 watts day to 500 watts night, 1 KW day, move transmitter from 102 18th St., Rock Island, Illinois, to SE¼ of Section 2, Twp. 17 N Range 1 W, near Rock Island, Illinois and install directional antenna for night use. Amended: To make changes in directional antenna for night use.

WSBT—The South Bend Tribune, South Bend, Ind.—Construction
1360 permit to make changes in equipment, install directional antenna, change frequency from **1360 kc.** to **1010 kc.**, increase power from 500 watts to 1 KW, change hours of operation from S-WGES to unlimited and move transmitter locally. Amended: Re-directional antenna.

WTMV—Mississippi Valley Broadcasting Co., Inc., E. St. Louis,
1510 Ill.—Construction permit to install new transmitter, install directional antenna for night use, change frequency from **1500 kc.** to **1510 kc.**, power from 100 watts night, 250 watts day to 1 KW night, 5 KW day and move transmitter locally. Amended: To make changes in directional antenna for day and night use.

Fifth Zone

KUJ—KUJ, Inc., Walla Walla, Wash.—Construction permit to
560 change frequency from **1370 kc.** to **560 kc.**; make changes in transmitting equipment; install a new vertical antenna; increase power from 100 watts to 250 watts; and move transmitter from 2nd and Rose Streets, Walla Walla, Wash., to site to be determined, Walla Walla, Wash.

KALE—KALE, Inc., Portland, Ore.—Construction permit to make
1300 changes in equipment and increase power from 500 watts to 1 KW.

NEW—Anna Jay Levine, Palm Springs, Calif.—Construction per-
1370 mit for a new station to be operated on **1370 kc.**, 100 watts night, 250 watts unlimited time. Amended to give transmitter site as site to be determined, Palm Springs, Calif.

KIUP—San Juan Broadcasting Co., Durango, Colo.—Authority to
1370 make changes in automatic frequency control apparatus.

The National Association of Broadcasters

NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.

JAMES W. BALDWIN, Managing Director

NAB REPORTS ★ ★ ★ ★ ★

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HABANA INTER-AMERICAN RADIO CONFERENCE

Federal Communications Commissioner, T.A.M. Craven has been designated chairman of the American delegation to the Habana Radio Conference to convene on November 1. R. Henry Norweb, American Minister to the Dominican Republic will be the other delegate.

Meetings of preparatory committees have been held at the FCC since October 8. These have been attended by the Managing Director, James W. Baldwin and the Chairman of the NAB Engineering Committee, Paul Loyet of WHO, Des Moines, Iowa.

Mr. Baldwin will represent the NAB at the conference in Habana. The conference is of great importance to radio broadcasters in North and South America. Although the question has been raised, it is not yet known whether agreements which may be reached in Habana, will be effectuated by an exchange of state documents or by a treaty which would be subject to ratification by the participating governments.

NAB members, in April, received from Washington headquarters the official report of the American delegation to the Regional Radio Conference which was held in Habana, Cuba, March 15-29, 1937, and which was preliminary to the conference about to be held.

In connection with the November 1 conference the State Department on Tuesday made the following official statement:

"On May 8, 1937, the Cuban Government through its Embassy at Washington invited the United States to participate in an Inter-American Radio Conference which is to be convened at Habana, November 1, 1937. Invitations have also been extended to the member Governments of the Pan American Union and to Canada and Newfoundland.

"A preliminary regional radio conference was held at Habana, March 15-29, 1937, which was attended by delegations from Canada, Cuba, Mexico and the United States.

"It was apparent that while the conclusions reached at the preliminary conference were of great value as regards the North American Continent, the deliberations would not be complete and the problems could not be fully solved unless all States of the Western Hemisphere were given an opportunity to participate in the proposed arrangements in order to establish a clear understanding and uniformity of procedure throughout that Hemisphere. The conference at Habana recommended the proposed November meeting and approved a set of resolutions as a basis for discussion.

"The deliberations at the Habana conference will be of particular interest in view of the forthcoming World Telecommunication Conference to be held in Cairo, commencing February 1, 1938.

"With the approval of the President the following have been designated as representatives of the United States at the forthcoming Inter-American Radio Conference:

Delegates:

Commander T. A. M. Craven, Commissioner, Federal Communications Commission, Chairman.

The Honorable R. Henry Norweb, American Minister to the Dominican Republic.

Technical Advisers:

Harvey B. Otterman, Department of State.

Lieutenant Colonel David M. Crawford, War Department.

E. K. Jett, Acting Chief Engineer, Federal Communications Commission.

A. D. Ring, Assistant Chief Engineer, Federal Communications Commission.

G. C. Gross, Engineer, Federal Communications Commission.

Secretary of Delegation:

Carlton Hurst, American Consul, Habana, Cuba.

"The delegation expects to leave Washington on Thursday, October 28, reaching Habana on the morning of Saturday, October 30."

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SUPREME COURT DENIES EASTLAND PETITION

The United States Supreme Court on Monday denied a petition for a writ of certiorari by the Eastland Company, Portland, Me., from a decision of the Federal Communications Commission in which the Commission denied a license for a broadcast station.

The Commission granted a license to the Portland Broadcasting System, Inc., instead. The Eastland Company and its subsidiary, the Congress Square Hotel Company, Inc., contended that the Commission's decision was invalid on the ground that two of the three Commissioners who decided the case were not present at the hearing.

SESAC

A supplement to the recent report on the Society of European Stage Authors and Composers, Inc. (SESAC), is in preparation. The supplemental report will include information concerning thirteen publishers or organizations claimed by the SESAC subsequent to April 1, 1937, the closing date of the first report, together with additional copyright registrations made by certain of the original SESAC firms.

JACK FALVEY

Anyone knowing the present whereabouts of Jack D. Falvey, who does business under the name of Falvey Feature Service, is requested to forward his address to Station WJMS at Ironwood, Michigan.

TRANSFER OF KFJZ RECOMMENDED

Application was made to the Federal Communications Commission for the transfer of Station KFJZ, Fort Worth, Texas, from R. S. Bishop to Mrs. Ruth G. Roosevelt. The station operates on 1370 kilocycles, 100 watts and 250 watts LS, and unlimited time.

Examiner George H. Hill in Report No. I-514 recommended that the application for transfer be granted. In his conclusions in this case the Examiner stated that:

"1. The transferee, Mrs. Ruth G. Roosevelt, is legally, technically and financially qualified to acquire control of Fort Worth Broadcasters, Inc., through the purchase of 313 shares of its stock, and to continue the operation of radio broadcast Station KFJZ, at Fort Worth, Texas.

"2. The transferee, Mrs. Ruth G. Roosevelt, does not own any stock in any existing broadcasting company and does not have any interest in any existing stations.

"3. The programs of KFJZ are generally meritorious and serve the public interest; however, it is shown that these programs will be substantially improved, new equipment installed where necessary, and the station operated in the most efficient manner.

"4. The entire record considered, the Examiner is of the opinion that public interest, convenience and necessity would be served by granting the application for transfer of control of the corporation by the proposed sale of stock from R. S. Bishop to Mrs. Ruth G. Roosevelt."

RECOMMENDS NEW OKLAHOMA STATION

Harry Schwartz applied to the Federal Communications Commission for a construction permit for a new station at Tulsa, Okla., to use 1310 kilocycles, 250 watts power and daytime operation.

Examiner Robert L. Irwin in Report No. I-512 recommended that the application be granted. He found that "there is a need for the daytime service which the applicant proposes to render in the area to be served." The Examiner also found that the granting of the application would not result in any objectionable interference.

ILLINOIS STATION RECOMMENDED

The Galesburg Broadcasting Company applied to the Federal Communications Commission for a construction permit for the erection of a new station at Galesburg, Ill., to use 1500 kilocycles, 250 watts and daytime operation.

Examiner R. H. Hyde in Report No. I-515 recommended that the application be granted. He found that erection of the proposed new station "would provide a useful local service, meeting a local demand which cannot be satisfied by the services available from relatively distant stations."

RECOMMENDS AGAINST NEW KENTUCKY STATION

The Louisville Times Company and the Louisville Broadcasting Company both applied to the Federal Communications Commission asking for a construction permit for the erection of a new station at Louisville, Ky., to use 1210 kilocycles, 100 watts power. The Times Company asked for unlimited time on the air while the Broadcasting Company asked only for daytime operation.

Examiner R. H. Hyde in Report No. I-509 recommended that each of the applications be denied. In the case of both applications the Examiner states that it would not be in the public interest to grant the application.

NEW ARIZONA STATION RECOMMENDED

The Southwest Broadcasting Company and W. P. Stuart, both applied to the Federal Communications Commission for a construction permit for the erection of a new station at Prescott, Ariz., both asking 1500 kilocycles, with unlimited hours of operation. The Broadcasting Company asked for 100 watts and 250 watts LS while Stuart asked for 100 watts.

Examiner P. W. Seward in Report No. I-510 recommended that the Broadcasting Company application be granted and that the Stuart application be denied. The Examiner states that the evidence showed a need for additional radio service in the area proposed to be served. He states that a need does not exist for two new stations at Prescott and the applicant, "Southwest Broadcasting Company, seems the better qualified of the two applicants here under consideration to construct and operate a radio station at Prescott." Stuart, the Examiner states, is a newspaper publisher and "if his application is granted the station will be operated as an adjunct to his newspaper business."

POWER INCREASE RECOMMENDED FOR KXA

Broadcasting Station KXA, Seattle, Wash., applied to the Federal Communications Commission to increase its power from 250 watts and 500 watts LS to 1,000 watts. The station operates on 760 kilocycles, full time. The station also asked to make changes in its equipment, install a vertical antenna and to move its transmitter and studios locally.

Examiner Tyler Berry in Report No. I-511 recommended that the application of the station be granted. The Examiner found that "there appears to be a need for the additional service proposed." He found also that "no interference would be expected within the normally protected contour of any station, and there are no pending applications with which conflict may be had by reason of interference."

STATION DENIAL RECOMMENDED

Clark Standiford, L. S. Coburn and A. C. Sidner applied to the Federal Communications Commission for a construction permit for a new station to be erected at Fremont, Nebr., to use 1370 kilocycles, 100 watts and unlimited time on the air.

Examiner R. H. Hyde in Report No. I-513 recommended that the application be denied. The Examiner states that "the evidence regarding financial ability, does not afford reasonable assurance that the proposed station, if authorized, would be financed in such a way as to provide a meritorious public service."

RECOMMENDS DISMISSAL WITH PREJUDICE

Leon M. Eisfeld, applied to the Federal Communications Commission for a construction permit for a new station at Burlington, Iowa, to use 1310 kilocycles, 100 watts and unlimited time.

Examiner Tyler Berry in Report No. I-516 recommended that the application "be denied as in cases of default, and dismissed with prejudice." When the hearing was called no appearance was entered for the applicant and no evidence was offered in support of the application.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints issued against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them:

No. 3245. Sidney A. Weitzman, 357 West 63d St., Chicago, trading as Certified Sales Service, in the sale of clocks, cameras, automatic shavers, fountain pens and other articles, is charged with using a sales plan involving a pushcard system under which purchasers draw prizes by selecting certain names. This respondent is also charged with representing that he is a direct distributor for the manufacturer of the merchandise which he sells, this tending to mislead purchasers into believing that by dealing with him they are buying from the direct agent of the manufacturer and eliminating middleman's profits. The complaint alleges that Weitzman is not the direct distributor for the manufacturer of his products.

No. 3246. Philip H. Koolish, Jr., 1232 Westchester Place, **Los Angeles,** is charged with using a sales plan involving a lottery method in the sale of clocks, cameras, razors and other merchandise. Koolish is alleged to employ a pushcard system under which purchasers draw prizes by selecting certain feminine names.

No. 3247. William L. Goetze, 1610 Ashland Ave., Baltimore, trading as Buhman & Goetze, a candy manufacturer, is alleged to have sold his candy products by means of a plan which included the giving of prizes to purchasers drawing pieces of candy with certain colored centers.

No. 3248. Specialties, Inc., 601 South Smallwood St., Baltimore, a candy manufacturer, is charged with selling its products packed and assorted so as to involve use of a pushcard system under which prizes are awarded to the holders of discs with certain specified numbers thereon.

No. 3249. Paul and **Eaula Louise Botwin,** trading as **Eaula Candy Company,** 1203 Calhoun St., **Columbia, S. C.,** are charged in a complaint with unfair competition in connection with the sale of assortments of candy and other merchandise so packed and assembled as to involve use of a lottery method when sales are made to ultimate purchasers.

The complaint alleges that the respondents sell their merchandise to operators of and concessionaires with motion picture and burlesque theaters, medicine shows, tent shows and repertoire companies, and that they themselves also have candy concessions in certain theaters where they sell their merchandise direct to the consuming public.

Cease and Desist Orders

The Commission has issued the following cease and desist orders:

No. 2431. An order has been entered directing **Arrow Distilleries, Inc.,** 3539 Concord Ave., **Detroit,** to discontinue representing itself to be a distiller of certain spirituous beverages, when such is not a fact.

The Commission found that the respondent corporation is a rectifier, blender and bottler of certain alcoholic beverages. The order directs that the company cease and desist from representing, through use of the word "distilleries" in its corporate name or on stationery or labels, that it is a distiller of cordials or other spirituous beverages; that such products are distilled by it, or that it owns, operates or controls any place where such products are manufactured by it through a process of distillation, unless and until it actually owns, operates or controls such a place.

Stipulations

The Commission has entered into the following stipulations:

No. 01894. The Mennen Company, Newark, N. J., agrees to stop asserting that Mennen Brushless Shaving Cream supplies oil to the skin or is the one cream made especially for that purpose; that Mennen Lather Shave will flush out oil-clogged pores, making oily skin healthier and smoother, and that Mennen Shaving Creams penetrate deep into the pores, washing them out clean, and that they are utterly different from all other products of this class. The respondent company admitted in its stipulation that the question of whether or not the oil in its brushless shave is absorbed by the skin is a matter open to scientific controversy, as is the question of the effectiveness of such preparations as Mennen Lather Shave in any but surface cleansing.

No. 01895. The John Puhl Products Company, 3640 West Pershing Road, Chicago, selling "Little Bo-Peep", a laundry preparation, will stop advertising that its product contains "Oehme" or any other ingredient alleged to be found only in such product, or that "Oehme" or any other ingredient of the preparation possesses remarkable cleansing properties or is capable of doubling the cleaning power of the product. Other representations to be discontinued are that use of "Little Bo-Peep" in the laundering of hose will double its life, and that its use in the washing of blankets and woolens will prevent shrinkage.

In its stipulation the respondent company admitted that "Little Bo-Peep" does not contain any special ingredient possessing certain of the virtues advertised, and that the ingredient designated "Oehme" is merely a form of soap added to ammonia in the respondent's product, and does not possess remarkable cleansing properties.

No. 01896. Bee-Dew Laboratories, 615 East Forest Ave., Detroit, in the sale of cosmetics and hair and scalp treatments, stipulates that it will stop advertising its scalp oil as a competent treatment or effective remedy for falling hair or sensitive scalp; its cleansing cream as being capable of penetrating the pores and eliminating all impurities; its bleaching cream as a skin purifier or remover of blackheads and other blemishes, and its hair grower as being capable of promoting the growth of hair and nourishing the scalp. Under its stipulation the respondent admitted that the use of its product would not accomplish all the results claimed.

No. 01898. Albert H. Dixon, 71 West 23rd St., New York, selling Wizard Ointment, agreed to stop advertising that the preparation will afford either quick, permanent or sure relief from eczema, erysipelas, athlete's foot, or other skin ailments; that it is designed to kill parasites, and that its use will dry up affected parts of the skin.

No. 01899. Emsee Manufacturing Company, Monroe, Mich., will cease representing that Slick Universal Cleaner cleans everything from dishes to rugs, walls or automobiles, and that laundry managers have found that one pound of the product equals five pounds of soap and building managers have adopted it for all building cleaning requirements. The respondent company will stop representing that its product is beneficial for washing clothes, unless this claim is limited to other than woolen and silk clothes and unless the assertion is qualified by a warning that it may effect the color of some textiles. The company also will refrain from advertising that the product dissolves dirt, neutralizes grease and kills germs.

No. 2075. American Vault Co., Inc., Belmont, Mass., has entered into a stipulation to discontinue certain misleading representations in the sale of its concrete burial vaults.

The respondent company agrees to stop use in its advertising matter or in any other way of the word "lasting" or the phrase "Centuries of Protection" so as to imply that the vaults to which these references apply will insure protection forever for the bodies encased therein.

No. 2076. Under a stipulation entered into, **H. Milgrim & Brothers, Inc.,** retailer of women's apparel, 6 West 57th St., **New York,** will discontinue certain misleading representations in the sale of dresses.

In its advertising matter, the respondent company will cease employing the word "crepe" alone as descriptive of those of its dresses which are not made of silk, and will discontinue use of the word "crepe" either independently or in connection with other words so as to imply that the dresses referred to are made of silk, when such is not a fact.

No. 2077. Conover Knitting Co., Conover, N. C., in its stipulation, agrees to cease the use in advertising of the word "silk" as descriptive of hosiery not composed of silk, and to discontinue employing this word in any way so as to imply that its hosiery is composed of silk, when such is not a fact. The stipulation provides that if the article is made of silk and of one or more other materials, each in substantial quantity, and the name of each of the materials is used to describe it, then the names of the materials shall be arranged so that the prevailing material shall be named first, followed by names of the others in the order of their predominance. All the names shall be printed in equally conspicuous type, according to the stipulation.

No. 2078. Frank W. Winne & Son, Inc., 44 North Front St., Philadelphia, agrees not to use the name "Golden Hemp" as a trade name, brand or designation for its dyed rope product, when such product is not in fact made from Manila fibers but from the fibers of the sisal plant The stipulation points out that the respondent company purchased white rope which it dyed light tan or golden in imitation of the color and appearance of certain rope made from Manila fibers, and advertised it as "AAA Golden Hemp."

The respondent company also agrees to stop using the word "Manufacturers" in its advertising in any manner implying that it makes the product it sells or owns and operates the factory in which it is made, when such is not a fact.

No. 2079. Under a stipulation entered into, **Harold E. Coburn,** 178 Temple St., **Whitman, Mass.,** manufacturer of concrete burial vaults, agrees to cease certain misleading assertions in his advertising.

The respondent stipulates that he will stop advertising to the effect that his vaults will afford, under all conditions of burial, constant, everlasting or enduring protection to the casket and body encased therein, or that the vaults will withstand the ravages of underground elements for all time, when such are not the facts.

FEDERAL COMMUNICATIONS COMMISSION ACTION

There was no meeting of the Broadcast Division of the Commission this week at the usual time.

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, November 1:

Monday, November 1

HEARING BEFORE AN EXAMINER
(Broadcast)

KGMB—J. L. P. Robinson, Transferor, Pacific Theatres & Supply Co., Ltd., and Fred J. Hart, Transferees, Honolulu, T. H.—Transfer of control of corporation; **1320 kc.,** 1 KW, unlimited.

K6XCJ—Honolulu Broadcasting Co., Ltd., Honolulu, T. H.—License to cover C. P., **31100, 34600, 37600, 40600 kc.,** 20 watts. To operate according to Rules 983, 1002 and 1004.

KGMB—Honolulu Broadcasting Co., Ltd., Honolulu, T. H.—Renewal of license, **1320 kc.,** 1 KW, unlimited.

KHBC—Honolulu Broadcasting Co., Ltd., Hilo, T. H.—Renewal of license, **1400 kc.,** 250 watts, unlimited.

FURTHER HEARING BEFORE AN EXAMINER
(Broadcast)

NEW—Carl Latenser, Atchison, Kans.—C. P., **1420 kc.,** 100 watts, daytime.

NEW—C. Bruce McConnell, Indianapolis, Ind.—C. P., **1500 kc.,** 100 watts night, 250 watts LS, daily, except Sunday, 10 a. m. to 12 noon, 6 p. m. to 10 p. m. (requests hours used now by WKBV).

WKBV—Knox Radio Corp., Richmond, Ind.—Renewal of license, **1500 kc.,** 100 watts, specified hours.

Tuesday, November 2

HEARING BEFORE AN EXAMINER
(Broadcast)

WBRE—Louis G. Baltimore, Wilkes-Barre, Pa.—Modification of C. P., **1310 kc.,** 100 watts, 250 watts LS, unlimited.

WBRE—Louis G. Baltimore, Wilkes-Barre, Pa.—Modification of C. P., **1500 kc.,** 100 watts, 100 watts, unlimited.

Wednesday, November 3

HEARING BEFORE AN EXAMINER
(Broadcast)

WCBA—B. Bryan Musselman, Allentown, Pa.—Voluntary assignment of license to WSAN, Inc.; **1440 kc.,** 500 watts, share with WSAN.

WSAN—WSAN, Inc., Allentown, Pa.—Voluntary assignment of license to WSAN, Inc.; **1440 kc.**, 500 watts, shares with WCBA.

WCBA—B. Bryan Musselman, Allentown, Pa.—Renewal of license, **1440 kc.**, 500 watts, shares with WSAN.

WSAN—WSAN, Inc., Allentown, Pa.—Renewal of license, **1440 kc.**, 500 watts, shares with WCBA.

Thursday, November 4

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Tri-City Broadcasting Co., Inc., Schenectady, N. Y.—C. P., **950 kc.**, 1 KW, unlimited.

ORAL ARGUMENT BEFORE BROADCAST DIVISION

Examiner's Report No. 1-434:

WMBH—Joplin Broadcasting Co., Joplin, Mo.—C. P., **1380 kc.**, 500 watts, unlimited time. Present assignment: **1420 kc.**, 100 watts night, 250 watts LS, unlimited.

Examiner's Report No. 1-437:

NEW—Valley Broadcasting Co., Youngstown, Ohio.—C. P., **1350 kc.**, 1 KW, unlimited time.

Examiner's Report No. 1-407:

NEW—Juan Piza, San Juan, P. R.—C. P., **1500 kc.**, 100 watts night, 250 watts LS, unlimited.

Examiner's Report No. 1-435:

NEW—West Texas Broadcasting Co., Wichita Falls, Tex.—C. P.; **1380 kc.**, 1 KW, unlimited time.

NEW—Wichita Broadcasting Co., Wichita Falls, Tex.—C. P.; **620 kc.**, 250 watts, 1 KW LS, unlimited time.

NEW—Faith Broadcasting Co., Inc., Wichita Falls, Tex.—C. P.; **1380 kc.**, 1 KW, 5 KW LS, unlimited time.

KFPL—C. C. Baxter, Dublin, Tex.—Voluntary assignment of license; **1310 kc.**, 100 watts, 100 watts LS (C. P., 100 watts, 250 watts LS, unlimited time).

KFPL—WFTX, Inc., Wichita Falls, Tex.—C. P.; **1500 kc.**, 100 watts, 250 watts LS, unlimited time. Present assignment: **1310 kc.**, 100 watts, 250 watts LS, unlimited time.

Examiner's Report No. 1-439:

NEW—Chase S. Osborn, Jr., Fresno, Cal.—C. P.; **1440 kc.**, 500 watts, unlimited time.

Examiner's Report No. 1-432:

NEW—The Bend Bulletin, Bend, Ore.—C. P.; **1310 kc.**, 100 watts, 250 watts LS, unlimited time.

Examiner's Report No. 1-441:

NEW—The Waterloo Times-Tribune, Pub. Co., Waterloo, Ia.—C. P.; **1370 kc.**, 100 watts, daytime.

Examiner's Report No. 1-421:

WREN—The WREN Broadcasting Co., Inc., Lawrence, Kans.—Authority to transfer control of Corporation. **1220 kc.**, 1 KW night, 5 KW LS shares with KFKU.

Friday, November 5

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Kentucky Broadcasting Corp., Louisville, Ky.—C. P., **1210 kc.**, 100 watts, 250 watts LS, unlimited time.

NEW—Louis P. Thornton, Baker, Ore.—C. P., **1500 kc.**, 100 watts, 250 watts LS, unlimited time.

NEW—Broward Broadcasting Co., Ft. Lauderdale, Fla.—C. P., **1370 kc.**, 100 watts, 250 watts LS, unlimited time.

Saturday, November 6

FURTHER HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—William C. Smith, Bogalusa, La.—C. P., **1310 kc.**, 100 watts, 100 watts LS, unlimited time.

APPLICATIONS RECEIVED

First Zone

WGAN—Portland Broadcasting System, Inc., Portland, Maine.—
640 Modification of construction permit (1-P-B-3180) as modified for a new station, requesting extension of commencement and completion dates from 5-22-37 and 11-22-37, respectively, to 11-22-37 and 5-22-38.

WNYC—City of New York, Department of Plant & Structures,
810 New York, N. Y.—License to cover construction permit (B1-P-678) as modified for new equipment, directional antenna, and move of transmitter.

WRDO—WRDO, Inc., Augusta, Maine.—Transfer of control of
1370 corporation from Henry P. Rines to Conrad E. Kennison, 100 shares common stock.

NEW—City of New York, Department of Plant & Structures, Mobile (area of N. Y.).—Construction permit to erect a high frequency relay broadcast station on **300000, 450000, 600000, 750000 kc.**, power 8.5 watts.

Second Zone

WCHV—Community Broadcasting Corporation, Charlottesville,
1420 Va.—License to cover construction permit (B2-P-1626) for equipment changes, installation of vertical antenna, and move of transmitter.

NEW—Philco Radio & Television Corporation, Philadelphia, Pa.—Construction permit for a new television broadcast station to be operated on frequency band **204000-210000 kc.**, 15 watts. Amended to delete A1, A2, A3 emissions.

W8XNL—Charleston Broadcasting Co., Mobile (vicinity of Charleston, W. Va.).—License to cover construction permit (B2-PRE-92) as modified for high frequency relay station.

W8XNK—Charleston Broadcasting Co. (Portable), vicinity of Charleston, W. Va.—Modification of construction permit (B2-PRE-91) to make changes in equipment, decrease power from 5 to 2 watts, extend commencement date from 4-23-37 to 1 day after grant and completion date from 10-23-37 to 2 days after grant.

W8XNK—Charleston Broadcasting Company (Portable), vicinity of Charleston, W. Va.—License to cover construction permit (B2-PRE-91) as modified for high frequency relay station.

W9XXL—Ashland Broadcasting Co., Ashland, Ky.—License to cover construction permit (B2-PRE-135) for high frequency relay station.

W8XNL—Charleston Broadcasting Co., Mobile (vicinity of Charleston, W. Va.).—Modification of construction permit (B2-PRE-92) for high frequency relay broadcast station, to make changes in equipment, decrease power from 5 to 2 watts, and extend commencement date from 4-23-37 to 1 day after grant and completion date from 10-23-37 to 2 days after grant.

Third Zone

WTAW—Agricultural & Mechanical College of Texas, College Sta-
1120 tion, Texas.—Construction permit to make changes in antenna, change hours of operation from specified hours to daytime and move transmitter locally. Requests facilities of Station KTBC.

WJBW—Charles C. Carlson, New Orleans, La.—Modification of
1200 license to change hours of operation from S-WBNO to unlimited time. (Contingent on WBNO being granted a new frequency.)

WGRM—P. K. Ewing, Grenada, Miss.—Modification of construc-
1210 tion permit (B3-P-829) as modified, for new equipment and move of transmitter, requesting extension of completion date from 10-28-37 to 11-15-37.

NEW—L. B. McCormick, Greenville, N. C.—Construction permit
1370 for a new station to be operated on **1370 kc.**, 250 watts, daytime.

NEW—Spartanburg Herald-Journal Company, Spartanburg, S. C.
1420 —Construction permit for a new broadcast station to be operated on **1420 kc.**, 100 watts night and 250 watts day, unlimited time. Amended: To change proposed transmitter site from 4 miles West from center of city of Spartanburg, South Carolina, to 2.3 miles West, northwest from center of city of Spartanburg, South Carolina, and make changes in vertical antenna.

NEW—Greater Greenwood Broadcasting Station (E. DeVore
1420 Andrews, Mrs. Annie L. Andrews), a partnership, Greenwood, S. C.—Construction permit for a new station to be operated on **1420 kc.**, 100 watts night, 250 watts day, unlimited time.

Fourth Zone

WOW—Woodmen of the World Life Insurance Assn., Omaha,
590 Nebr.—Modification of license to change name from Woodmen of the World Life Insurance Assn. to Woodmen of the World Life Insurance Society.

KOAM—A. Staneart Graham, E. V. Baxter & Norman Baxter, d/b
790 as Pittsburg Broadcasting Co., Pittsburg, Kans.—License to cover construction permit (B4-P-459) as modified for a new station.

KWNO—M. H. White, H. R. Wiecking, Harry Dahl and Otto M.
1200 Schlabach, d/b as Winona Radio Service, Winona, Minn.—Voluntary assignment of construction permit (B5-P-983) as modified, from M. H. White, H. R. Wiecking, Harry Dahl, and Otto M. Schlabach, d/b as Winona Radio Service to Winona Radio Service, Incorporated.

KFAM—The Times Publishing Co., St. Cloud, Minn.—Modifica-
1420 tion of construction permit (B4-P-884) for a new station requesting changes in authorized equipment, approval of vertical antenna, approval of transmitter site at 9th Ave. & St. Germain St., St. Cloud, Minn., and studio at Breen Hotel, 9th Ave. & St. Germain St., St. Cloud, Minn. Amended: To make further changes in equipment, and change proposed transmitter site from 9th & St. Germain St., St. Cloud, Minn., to near St. Cloud, Minnesota.

KTRI—Sioux City Broadcasting Co., Sioux City, Iowa.—Modifica-
1420 tion of construction permit (B4-P-1249) for a new station, requesting changes in equipment and approval of studio and transmitter sites at 6th & Nebraska Streets, Commerce Building, Sioux City, Iowa.

WHIP—Hammond-Calumet Broadcasting Corp., Hammond, Ind.
1480 —License to cover construction permit (B4-P-415) as modified for a new station.

Fifth Zone

KMJ—McClatchy Broadcasting Co., Fresno, Calif.—Special ex-
580 perimental authorization to operate a facsimile station from 12 midnight to 6 a. m., PST, using 1 KW power.

KXL—KXL Broadcasters, Portland, Ore.—Construction permit to
1110 install a new transmitter and directional antenna for day and night use; change frequency from **1420 kc.** to **1110 kc.**, power from 100 watts, 250 watts day, to 5 KW day and night, hours of operation from S-KBPS to unlimited time; and move transmitter from 4th and Pine Sts., Portland, Ore., to northeast of Vancouver, Wash.

KGCI—Clarence A. Berger and Saul S. Freeman, Couer D'Alene,
1200 Idaho.—Modification of construction permit (B5-P-1388) for approval of studio site at 2nd and Sherman, Couer D'Alene, Idaho, and transmitter at 3rd and Bancroft, Couer D'Alene, Idaho, and approval of vertical antenna and new transmitter.

KTMS—News Press Publishing Co., Santa Barbara, Calif.—License
1220 to cover construction permit (B5-P-982) as modified for new station.

NEW—Roberts-MacNab Company (Arthur L. Roberts, R. B.
1310 MacNab, A. J. Breitbach, General Manager), Livingston, Mont.—Construction permit for a new broadcast station to be operated on **1210 kc.**, 250 watts day, 100 watts nighttime, unlimited hours of operation. Amended: Change frequency from **1210 kc.** to **1310 kc.**

KSRO—The Press Democrat Publishing Company, Santa Rosa,
1310 Calif.—Modification of license to change hours of operation from daytime to unlimited time, using 100 watts night and 250 watts day power.

NEW—Chester Howarth and Clarence Berger, Wallace, Idaho.—
1420 Construction permit for a new broadcast station on **1420 kc.**, 100 watts night, 250 watts day, unlimited hours of operation.

KIEM—Redwood Broadcasting Company, Inc., Eureka, Calif.—
1450 License to cover construction permit (B5-P-1505) for new equipment and increase in power.

KFBK—McClatchy Broadcasting Co., Sacramento, Calif.—Special
1490 experimental authorization to operate a facsimile station from 12 midnight to 6 a. m., PST, using 5 KW power.

Puerto Rican Zone

WPRA—Puerto Rico Advertising Co., Mayaguez, Puerto Rico.—
630 Construction permit to change frequency from **1370** to **630 kc.**, make changes in antenna, change power from 100 watts, 250 watts day to 250 watts day and night and change hours of operation from specified hours to unlimited time. Amended: Change requested frequency from **630** to **780 kc.**, requested power from 250 watts to 1 KW, 2½ KW day, and make changes in transmitting equipment.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

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FTC ON RADIO ADVERTISING

The Federal Trade Commission in its annual report released today made some interesting remarks on the subject of radio advertising. In this regard the Commission says:

The Commission began the review of advertising copy broadcast over the radio at the beginning of the fiscal year 1934-35. At the outset, the Commission, through the Special Board of Investigation, made a survey of all commercial continuities, covering the broadcasts of all radio stations during July, 1934. The volume of returns received and the character of the announcements indicated that a satisfactory continuous scrutiny of current broadcasts could be maintained with a limited force and at relatively small expense, by adopting a plan of grouping the stations for certain specific periods.

Consequently, beginning with September, 1934, calls have been issued to individual radio stations at the rate of four times yearly for each station, according to their licensed power and location in the five radio zones established by the Federal Communications Commission. These returns cover specified 15-day periods.

National and regional networks, however, respond on a continuous weekly basis, submitting copies of commercial continuities for all programs wherein linked hook-ups are used involving two or more affiliated or member stations.

Producers of electrical-transcription recordings submit regularly monthly returns of typed copies of the commercial portions of all recordings manufactured by them for radio broadcast. As the actual broadcast of a commercial recording is not always known to the manufacturer of an article being advertised, the Commission's knowledge of current transcription programs is supplemented by special reports from individual stations from time to time, listing the programs of recorded transcriptions with essential data as to the names of the advertisers, and the articles sponsored.

The combined material received furnishes representative and specific data on the character of current radio advertising which has proven of great value in the efforts to prevent false and misleading representations.

During the fiscal year ended June 30, 1937, the Commission received copies of 439,393 commercial broadcasts by individual radio stations and 30,983 commercial broadcasts by networks, or chain originating key stations. The broadcasts from the independent stations averaged 1½ pages each and from the networks 10 pages each.

The special board and its staff read and marked about 959,264 pages of typewritten copies during the year, or an average of 3,145 pages every working day. From this material 24,558 commercial broadcasts were marked for further study as containing representations that may have been false or misleading. These were assembled in 1,275 prospective cases for further review and procedure in instances that appeared to require it.

From data now accumulated as a result of the first three year's systematic review of radio advertising, the Commission is in a position to ascertain the sources of the more objectionable examples of broadcast advertising, and to take action where necessary.

The Commission is receiving the helpful cooperation of the 620 active commercial radio stations and of newspaper and magazine publishers generally, and notes a desire on the part of broadcasters and publishers to aid in the elimination of false and misleading advertising.

In its examination of advertising, the Commission's only purpose is to prevent false and misleading representations. It does not undertake to dictate what an advertiser shall say, but rather indicates what he may not say under the law. Jurisdiction is limited to cases which have a public interest as distinguished from a mere private controversy, and which involve practices held to be unfair to competitors in interstate commerce.

OHIO BROADCASTERS HOLD ANNUAL MEETING

The annual meeting of the Ohio Association of Broadcasters will be held November 12 and 13 at Columbus,

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Ohio. John F. Patt, WGAR, President of the Association, will preside.

BROADCAST ENGINEERS CONFERENCE

A Broadcast Engineers Conference will be held at Ohio State University February 7-19, 1938, to be in charge of W. L. Everitt, professor of electrical engineering.

Prominent speakers will cover such subjects as "Broadcast Antenna Design," "High Power Amplifiers," "Modulation and Distortion Measurements," "Studio Acoustics" and many other subjects dealing with broadcast station design and maintenance. In addition, preparatory lectures and demonstrations will be given by members of the university staff before the outside lecturers appear on the program.

The NAB Engineering Committee recommends the attendance of all engineers at this meeting, which is the only conference in the United States dealing exclusively with broadcast transmission.

PACIFIC NORTHWEST BROADCASTERS MEET

A regional meeting of the NAB will be held November 13 at Spokane, Washington. Ed Craney, KGIR, District Chairman for the states of Washington, Oregon, Montana and Idaho, will be in charge.

Included in the program is a talk on the copyright situation by Alfred J. Schweppe, NAB counsel in the Montana and Washington copyright law cases.

RECOMMENDS NEW GEORGIA STATION

Arthur Lucas applied to the Federal Communications Commission for a construction permit for the erection of a new station at Savannah, Ga., to use 1310 kilocycles, 100 watts and unlimited time.

Examiner Melvin H. Dalberg in Report No. I-518 recommended that the application be granted. He found that there is need for an additional station at Savannah "to be utilized for local purposes." The Examiner states that granting of the application would be in the public interest.

INCREASED POWER RECOMMENDED FOR KPOF

Broadcasting station KPOF, Denver, Colo., operating on 880 kilocycles and sharing time with KFKA applied to the Federal Communications Commission to increase its power from 500 to 1,000 watts.

Examiner Tyler Berry in Report No. I-519 recommended that the application be granted. He found that "there is a need for the additional service in the area in question." The proposed increased power, says the Examiner would cause some interference to other stations, but it would serve to equalize the interference between stations. The Examiner states that granting the application would be in the public interest.

NEW STATION RECOMMENDED

A partnership operating under the name of Radio Station WFNC and the Capitol Broadcasting Company, Inc., both applied to the Federal Communications Commission for a construction permit for a new station at Fayetteville and Raleigh, N. C., respectively, to use 1210 kilocycles. WFNC applied for 250 watts and daytime operation and the other company applied for 100 watts and 250 watts LS with unlimited time.

Examiner P. W. Seward in Report No. I-522 recommended that the application of the company known as Radio Station WFNC be denied while the application of the Capitol Broadcasting Company be granted. The Examiner states that there is need for additional radio service in the area proposed to be served. In the case of the first named company the Examiner states that neither of the partners have resided in the area proposed to be served "and has but slight acquaintance with the area." The granting of the application of the Capitol Broadcasting Company, says the Examiner, would be in the public interest.

FCC AUTHORIZES TWO NEW STATIONS

The Federal Communications Commission by action this week authorized two new broadcasting stations. Don M. Lidenton and A. L. McCarthy were granted a construction permit for a new broadcast station to be located at Poplar Bluffs, Mo., to operate on 1310 kilocycles, 100 watts daytime operation, effective December 7.

Also John W. Haights was granted a construction permit for a new station at Greenfield, Mass. to use 1210 kilocycles, 250 watts and daytime operation effective December 14.

MISSISSIPPI STATION RECOMMENDED

The Standard Life Insurance Company of the South applied to the Federal Communications Commission for a construction permit for the erection of a new station at Jackson, Miss., to use 1420 kilocycles, 100 watts and 250 watts LS and unlimited time.

Examiner P. W. Seward in Report No. I-517 recommended that the application be granted. The Examiner states that "the operation of the proposed station will not be expected to cause interference to the fair and efficient operation of any existing licensed radio broadcast station, nor with the operation of any broadcast station for which an application is now pending." He states that the application will be in the public interest.

MAKES CONDITIONAL RECOMMENDATION

The Centennial Broadcasting Corporation applied to the Federal Communications Commission for a construction permit for the erection of a new station at Dallas, Texas, to use 1500 kilocycles, 100 watts and daytime operation.

Examiner Robert L. Irwin in Report No. I-520 recommended that the application be granted under certain conditions, because of other applications pending. The Examiner in his recommendations says:

It is recommended that the application of the Centennial Broadcasting Corporation be denied, if the Commission grants the applications of the Dallas Broadcasting Company, A. L. Chilton, or Richard S. Gozzaldi; and granted, if the Commission denies the applications of the Dallas Broadcasting Company, A. L. Chilton and Richard S. Gozzaldi.

If the application of the Centennial Broadcasting Company is granted, it is recommended that it be made conditional upon the Commission's approval of the site upon which the transmitter will be located.

NEW ALABAMA STATION RECOMMENDED

The Birmingham News Company applied to the Federal Communications Commission for a construction permit for the erection of a new station at Birmingham, Ala., to use 590 kilocycles, 1,000 watts and unlimited time on the air.

Examiner Melvin H. Dalberg in Report No. I-521 recommended that the application be granted, with the use of a directive antenna at night. The Examiner states in his conclusions that "in view of the chain affiliations of the three existing Birmingham stations there appears to be a distinct need for the local service contemplated in this application and such facilities as are requested would apparently render a service to the Birmingham area which does not now exist." The Examiner states that granting of the application would be in the public interest.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair methods of competition in complaints issued against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them:

No. 3250. A complaint has been issued against **Good Humor Corporation of America, Maspeth, Long Island, N. Y., Popsicle Corporation of the United States, New York,** and their exclusive licensing agent, **Joe Lowe Corporation, New York,** charging violation of Section 5 of the Federal Trade Commission Act, prohibiting unfair competition, and of Section 3 of the Clayton Act, prohibiting exclusive dealing arrangements.

The complaint charges that the respondent corporations have threatened and intimidated other manufacturers of frozen confection machinery and their customers by representing that the respondents own and control the process and product patents for frozen stick confections; that by continuing to make such confections the competing manufacturers are infringing upon such patents, and that unless they discontinue such alleged infringement they will be sued. These threats, allegedly made through hundreds of letters and verbally by salesmen, are in bad faith, according to the complaint, because the respondent corporations have no intention of instituting, nor have they instituted, such suits.

Both the Good Humor and Popsicle corporations are alleged to have advertised, through the agency of the Lowe corporation, that "the manufacture of frozen stick confections is licensed under adjudicated patents," and that the Lowe corporation is exclusive licensing agent for all frozen stick confections. Such statements, the complaint charges, are false and misleading. The Lowe corporation is not the exclusive licensing agent for the operating plan of all frozen stick confections, according to the complaint, and the respondents' advertising tends to mislead competing manufacturers and their customers into believing that the respondents have the right to license the manufacture and sale of all machinery for making frozen stick confections, and that all patents dealing with manufacture of such machinery and its products have been finally adjudicated, when such are not the facts. The result, according to the complaint, has been to influence prospective customers of competing manufacturers to discontinue purchasing from them.

Nos. 3251-3252-3253-3255. Three **Chicago** dealers and a Detroit vendor selling various articles of merchandise have been served with complaints alleging the use of lottery schemes or gift enterprises in the sale of their products.

Three of the complaints involve plans under which the respondent awards a prize to the person selecting a certain girl's name on a pushcard, such name corresponding to a name under a master seal on the card. These complaints were issued against **Fred W. Herrschner, Jr.,** 329 South Wood St., **Chicago,** trading as **20th Century Sales Company,** distributor of clocks, automatic razors and other merchandise; **Martin M. Slaton,** 710 Michigan Theater Building, **Detroit,** trading as **Allied Gift Shop** in the sale of clocks, washing machines, electric toasters and other merchandise, and **J. A. Schwartz,** 1407 Diversey Parkway, **Chicago,** dealer in radio receiving sets and other merchandise, trading as **National Sales & Novelty Co.**

A fourth complaint alleges that **Pacific Amusement Manufacturing Company,** 4223 Lake St., **Chicago,** trading as **Pacific Manufacturing Corporation** and selling chewing gum and other merchandise to dealers and concessionaires, furnished plans by means of which certain of the ultimate purchasers received prizes through the drawing of certain coupons in the retail purchase of chewing gum.

No. 3254. Royal Lotus Corporation, 13 Ackerman Ave., **Ramsey, N. J.,** engaged in the interstate sale of a hair tonic and a line of cosmetics, is charged in a complaint with misrepresenting and exaggerating the results to be obtained from the use of its products.

The respondent company allegedly advertises that its hair tonic, designated Royal Otus, is not a dye, is absolutely harmless, and does not impart an artificial color to the hair; that it will restore faded, streaked or gray hair to its natural color; that it stops falling hair, preserves and grows hair, is a positive corrective for dandruff and itching scalp, and prevents all hair diseases.

No. 3256. Charging unfair representations in the sale of men's clothing, a complaint has been issued against **Harry Weinberg,** 818 Broadway, **New York,** trading as **Nu-Art Tailoring Company.**

Weinberg, who employs approximately 20 salesmen at various points in the United States to solicit and accept orders for his clothing, is alleged to have made representations having a tendency to deceive purchasers into believing that the garments so sold are made-to-measure or tailor-made. According to the complaint, such garments, in many instances, are not made-to-measure or tailor-made, but are "ready made" suits previously manufactured without regard to individual measurements of the purchaser to whom the garment is to be eventually sold. In some instances, it is charged, garments are made to individual measurements, but because of lack of experience and skill on the part of salesmen who take the measurements, and on the part of the workmen who make the suits, they do not always fit.

No. 3257. Alleging misrepresentation in the sale of perfumery and toilet articles, a complaint has been issued against **Dermay Perfumers, Inc.,** 347 Fifth Ave., **New York.**

Among the misrepresentations alleged are that the respondent company's printed matter indicates that it manufactures its products, when in fact it owns or controls no mill or factory for this purpose; that its printed matter and labels indicate that it has a place of business in Paris, France, and imports certain products from France to the United States, when such is not a fact, and that it places price marks on certain products indicating a value greatly in excess of the actual retail selling price and in excess of the actual value.

No. 3258. Trading as **Diesel Engineers, Associated, Roy E.** and **Florence A. Reed,** 805½ South Flower St., **Los Angeles,** are charged in a complaint with using certain unfair methods of competition in connection with the sale of correspondence courses of instruction in the construction, operation, maintenance and repair of Diesel engines and air-conditioning equipment.

Advertisements inserted by the respondents in the "Help Wanted" columns of newspapers allegedly lead prospective students to believe that, while working for pay in a factory where Diesel engines and air-conditioning equipment are constructed and repaired, they will be afforded an opportunity to learn such trades. The complaint charges that such advertisements are merely "blinds" to contact prospective purchasers of the courses, inasmuch as the respondents do not own or operate a shop or factory where Diesel engines and air-conditioning equipment are manufactured and repaired, nor do they provide employment in such a place for persons who respond to the advertisements.

In corresponding with prospects, the respondents are said to use letterheads on which appear the names of five men, one designated as chief of staff, another as chief consulting engineer, and the others as consulting engineers, while in the agreement signed by the student he is described as a "member", the agreement of enrollment is referred to as a "membership", and the diploma to be awarded upon completion of a course is called an "associate engineering membership."

No. 3259. A complaint has been issued against **The Sperry Corporation,** 30 Rockefeller Plaza, **New York City,** a holding corporation, charging that it has violated Section 7 of the Clayton Act by acquiring the capital stock of two competing corporations.

According to the complaint, The Sperry Corporation, a holding company owning several subsidiary companies which manufacture nautical and aviation instruments and mechanisms, in April, 1937, while owning the capital stock of The Waterbury Tool Company, Waterbury, Conn., acquired all of the issued and outstanding common capital stock of Vickers, Inc., Detroit, alleged to be a direct competitor of The Waterbury Tool Company.

The Waterbury Tool Company and Vickers, Inc., are said to constitute the sole source of supply of hydraulic transmissions, pumps and allied products for use by the United States Navy, and the total volume of business of the two companies allegedly represents a substantial part of the total business done in the United States in these products.

Pursuant to a so-called plan of re-organization dated April 14, 1937, Vickers, Inc., according to the complaint, issued 1,600 additional shares of its authorized common stock, so that there were then issued and outstanding 9,600 shares of common stock and 5,000 shares of preferred stock. Pursuant to this plan and to an agreement also dated April 14, 1937, between The Sperry Corporation and the Vickers stockholders, it is alleged that The Sperry Corporation acquired and now owns all issued and outstanding common capital stock of Vickers, Inc., and 4,882 shares of its outstanding preferred stock. As a result of this acquisition, The Sperry Corporation now allegedly controls the operations of Vickers, Inc., as one of its subsidiaries.

The complaint charges that the effect of the acquisitions by The Sperry Corporation of the capital stocks of the Waterbury and Vickers companies may be to substantially lessen competition between the two subsidiary companies or to tend to create a monopoly in The Sperry Corporation in the hydraulic pump, transmission and allied products business.

No. 3260. Donald Reichgott, 1841 Broadway, **New York,** trading as **American Novelty Company,** is charged in a complaint with using lottery methods in connection with the sale of various articles of merchandise, including electric razors and pen and pencil sets.

The respondent allegedly furnishes customers with push cards, the use of which involves the distribution of his merchandise to the purchasing public wholly by lot or chance.

Cease and Desist Orders

The Commission has issued the following cease and desist orders:

No. 1810. D. Goldenberg, Inc., Ontario and I Sts., **Philadelphia,** trading as **P. C. Sales Company,** candy manufacturer, has been served with an order to cease and desist from certain sales methods involving a lottery or gift enterprise.

The respondent company is directed to stop selling and distributing to dealers candy so packed and assembled that sales to the public may be made by means of a lottery, and supplying dealers with assortments of candy which may be used without alteration of the contents to conduct a lottery in its sale to the public.

Nos. 2614-2773-2827. Three companies manufacturing wall board and wall covering products have been served with orders requiring them to cease and desist from certain misleading representations in the sale of their products. These respondents are **The Masonite Corporation, Chicago** and **Laurel, Miss., Standard Wall Covering Co., Inc.,** 1819 North 9th St., **Philadelphia,** and **The Marsh Lumber Company,** 535-611 Tuscarawas Ave., **Dover, Ohio,** trading as **Marsh Wall Tile Company.**

The orders direct the respondents to cease using their respective trade names containing the word "tile", or the word "tile" itself, to represent that their products are that material, unless in immediate conjunction with such words and in the same conspicuous type there appear other words designating the material of which the products are made, such as wood tile, glass tile, rubber tile, asbestos tile, copper tile, cork tile or metal tile.

The Masonite Corporation's "Temprtile", according to findings, is compounded from wood chips and wood fibers and other substances and siccative materials, and are baked in an oven at a high temperature, pressed and tempered, so that the final product is a hard, durable sheeting or covering.

Standard Wall Covering Company's "Stancotile", "Mono-Tile" and "Wall Tile" are made in the same way, according to findings, as are the Marsh Lumber Company's "Marshtile" and "Marsh Wall Tile."

No. 2819. An order has been issued to cease and desist against **Hoffman Beverage Co.,** 402 Grove St., **Newark, N. J.,** prohibiting violation of Section 5 of the Federal Trade Commission Act through use of certain representations tending to misleadingly disparage competing beer products.

Under the order, the respondent company is directed not to represent that "heat treating beer during bottling operations spoils the fresh taste" in conjunction with the allegation that such heat treating "is necessary in all other American breweries except Hoffman." The order provides that nothing therein contained shall restrict the respondent company from making any legitimate claims regarding the desirability or distinctive taste of its beer so long as such claims are not coupled with false or misleading disparaging references to competing products.

No. 2900. National Laboratory, 767 Milwaukee Ave., **Chicago,** distributor of "Nuga-Tone", a tablet alleged to be a remedy for various diseases, has been ordered to cease and desist from certain false representations concerning its product.

Among the representations to be discontinued are that Nuga-Tone is a combination of bitter stomachic tonics or a valuable and effective alterative tonic which may be taken over long periods by anyone without harmful results; that it is an effective remedy or cure for indigestion, stomach or intestinal ailments, poor heart action, loss of power and energy, and that it will protect the body against the more serious diseases, stimulate and invigorate the entire system, and act directly on the vital organs.

No. 2934. Lewyn Drug, Inc., 655 North Arden Blvd., **Los Angeles,** has been ordered to cease and desist from misrepresenting the therapeutic value of Dr. Haller's Prescription 5000, advertised as a remedy for women's ailments. The company has a branch office at Steubenville, Ohio.

Among the representations ordered discontinued are that the preparation is a safe, dependable remedy for certain ailments peculiar to women; that users will obtain relief quickly, safely and dependably; that it is the best product made for the purposes for which the respondent company recommends it, and that it has been dispensed to American women through ethical channels for almost a half century.

No. 2940. E. O. Jackson Distilling Company, 8440 South Chicago Ave., **Chicago,** has been ordered to cease and desist from representing, through use of the word "distilling" in its corporate name, on labels or in advertising matter, that it distills certain whiskies, gins or other spirituous beverages which it sells, when such is not a fact, or that it owns or operates a plant where such products are distilled, unless and until it actually does own or operate such a plant.

The respondent company, however, is not prevented from representing, through use of the word "distilling", that it is the distiller of liquors which it did in fact produce by the process of distillation.

Findings are that the respondent company, prior to January 1, 1936, as lessee of The Frankfort Distilleries, Incorporated, at Louisville, Ky., operated a distillery and produced approximately 5,000 barrels of whiskey, of which 2,500 barrels remained at the time of the hearing in the case. On January 17, 1936, the company suspended operations as a distiller, and since that date, according to the findings, has been engaged solely as a rectifier in the bottling and sale of spirits which it did produce and of spirits purchased from other sources.

No. 3057. An order to cease and desist from certain unfair methods of competition in the interstate sale of mushroom spawn has been entered against **American Mushroom Industries, Ltd.,** having its principal place of business at 28-30 Bloor St., West, **Toronto, Canada,** and a branch office at 73 West Eagle St., **Buffalo.**

The respondent corporation is directed to stop representing that the spawn sold by it is a new and superior variety which will produce more white mushrooms per square foot than is actually the case, or that mushrooms grown from it are superior to or command higher prices than white mushrooms produced from other spawn.

No. 3075. Misleading representations in the sale of certain medicinal products are prohibited under an order to cease and desist issued against nine individuals trading as **Herbal Medicine Company** and **Natex Company,** 219 West Saratoga St., **Baltimore.**

The order directs that the respondents, in the sale of Herb Doctor, or Herb Doctor Compound, and Natex, discontinue representing such preparations as competent or effective cures, remedies or treatments for stomach troubles, rheumatism, neuritis, liver and kidney ailments, nervousness, and other related maladies and conditions. They are also to cease asserting that these preparations will cure constipation, or headaches due thereto, or that these medicines are new remedies.

No. 3154. Substantially all domestic manufacturers and a large group of distributors in the window glass industry have been ordered to cease and desist from the use of unfair methods of competition in violation of the Federal Trade Commission Act, and from price discriminations held to violate the Robinson-Patman amendment to the Clayton Act.

The order is directed against the Window Glass Manufacturers Association, 19 West 44th Street, New York, and the National Glass Distributors Association, 2217 Tribune Tower, Chicago, and the members, officers and directors of each.

Manufacturers named in the order, who constitute the membership of the Window Glass Manufacturers Association and own and control practically all of the factories making window glass in the United States, are Pittsburgh Plate Glass Company and American Window Glass Company, Pittsburgh; Libbey-Owens-Ford Glass Company, Toledo, Ohio; Harding Glass Company, Fort Smith, Ark.; Adamston Flat Glass Company and Rolland Glass Company, Clarksburg, W. Va.; Scohy Sheet Glass Company, Sistersville, W. Va., and Blackford Window Glass Company, Vincennes, Ind.

The Fourco Glass Company, Clarksburg, W. Va., also named in the order, is the owner of Harding Glass Company and the exclusive selling agent for the Harding, Adamston, Rolland, Scohy and Blackford companies.

Distributors against whom the order is entered and who are described as representative members of the National Glass Distributors Association, are Postlewait Glass Company, Kansas City, Mo.; Patek Bros., Inc., Milwaukee; Schrenk & Co., Hoboken, N. J.; Bennett Glass Company, Salt Lake City; Pritchard Paint & Glass Co., Charlotte, N. C.; Hires Turner Glass Company, Philadelphia; Toledo Plate & Window Glass Co., Toledo, Ohio; W. P. Fuller & Co., San Francisco, and Binswanger & Co., Richmond, Va.

Although the order does not name the entire membership of the distributors' association, it is directed against all of them, some 150 in number.

No. 3176. Bloomingdale Brothers, Inc., Lexington Ave. and 59th St., **New York,** has been served with an order to cease and desist directing discontinuance of misrepresentations in the sale of certain dresses it manufactures and sells.

Under the order, Bloomingdale Brothers, Inc., is required to cease using the word "crepe" to describe any product not composed wholly of silk, unless in immediate connection therewith, in letters of equal size and conspicuousness, there appear other words accurately describing the materials of which such product is made.

No. 3187. An order has been issued requiring **Elite Glove Company, Inc., Gloversville, N. Y.,** to cease and desist from certain misleading representations in the sale of its products in violation of Section 5 of the Federal Trade Commission Act.

This company is directed to stop representing, directly or indirectly, through use of the word "British" or other words of similar meaning, or through any other means or device, that its gloves, or the leather from which they are made, were imported from or made from hides processed into finished leather in England or any other part of the British Empire.

No. 3209. The Wm. M. Hardie Company, 1584 East 19th St., **Cleveland,** candy manufacturer, has been served with an order to cease and desist from certain sales methods involving a lottery or gift enterprise.

The respondent company is directed to stop selling and distributing to dealers candy so packed and assembled that sales to the public may be made by means of a lottery, and from supplying dealers with assortments of candy which may be used without alteration of the contents to conduct a lottery in its sale to the public.

No. 3204. Acme Products Company, 152 Brewery St., **New Haven, Conn.,** has been ordered to cease and desist from misleading representations concerning certain life preservers it sells in interstate commerce.

The Company is required to discontinue representing in advertisements, price lists, or in any other manner that its life preservers may be lawfully used as such on pleasure boats, or that they comply with the rules and regulations of the United States Steamboat Inspection Service.

No. 3241. An order has been entered directing **Al Hartman, Inc.,** 1400 Broadway, **New York,** to discontinue misrepresenting the fiber content of certain dresses it manufactures and sells.

The order requires Al Hartman, Inc., to cease using the word "silk", or any other word of similar meaning, as descriptive of garments not composed wholly of silk, but which contain other materials.

Use of the word "crepe" to describe any product not composed wholly of silk also is ordered stopped, unless in immediate connection therewith, in letters of equal size and conspicuousness, there appear other words accurately describing the materials of which such product is made.

Stipulations

The Commission has entered into the following stipulations:

No. 01897. Camel, Lead, Color and Chemical Products Mfg. Corporation, 33 Keap St., Brooklyn, selling Germ-Proof Film Paint, stipulates that it will stop advertising its product as being capable of constantly killing all germs, unless this assertion is qualified by the statement that it kills certain specified germs coming in contact with germ-proof paint. The respondent company agrees to cease asserting that its product will kill all germs throughout the life of the paint, and that the preparation stands today as the greatest single sanitary prophylactic measure of this epoch. Other representations to be discontinued are that the respondent's claims have been accepted by eminent scientists, and that the use of the respondent's product will give public health insurance. In its stipulation, the respondent company admits that, according to reliable scientific authority, its product is germicidal under some conditions, but not so under all conditions nor against all germs.

No. 01900. Della J. Ballard, trading as Ballard Golden Oil Company, 100 Harlow St., Bangor, Me., will stop advertising that Ballard's Golden Pills are an effective remedy or competent treatment for kidney diseases; that Ballard's Golden Oil is a sure and the quickest relief for colds and coughs, or is effective in treating colds, spasmodic croup, throat irritations, and muscular aches and pains, and that Ballard's Golden Salve is a healing remedy or competent in the treatment of cuts, scalds, dandruff and scalp irritations.

No. 01901. Marjorie Ross, trading as Clear-Skin Institute, 375 Lincoln Place, Brooklyn, stipulated that she will stop advertising that her preparation known as Clear-Skin will clear the complexion of brown and liver spots, pimples and blackheads, and will heal or correct blemishes of the skin. She also will cease asserting that the results claimed for the product are guaranteed, and that any price at which the product generally is sold is a special or an introductory offer. The respondent also agreed to stop using the word "Institute" as part of her trade name.

No. 01902. D. J. Lane, 630 Lane Building, St. Marys, Kans., will cease representing that his preparations designated Hay Fever and Asthma Pills, Nasal Ointment, Asthma Treatment, and Special Elixir, alone or in combination, constitute a treatment for asthma or hay fever or are more than a palliative treatment for the symptoms of such ailments; that they contain health-giving ingredients which act on the constitution and are intended to aid nature in restoring the body to normal condition, and give freedom from smothering, wheezing, coughing, and other asthmatic symptoms.

No. 01903. **National Coin Corporation,** 29 Locust St., **Springfield, Mass.,** has entered into a stipulation to discontinue certain misleading representations in connection with the sale of its coin catalogue.

Under its stipulation, the respondent company agreed to stop representing that many coins and bills now in circulation are worth big cash premiums, and that its coin book lists all valuable coins or tells which are valuable. The respondent company admitted that the number of valuable coins now in circulation is small.

No. 01904. P. B. Smith, trading as Nature's Mineral Food Company, 145 East Ohio St., Indianapolis, in the sale of Nature's Minerals, will discontinue representing that the preparation is prepared in accordance with the requirements of the United States Pharmacopoeia or National Formulary, and is a competent treatment or an effective remedy for rheumatism, acidosis, diabetes, arthritis, tuberculosis, diseases of the stomach, kidneys and heart, and numerous other ailments. The respondent also will refrain from advertising that his product affords the same benefits as a visit to a health resort and is of more benefit than treatment by physicians.

No. 01905. E. O. Koch, 2906 Main St., Kansas City, Mo., trading as The Easyhold Company and as Dr. Kaiser, is engaged in the sale of the Easyhold Truss and Hernaline, an astringent mixture. He agreed to stop advertising that the truss does away with binding spring bands and harsh plug pads and will cause rupture to disappear as if by magic, and that Hernaline will aid nature in effecting a recovery from rupture and in strengthening and building up body tissue. The respondent also will stop representing that no charge is made for the truss or that persons receiving it on trial will not be out one penny if their condition is not improved in 30 days, unless all charges, including postage, are refunded to purchasers in the event the truss is returned to the respondent in accordance with the agreement.

No. 01906. Pickgan Labrofacts, Inc., 250 East 43rd St., New York, will cease representing that its product designated Allay will relieve the most stubborn, obstinate or persistent pains, will stop headache or throat ache, prevent or stop a cold, and is guaranteed to relieve pain.

No. 01907. Misleading representations in the interstate sale of a repairing liquid will be discontinued, under a stipulation entered into by the **Perfect Manufacturing Company,** 3317 Madison Road, **Cincinnati,** trading as **Metalfix Company.**

In the sale of its product, Metalfix, the respondent agrees to stop advertising that the preparation will weld; that it will effect permanent repairs under all conditions, and that it is not a cement, but a metallic liquid and a new chemical discovery.

No. 01908. The Walker T. Dickerson Company, 326 South Front St., Columbus, Ohio, selling Archlock Shoes, agrees to cease representing that use of such footwear will cure or relieve arthritis in the feet, banish corns, bunions or callouses, cure or relieve every type of foot trouble, and that such shoes are guaranteed to give comfort regardless of the foot ailment.

No. 01909. Capillaris Manufacturing Company, 948 Bloomfield Ave., Glen Ridge, N. J., engaged in the sale of a preparation for the skin designated Capillaris-X, will discontinue representing that the product is a strong germicide and a competent treatment for eczema, rash, boils, scalp disorders, and many skin diseases, unless the claims concerning the therapeutic value of the preparation are limited to the palliative relief afforded.

No. 01910. National Academy of Music agrees to cease asserting that the study of its courses makes one an accomplished musician in a short time and gives one instruction by the best master artists and teachers in America. In its stipulation, the respondent admits that persons subscribing to its courses are not certain to become accomplished musicians in a short time and that, although the lessons are graded by competent teachers, the pupil does not study in the presence of his teacher or receive the personal instruction of master teachers, except by correspondence.

No. 01911. Frank A. Wilken, trading as Normalizing Foods Company, 10428 Crocuslawn, Detroit, is engaged in the sale of Normalax, offered as a laxative. He will cease advertising that the preparation contains those minerals, vitamins and food ingredients useful for toning up and invigorating the intestines, wthout the use of laxatives thereafter; that it is a new vegetable corrective, more suitable for an individual than most of the food he eats, and is absolutely harmless regardless of how much or how long it is taken. The respondent will also agree to desist from employing the words "Normalizing" and "Foods" in his trade name.

No. 01912. Frank Wyss agrees to stop representing that the divining rods sold by him will work the same for everyone, that he furnishes information relative to scientific methods of locating buried treasure, and that any instrument sold or described by him will indicate the presence of any metal, unless such claim is clearly qualified by a statement as to the conditions necessary to achieve such results. In his stipulation, Wyss admits that, according to a consensus of reliable scientific opinion, the only products sold or described by him which would have any practical value in indicating the presence of metals are the Teletector, the Buried Treasure Finder, and the Radio Gold Locator. These three may be of value, according to the respondent's admission, but only when the metallic object is of sufficiently continuous size, parallel to and fairly close to the ground surface, and when the operator is a trained technician. Among other products sold by the respondent are Modern Divining Rods, Oil and Water Finders, and the Magic Indicator.

No. 01913. Capt. W. A. Collings, Inc., Watertown, N. Y., selling Capt. Collings' System for Rupture Service, will discontinue representing that the Collings System can be relied upon to end, stop or rid one of rupture, so as to imply that the person never again will suffer any recurring rupture conditions. The respondent company also will stop advertising that the mere fitting of the Collings appliance will remedy immediately the ruptured conditions and that a truss built in accordance with measurements furnished by mail will in all cases fit as well as though made after a personal examination by an expert.

No. 01914. Frank A. Randall, 521 Fifth Ave., New York, trading as Sulpho-Sol Company, in the sale of Sulpho-Sol, advertised as a treatment for arthritis and rheumatism, agrees to stop asserting that lack of sulphur is a leading factor in causing arthritis, and that Sulpho-Sol is an effective or inexpensive remedy for treating that disease, unless the latter assertion is limited to arthritis which is due to sulphur deficiency. Randall also agrees to stop asserting that Sulpho-Sol is beneficial in the treatment of rheumatism or rheumatic conditions.

No. 01915. H. T. Roberts, Frenchburg, Ky., trading as H. T. Roberts & Co., in the sale of books and printed matter, agrees to stop advertising that prospective agents are paid for distributing circulars or that remuneration is other than commissions on goods sold through the circulars they distribute. Roberts also stipulates that he will stop representing that the study of one of his books will enable one to make $50 a week selling snapshots; that his book "How To Be a Successful Agent", will tell one how to earn $100 a week, and that his volume "How To Get Yourself a Better Job", gives its readers a strange power or enables them to immediately obtain good jobs after months of failure.

No. 01916. Warner's Safe Remedies Company, 82 St. Paul St., Rochester, N. Y., in the sale of Warner's Digestive Tablets and Warner's Compound, agrees to cease advertising that the compound is the best known product of its kind, and is made of natural herbs, and will clean out all body poisons and stimulate the liver. Warner's Digestive Tablets are not to be represented as being capable of relieving stomach troubles unless such ailments are specified in direct connection with the advertisement of the tablets and the representation so qualified as to indicate that the tablets will be a relief only when the conditions are due to gastric hyperacidity. The respondent agrees to stop using the word "digestive" as part of the trade name for the tablets, and will cease employing the word "laboratories" in its advertising unless it shall own, control or operate such places.

No. 2080. Delight Sweets, Inc., 50 East 11th St., New York, will discontinue using on containers of its novelty products any false, fictitious or misleading price in excess of the price at which such merchandise is sold or intended to be sold in the usual course of retail trade and will cease the use of any purported price marking, the effect of which is to convey to purchasers an erroneous belief with respect to the quality or value of the products. Branding of perfume products with the words "Paris" or "Shanghai" so as to imply that such products are made in Paris or Shanghai, or that the company has offices in those cities, when such are not the facts, will be discontinued. The company also will stop using the words "Manufacturers" or "Manufactured By" on packages of candy so as to imply that it manufactures the candy or owns or operates the factories in which the products are made, when this is not a fact.

No. 2082. Joseph A. Howard, trading as J. A. Howard Distributing Company, P. O. Box 205, Cincinnati, will stop using on cartons containing his soap products, on the individual bars of soap or in advertising matter, exaggerated or misleading representations concerning the value of or the price at which his products are sold in the usual course of trade.

No. 2083. Cecil J. Wilson, trading as Neu-Deel Distributors, P. O. Box 791, Columbus, Ohio, engaged in the sale of earthenware utensils, will cease representing through salesmen or agents, or in any other manner, that the use of aluminum cooking utensils will cause or further the growth of cancer, ulcers of the stomach or other bodily ills, or that food cooked in aluminum utensils is poisonous or deleterious to the health, when, in fact, there is no scientific basis for such representations.

Nos. 2081-2084. Feltex Products Corporation, 506 South Franklin St., Chicago, and Lewis Tanenbaum, 12 Bleecker St., New York, trading as Sha-Po Manufacturing Company, agreed to stop selling hats or caps made from or which contain second-hand, old or used felts, unless there is stamped upon or attached to such articles in a conspicuous place, a brand or label which cannot be readily removed, and which clearly indicates that the hats or caps are made from or contain second-hand or old materials and do not contain new, unused felts. Both respondents are said to have purchased second-hand felt hats which they subjected to cleaning processes, adding new trimmings, sweat-bands or visors. Such products were sold to retailers. However, according to the stipulation, they did not use designations to properly indicate that the hats or caps contained old material. Feltex Products Corporation manufactures baseball caps, and Tanenbaum makes caps and hats.

No. 2085. Charles and Sidney M. Herscovitz, 30 Kneeland St., Boston, trading as C. Herscovitz & Son, Inc., in the sale of women's sport wear, agree to stop using the phrase "Genuine 100 per cent camel's hair", or any other representation of similar import as descriptive of garments not composed of camel's hair. The respondent firm will also cease employing the words "camel's hair" or the word "camel" or a pictorial representation of a camel, either independently or in connection with other words on their labels or in advertising, so as to imply that the garments are made entirely of camel's hair, when such is not a fact. The stipulation provides that if a garment is composed in substantial part of camel's hair, and the words "camel's hair" are used to describe or feature such camel's hair content, they shall be immediately accompanied by other words in conspicuous type to clearly indicate that the sport wear is not made wholly of camel's hair, but contains other materials.

No. 2086. Hickory Hosiery Mills, Inc., Hickory, N. C., manufacturing hosiery for men and children, will discontinue use on its transfers or in its advertising matter or otherwise of the phrase "Pure Thread Silk Reinforced With Art Silk" as descriptive of hosiery not composed of silk. The respondent company will cease employing the word "silk" alone or in connection with the phrase "pure thread" or the word "art", or with other words in any way to imply that the products to which these descriptions refer are made of silk, when such is not a fact. The stipulation provides that if the hosiery is composed of silk and of one or more other materials, each being in substantial quantity, the name of each of such materials, if used in descriptions, shall be arranged so that the name of the predominating material shall be first. This shall be followed by the names of the other materials in the order of their predominance, and all such names shall be printed in equally conspicuous type, according to the stipulation.

No. 2087. United States Kalsomine Company, 50 Church St., New York, in the sale of Fenolite wall paint, agrees to stop advertising that its product is a germicide or has germicidal qualities, and to cease using the word "germicidal" alone or in connection with other words so as to imply that its product will kill germs, when such is not a fact.

No. 2088. Frank Tea & Spice Company, 538 East 5th Street, Cincinnati, trading as Cino Chemical Company, in the sale of an alleged maple food product, agrees to stop the use on labels or otherwise of the phrase "Pure Maple Concentrate" or the words "An 100% Maple Product", either independently or in connection each with the other as descriptive of the respondent's product. According to the stipulation, this product is not composed wholly of maple syrup or sugar. The respondent company stipulates that it will cease using the word "maple" either independently or in connection with other words so as to imply that the preparation is made wholly of maple syrup or sugar, when such is not a fact. Provision is made that if the product is composed in substantial part of maple syrup or sugar, the word "'maple", if used to describe such content, shall be immediately accompanied by other words in conspicuous type to clearly indicate that the preparation is not made entirely of maple, but contains other substances.

No. 2089. Sun Radio Service & Supply Corporation, 938 F St., N. W., Washington, D. C., in the sale of radios, stipulates that it will cease employing in its advertising matter or otherwise the phrase "5-Tube Performance" so as to imply that the combined effect of the tubes contained in such radios is such as to perform the work of 5 single-duty tubes, when such is not a fact. The stipulation provides that if a radio has and is described as having the performance of a designated number of tubes other than the number actually contained in the set, then the actual number of tubes shall be clearly set forth and immediately precede with equal conspicuousness the designated number of tubes whose performance is properly and truthfully labeled and represented, as for example, "4 tubes—5-tube performance".

No. 2090. The Lander Company, Inc., 200 Fifth Ave., New York, dealer in toilet articles, cosmetics and perfumes, including a bath oil preparation designated "Alpine", agrees to cease use on labels or in advertising matter of the word "Swiss" so as to imply that its bath oil product is a Swiss article or that the pine essence from which it is made or compounded is a product of Switzerland or of pine needles grown in and imported from Switzerland. The stipulation points out that this product was derived from pine needles imported from a country other than Switzerland.

No. 2091. Under a stipulation entered the **Golden Belt Manufacturing Company, Inc., Durham, N. C.,** engaged in the manufacture and interstate sale of women's hosiery, will discontinue certain false and misleading representations in advertising its products.

The company agrees to cease using in advertising matter the words "Rain and Spot Proof", alone or with other words as descriptive of hosiery which is not proof against spots or splashes caused by rain; and to stop employing such words so as to imply that the hosiery has been chemically or otherwise treated so as to make it proof against or resistant to spots or splashes caused by rain, when such is not a fact.

FTC CASES DISMISSED

No. 2380. The Federal Trade Commission has dismissed its complaint against **Dr. A. Posner Shoes, Inc.,** 140 West Broadway, **New York.**

The complaint charged the respondent corporation with certain unfair representations in connection with the sale of shoes.

No. 2936. The Commission has also closed its case against **Shefford Cheese Company, Inc., Syracuse, N. Y.,** which was charged with price discrimination in connection with the sale of cheese, in violation of Section 2 (a) of the Clayton Act as amended by the Robinson-Patman Act.

The case was closed without prejudice to the right of the Commission, should the facts so warrant, to reopen it and resume prosecution of the complaint in accordance with its regular procedure.

In closing the case, the Commission, in a memorandum opinion, says that during the period of a supplemental investigation, conducted after issuance of the complaint, it appeared that in the sale of packaged cheese by Shefford Cheese Company "there was in fact no discrimination between two classes of customers in connection with the sale of this class of products. In addition, it is to be noted that this respondent alleges in its answer that the differing discounts appearing in its price schedule were made to meet those of competitors or the services and facilities furnished by competitors, and the information in the hands of the Commission does not controvert this allegation."

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, November 15:

Monday, November 15

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Platt & Platt, Inc., Poughkeepsie, N. Y.—C. P., **1000 kc.,** 1 KW, limited time to local sunset WHO.

WDZ—WDZ Broadcasting Co., Tuscola, Ill.—C. P., **1020 kc.,** 1 KW LS, daytime. Present assignment: **1020 kc.,** 250 watts LS, daytime.

Tuesday, November 16

FURTHER HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Citizens Broadcasting Corp., Schenectady, N. Y.—C. P., **1240 kc.,** 1 KW night, 5 KW LS, unlimited.

NEW—Thomas J. Watson, Endicott, N. Y.—C. P., **1240 kc.,** 1 KW, unlimited time.

NEW—The Hampden-Hampshire Corp., Holyoke, Mass.—C. P., **1240 kc.,** 500 watts night, 1 KW LS, unlimited.

Wednesday, November 17

HEARING BEFORE AN EXAMINER

(Broadcast)

WESG—Cornell University, Ithaca, N. Y.—Modification of license, **550 kc.,** 1 KW night, 1 KW LS, 6 a. m. to LS at New Orleans.

FURTHER HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Zenith Radio Corp., Chicago, Ill.—C. P., **42000-56000, 60000-86000 kc.,** 1 KW, unlimited time, in accordance with Rule 983 (a).

Thursday, November 18

HEARING BEFORE AN EXAMINER

(Broadcast)

WSAY—Brown Radio Service & Laboratory, Rochester, N. Y.—C. P., **1210 kc.,** 100 watts night, 250 watts LS, unlimited time. Present assignment: **1210 kc.,** 100 watts, unlimited time.

ORAL ARGUMENT BEFORE THE COMMISSION

Examiner's Report No. 1-435:

NEW—West Texas Broadcasting Co., Wichita Falls, Tex.—C. P., **1380 kc.,** 1 KW, unlimited.

NEW—Wichita Broadcasting Co., Wichita Falls, Tex.—C. P., **620 kc.,** 250 watts, 1 KW LS, unlimited time.

NEW—Faith Broadcasting Co., Inc., Wichita Falls, Tex.—C. P., **1380 kc.,** 1 KW, 5 KW LS, unlimited.

KFPL—C. C. Baxter, Dublin, Tex.—Voluntary assignment of license, **1310 kc.,** 100 watts, 100 watts LS (C. P., 100 watts, 250 watts LS), unlimited

KFPL—WFTX, Inc., Wichita Falls, Tex.—C. P., **1500 kc.,** 100 watts, 250 watts LS, unlimited time. Present assignment: **1310 kc.,** 100 watts, 250 watts LS, unlimited.

Examiner's Report No. 1-439:

NEW—Chase S. Osborn, Jr., Fresno, Calif.—C. P., **1440 kc.,** 500 watts, unlimited.

Examiner's Report No. 1-432:

NEW—The Bend Bulletin, Bend, Ore.—C. P., **1310 kc.,** 100 watts, 250 watts LS, unlimited.

Examiner's Report No. 1-441:

NEW—The Waterloo Times-Tribune Pub. Co., Waterloo, Iowa.—C. P., **1370 kc.,** 100 watts, daytime.

Examiner's Report No. 1-421:

WREN—The WREN Broadcasting Co., Inc., Lawrence, Kans.—Authority to transfer control of corporation; **1220 kc.,** 1 KW night, 5 KW LS, shares with KFKU.

Examiner's Report No. I-452:

KSD—The Pulitzer Publishing Co., St. Louis, Mo.—Modification of license, **550 kc.,** 1 KW, 5 KW LS, unlimited time (requests facilities of KFUO). Present assignment: **550 kc.,** 1 KW, 5 KW LS, shares with KFUO.

KFUO—Evangelical Lutheran Synod of Missouri, Ohio & other States, Rev. R. Kretzschmar, Chairman, Board of Control of Concordia Seminary, Clayton, Mo.—Renewal of license, **550 kc.,** 500 watts, 1 KW LS, shares time with KSD.

KFUO—Evangelical Lutheran Synod of Missouri, Ohio & other States, Rev. R. Kretzschmer, Chairman, Board of Control, Concordia Seminary, Clayton, Mo.—C. P., **550 kc.,** 1 KW, 5 KW LS, one-half time (requests facilities of KSD). Present assignment: **550 kc.,** 500 watts, 1 KW LS, share KSD.

KSD—The Pulitzer Publishing Co., St. Louis, Mo.—Renewal of license, **550 kc.,** 1 KW, 5 KW LS, share KFUO.

Examiner's Report No. I-453:

KOOS—Pacific Radio Corp., Marshfield, Ore.—Voluntary assignment of license to KOOS, Inc.; **1200 kc.,** 250 watts, daytime.

Examiner's Report No. I-454:

NEW—T. E. Kirksey, Waco, Tex.—C. P., **930 kc.,** 250 watts, 500 watts LS, unlimited time.

Friday, November 19

HEARING BEFORE AN EXAMINER

(Broadcast)

WFBR—The Baltimore Radio Show, Inc., Baltimore, Md.—C. P., **1270 kc.,** 1 KW night, 5 KW LS, unlimited. Present assignment: **1270 kc.,** 500 watts night, 1 KW LS, unlimited.

NEW—Charles F. Engle, Natchez, Miss.—C. P., **1210 kc.,** 100 watts night, 250 watts LS, unlimited.

APPLICATIONS GRANTED

WCBS—WCBS, Inc., Springfield, Ill.—Granted license to cover C. P., **1420 kc.,** 100 watts night, 250 watts day, unlimited.

WDGY—Dr. Geo. W. Young, Minneapolis, Minn.—Granted modification of C. P. to make changes in type of equipment.

KLBM—Harold M. Finlay and Mrs. Eloise Finlay, La Grande, Ore.—Granted modification of C. P. approving transmitter site, studio site, type of antenna and authority to make changes in authorized equipment.

WSNJ—Eastern States Broadcasting Corp., Bridgeton, N. J.—Granted authority to determine operating power by direct measurement of antenna input.

KHBG—Okmulgee Broadcasting Corp., Okmulgee, Okla.—Granted license to cover C. P. as modified, **1210 kc.,** 100 watts, daytime only.

WGAR—The WGAR Broadcasting Co., Cleveland, Ohio.—Granted license to cover C. P., **1450 kc.,** 500 watts night, 1 KW day, unlimited time, antenna current night 2.0 amperes, day 2.84 amperes.

WGRM—P. K. Ewing, Granada, Miss.—Granted modification of C. P. and modifications thereof, extending completion date to 11-15-37.

WCOC—Mississippi Broadcasting Co., Inc., Meridian, Miss.—Granted modification of C. P. extending completion date from 11-10-37 to 1-10-38.

KCRJ—Chas. C. Robinson, Jerome, Ariz.—Granted license to cover C. P., **1310 kc.,** 100 watts night, 250 watts day, unlimited time.

WLAW—Hildreth & Rogers Company, Lawrence, Mass.—Granted modification of C. P. approving transmitter and studio sites at 278 Essex St. and installation of vertical radiator.

KARM—George Harm, Fresno, Calif.—Granted modification of C. P. for installation of new equipment and changes in proposed vertical radiator.

WCAT—South Dakota State School of Mines, Rapid City, S. Dak.—Granted modification of license to change hours of operation from 1:30 to 2:30 p. m., CST, to 12 to 2 p. m., CST.

WJDX—Lamar Life Ins. Co., Jackson, Miss.—Granted license to cover C. P. and modifications thereof, **1270 kc.,** 1 KW night, 5 KW day, unlimited time.

KATE—Albert Lea Broadcasting Co., Albert Lea, Minn.—Granted license to cover C. P., **1420 kc.,** 250 watts, daytime only.

WNYC—City of New York, Department of Plant and Structures, New York City.—Granted license to cover C. P. and modifications thereof, **810 kc.,** 1 KW, daytime to local sunset at WCCO, Minneapolis, using directional antenna system.

WGAN—Portland Broadcasting System, Inc., Portland, Me.—Granted modification of C. P. to extend commencement date to 11-22-37 and completion date to 5-22-38.

WLLH—Merrimac Broadcasting Co., Inc., Lowell, Mass.—Granted modification of special experimental authority approving transmitter location.

KFGQ—Boone Biblical College, Boone, Iowa.—Granted C. P. to install new composite equipment.

KNOW—KUT Broadcasting Co., Austin, Tex.—Granted C. P. to install new equipment, make changes in vertical radiator, and increase day power from 100 watts to 250 watts.

NEW—WDRC, Inc., Mobile (area of Hartford, Conn.).—Granted C. P. for new relay station, frequencies **39700, 39900, 40800** and **41400 kc.,** 15 watts.

W8XIQ—The WGAR Broadcasting Co., Mobile (Cleveland, Ohio).—Granted license to cover C. P. for relay broadcast station on an experimental basis, frequencies **31100, 34600, 37600, 40600 kc.,** unlimited, in accordance with Rules 983, 1004; 100 watts.

W9XRM—Arthur Malcolm McGregor and Dorothy Charlotte McGregor, Mobile (Bloomington, Ill.).—Granted license to cover C. P. for relay broadcast station, frequencies **31100, 34600, 37600, 40600 kc.,** 10 watts.

W4XFG—The National Life and Accident Ins. Co., Inc., Nashville, Tenn., Mobile.—Granted license to cover C. P. for experimental relay station, frequencies **31100, 34600, 37600,** and **40600 kc.,** 2 watts.

NEW—Mason City Globe-Gazette Co., Mobile (area of Mason City, Iowa).—Granted C. P. for relay station, frequencies **1622, 2058, 2150** and **2790 kc.,** 125 watts.

NEW—Mason City Globe-Gazette Co., Mobile (area of Mason City, Iowa).—Granted C. P. for new relay station, frequencies **31100, 34600, 37600** and **40600 kc.,** 2 watts. Also granted license covering same.

NEW—Fisher's Blend Station, Inc., Mobile (area of Seattle).—Granted C. P. for new relay station, frequencies **31100, 34600, 37600** and **40600 kc.,** 15 watts.

W6XBK—Radio Service Corp. of Utah, Mobile (Salt Lake City).—Granted reinstatement of C. P. for new relay station, frequencies **39700, 39900, 40800** and **41400 kc.,** 17 watts.

W6XBL—Radio Service Corp. of Utah, Mobile (Salt Lake City).—Granted reinstatement of C. P. for new relay station, frequencies **39700, 39900, 40800** and **41400 kc.,** 17 watts.

W9XUO—Radio Station KFH Co., Mobile (Wichita, Kans.)—Granted license to cover C. P. for new relay broadcast station, frequencies **38900, 39100, 39300, 39500 kc.,** 2 watts.

W1XOJ—The Yankee Network, Inc., Princeton, Mass.—Granted modification of C. P. approving exact transmitter site at Mt. Wachusett, Princeton, Mass.

W9XUY—Central States Broadcasting Co., Omaha, Nebr.—Granted modification of C. P. authorizing changes in equipment specified in original C. P.

W3XPF—Farnsworth Television, Inc., of Pennsylvania, Springfield, Pa.—Granted modification of C. P. extending completion date to 1-5-38.

W2XJI—Bamberger Broadcasting Service, Inc., New York City.—Granted modification of C. P. extending commencement date to 11-1-37 and completion date to 5-1-38.

W1XER—The Yankee Network, Inc., Quincy, Mass.—Granted C. P. for move of transmitter on summit of Mt. Washington, N. H.

W2XBT—National Broadcasting Co., Inc., New York, Portable (vicinity of New York and Camden, N. J.).—Granted C. P. for new television station, frequencies **92000** and **175000-180000 kc.,** on an experimental basis; power: visual transmitter 400 watts, aural transmitter 100 watts.

NEW—The National Life and Accident Ins. Co., Inc., Nashville, Tenn.—Granted C. P. for new experimental broadcast station, frequencies **300000, 330000, 360000 kc.,** 15 watts. Also granted license covering same.

W3XIS—WLBG, Inc., Mobile (Richmond, Va.).—Granted license to cover C. P. for new relay broadcast station, frequencies **38900, 39100, 39300 kc.,** 50 watts.

W9XRT—Gazette Printing Co., Mobile (Janesville, Wis.).—Granted license to cover C. P. for new relay station, frequencies **31100, 34600, 37600, 40600 kc.,** 2 watts.

W9XXL—Ashland Broadcasting Co., Mobile (Ashland, Ky.).—Granted license to cover C. P. for new relay broadcast station, frequencies **31100, 34600, 37600** and **40600 kc.,** 10 watts.

SET FOR HEARING

NEW—Y. W. Scarborough and J. W. Orvin, Charleston, S. C.—Amended C. P. for new station, **1210 kc.,** 100 watts night, 250 watts day, unlimited time, exact transmitter site to be determined.

NEW—Amarillo Broadcasting Corp., Amarillo, Tex.—C. P. for new station to operate on **1500 kc.,** 100 watts, unlimited time, exact transmitter site to be determined with Commission's approval.

WKEU—Radio Station WKEU, Griffin, Ga.—C. P. requesting authority to move station from Griffin to Macon, Ga., a distance of 50 miles; make changes in composite equipment; install vertical radiator; change frequency from **1500 kc.** to **1310 kc.;** and increase power and time of operation from 100 watts daytime only to 100 watts night, 250 watts day, unlimited.

NEW—Fred B. Fitch, tr/as Thumb Broadcasting Co., Sandusky, Mich.—C. P. for new station to operate on **950 kc.,** 500 watts night, 1 KW day, unlimited.

NEW—Mountain Top Trans Radio Corp., Denver, Colo.—C. P. for new station to operate on **1370 kc.,** 100 watts night, 250 watts day, unlimited time, exact transmitter site to be determined with Commission's approval.

KOMA—Hearst Radio, Inc., Oklahoma City, Okla.—C. P. to install new equipment and vertical radiator, and increase power from 5 KW to 10 KW; **1480 kc.,** unlimited time.

WKBW—Buffalo Broadcasting Corp., Buffalo, N. Y.—C. P. to make changes in equipment; increase power from 5 KW to 10 KW; **1480 kc.,** 5 KW, unlimited (present licensed transmitter of WGR to be used as main transmitter of WKBW).

WGR—Buffalo Broadcasting Corp., Buffalo, N. Y.—C. P. for changes in equipment.

WISN—Hearst Radio, Inc., Milwaukee, Wis.—Modification of license to increase night-time power from 250 watts to 1 KW; **1120 kc.,** 1 KW day, unlimited.

WAPI—Alabama Polytechnic Institute, University of Alabama and Alabama College (Board of Control of WAPI), Birmingham, Ala.—Voluntary assignment of license from Alabama Polytechnic Institute, University of Alabama and Alabama College (Board of Control of Station WAPI), to: Voice of Alabama, Inc.

NEW—Pinellas Broadcasting Co., St. Petersburg, Fla.—C. P. for new station to operate on **1370 kc.,** 100 watts night, 250 watts day, unlimited time, exact transmitter and studio sites and types of antenna to be determined subject to Commission's approval.

NEW—Colonial Broadcasting Corp., Norfolk, Va.—C. P. for new station to operate on **1370 kc.,** 100 watts night, 250 watts day, unlimited time, exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

NEW—Florida West Coast Broadcasting Co., Inc., Clearwater, Fla.—C. P. for new station to operate on **1300 kc.,** 250 watts, unlimited time.

NEW—Joe L. Smith, Jr., Beckley, W. Va.—C. P. for new station to operate on **1210 kc.,** 100 watts night, 250 watts day, unlimited time, exact transmitter site to be determined with Commission's approval.

NEW—Madison Broadcasting Co., Madison, Wis.—C. P. for new station to operate on **1450 kc.** 250 watts, unlimited time, using directional antenna system for day and night operation, exact studio site to be determined with Commission's approval.

NEW—Sam Klaver and Nathan Belzer, d/b as The Great Western Broadcasting Co., Omaha, Nebr.—C. P., already in hearing docket, amended to request **1500 kc.,** 100 watts, unlimited time, exact transmitter site to be determined with Commission's approval.

NEW—Brenau College, Gainesville, Ga.—C. P., already in hearing docket, amended to request **1210 kc.,** 100 watts, unlimited time.

NEW—E. DeVore Andrews and Mrs. Annie L. Andrews (a partnership), Greater Greenwood Broadcasting Station, Greenwood, S. C.—C. P. for new station to operate on **1420 kc.,** 100 watts night, 250 watts day, unlimited time.

WJBO—Baton Rouge Broadcasting Co., Inc., Baton Rouge, La.—C. P. to make changes in transmitting equipment and increase power from 500 watts to 1 KW; **1120 kc.,** unlimited except from 8 to 9 p. m. Mondays.

KUJ—KUJ, Inc., Walla Walla, Wash.—C. P. for changes in equipment and change in frequency to **560 kc.;** also local move of station to site to be determined subject to Commission's approval; increase in power from 100 watts to 250 watts; **1370 kc.**

KROC—Southern Minn. Broadcasting Co., Rochester, Minn.—C. P. for move of transmitter locally; installation of new equipment and directional antenna system for nighttime use; change frequency from **1310 kc.** to **920 kc.**; increase power from 100 watts night, 250 watts day, to 1 KW day, 500 watts night; unlimited time.

WAPO—W. A. Patterson, Chattanooga, Tenn.—C. P. to install new equipment and directional antenna system; change frequency from **1420** to **1120 kc.**; increase power from 100 watts night, 250 watts day, to 500 watts night, using directional antenna system, 1 KW day.

WAIR—C. G. Hill, George D. Walker and Susan H. Walker, Winston Salem, N. C.—Modification of license to increase power and time of operation from 250 watts daytime to 250 watts unlimited time; **1250 kc.**

NEW—Southern Broadcasting Corp., Covington, La.—C. P. already in hearing docket, amended so as to request **1500 kc.**, 100 watts night, 250 watts day, unlimited time. Exact transmitter and studio sites to be determined with Commission's approval.

KSO—Iowa Broadcasting Co., Des Moines, Ia.—C. P. to make changes in transmitting equipment, install directional antenna system and increase night power from 500 watts to 1 KW, day power from 2½ KW to 5 KW, employing directional antenna system for nighttime use.

NEW—Piedmont Broadcasting Corp., Salisbury, N. C.—C. P. for new station to operate on **1500 kc.**, 100 watts night, 250 watts day, unlimited time. Exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

NEW—The Constitution Publishing Co., Atlanta, Ga.—C. P. for new station to operate on **1240 kc.**, 1 KW night, 5 KW day, unlimited time; employing directional antenna system for nighttime operation.

NEW—L. B. McCormick, Greenville, N. C.—C. P. for new station to operate on **1370 kc.**, 250 watts, daytime only.

NEW—State Broadcasting Corp., Gretna, La.—C. P. for new station to operate on **1370 kc.**, 100 watts night, 250 watts day, S.H. Exact transmitter and studio sites to be determined with Commission's approval.

NEW—Conn. State College, Storrs, Conn.—C. P. for new high frequency broadcast station requesting 4 frequencies selected from Group E of Rule 1053, on an experimental basis, in accordance with Rules 986 and 1050-1056: **100000, 110000, 200000** and **300000 kc.**, 250 watts.

KSRO—Press Democrat Publishing Co., Santa Rosa, Cal.—Modification of license to increase power and time of operation from 250 watts daytime only, to 100 watts night, 250 watts day, unlimited time.

SPECIAL AUTHORIZATIONS

KLZ—KLZ Broadcasting Co., Denver, Colo.—Granted special temporary authority to rebroadcast over station KLZ conversation carried on between stations W5XAR and W5XAS of the Western Radio Telg. Co., for period of not more than 1 hour between 4 and 5 p. m., MST, November 10, flying weather permitting.

KOTN—Universal Broadcasting Corp., Pine Bluff, Ark.—Granted special temporary authority to operate from local sunset (November sunset, 5 p. m.), to 6 p. m., CST, Sundays, November 14, 21, and 28, in order to broadcast vesper services of local church.

KQV—KQV Broadcasting Co., Pittsburgh, Pa.—Granted special temporary authority to operate simultaneously with station WSMK, 5:30 to 6:30 p. m., EST, November 11, in order to broadcast the Duquense University-Pittsburg at Texas Tech football game.

KADA—C. C. Morris, Ada, Okla.—Granted special temporary authority to operate from local sunset (5:30 p. m.), November 14, 21 and 28, in order to carry Old Fashioned Revival on Mutual Broadcasting System and the Oklahoma network.

KBTM—Beard's Temple of Music, Jonesboro, Ark.—Granted special temporary authority to operate simultaneously with KGBI from 7:15 p. m. to 9 p. m., CST, November 11, in order to broadcast annual banquet of the local Young Men's Civic Club.

WBNY—Roy L. Albertson, Buffalo, N. Y.—Granted special temporary authority to operate Saturdays from 2 to 3 p. m., EST, November 13, 20, 27; December 4, 11, 1937, and from 8:30 to 10 a. m., EST, November 27, in order to broadcast weekly safety talks, football scores, and general news; to operate Sundays from 8:30 to 10 a. m., EST, and 2 to 3 p. m., EST, November 14, 21, 28; December 5, 12, 1937, in order to broadcast various religious programs in the morning and the Catholic Evidence Guild in the p. m. Also to operate 8:30 to 10 a. m., EST, and 2 to 3 p. m., EST (Thursdays), November 25, 1937, and Friday, November 26, in order to broadcast news and variety musical programs, provided WSVS remains silent.

KPDN—R. C. Hoiles, Pampa, Tex.—Granted special temporary authority to operate from local sunset (5:45 p. m.), November 13, to 6 a. m., CST, November 14, and from local sunset (5:45 p. m.), November 14, to 12 midnight, CST, in order to broadcast the grand opening of the World Program service.

KEX—Oregonian Publishing Co., Portland, Ore.—Granted special temporary authority to operate simultaneously with KOB from 7:30 to 8 p. m., PST, November 14, in order to broadcast address by President Roosevelt.

KRKO—Lee E. Mudgett, Everett, Wash.—Granted special temporary authority to operate standard 50 watt R F generating equipment to make field strength measurements on antennas to determine site and type of antenna suitable for **1370 kc.** and 250 watts day, and 100 watts night carrier, between 12 midnight and 6 a. m., PST, for the period November 15 to December 14, however, such operation not permitted during monitoring schedule.

KGGM—New Mexico Broadcasting Co., Albuquerque, N. Mex.—Granted special temporary authority to rebroadcast over station KGGM conversation carried on between experimental stations W5XAR and W5XAS of Western Radio Telg. Co., for period of not more than 1 hour between November 15 and November 21, flying weather permitting.

WKBV—Knox Radio Corp., Richmond, Ind.—Granted special temporary authority to operate from 9:45 to 10 a. m., CST, November 17, 19, 22, 24, 26, 29 and December 1, 3, 6, 8, 10, 13, 15, 1937, in order to broadcast Earlham College Chapel service.

KNET—Palestine Broadcasting Assn., Palestine, Tex.—Granted special temporary authority to operate from 7 to 11 p. m., CST, November 19 and 25, in order to broadcast local football games.

WKBV—Knox Radio Corp., Richmond, Ind.—Granted special temporary authority to operate from 10 to 10:15 p. m., CST, November 19, 24, 26; December 3, 4, 9, 10, 17 and 18, 1937, in order to broadcast basket-ball games.

WBRB—Monmouth Broadcasting Co., Red Bank, N. J.—Granted special temporary authority to operate simultaneously with WFAS from 3 to 4:30 P. M., EST, November 29, in order to broadcast local football game from high school stadium at Red Bank. Also to operate simultaneously with WFAS from 1:30 to 4:30 p. m., EST, November 25, in order to broadcast final football game of the 1937 season.

KTUL—Tulsa Broadcasting Co., Inc., Tulsa, Okla.—Granted special temporary authority to rebroadcast over station KTUL conversation carried on between experimental stations W5XAR and W5XAS of Western Radio Telg. Co., for period of not more than 1 hour between December 8 and 13, flying weather permitting.

WPTF—WPTF Radio Company, Raleigh, N. C.—Granted special temporary authority to operate from 11 to 11:30 p. m., EST, Saturdays, November 20, 27; December 4, 11 and 18, 1937, in order to broadcast the NBC Philharmonic series.

WBRB—Monmouth Broadcasting Co., Red Bank, N. J.—Granted special temporary authority to operate simultaneously with WGNY from 1:45 to 3 p. m., EST, November 20, in order to broadcast local football game from high school stadium at Red Bank.

WOSU—Ohio State University, Columbus, Ohio.—Granted special temporary authority to operate from 12:30 p. m. to 1 p. m., EST, November 24 (provided WKBN remains silent), in order to broadcast the Farm and Home Hour programs.

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—Granted authority to operate from 9 to 11 a. m., EST, November 25, in order to broadcast programs of a holiday and devotional character and from 1 to 3 p. m., EST, November 25, in order to broadcast local football games (provided WOSU remains silent).

KFRO—Voice of Longview, Longview, Tex.—Granted special temporary authority to operate from local sunset (December sunset, 5:15 p. m.) to 9 p. m., CST, using 100 watts power, on Sundays, December 5, 12, 19 and 26, in order to broadcast church services of the Kelly Memorial Methodist Church.

Northwest Airlines, Inc., St. Paul, Minn.—Granted special temporary authority to operate two already licensed aircraft radio transmitters aboard the planes owned by Northwest Airlines, NC-17383 and NC-17384, on frequency **2790 kc.**, for period of 30 days, to relay broadcast program in connection with inauguration ceremonies of the new sky Zephyrs services and to rebroadcast over station WTCN.

KFDY—So. Dakota State College, Brookings, S. Dak.—Denied special temporary authority to operate from 8 to 9:45 p. m., CST, November 11, in order to broadcast special program over the state of S. Dak. in which the college and the state pay tribute to the pioneers of the state.

WSPR—Conn. Valley Broadcasting Co., Springfield, Mass.—Denied special temporary authority to operate from 8:30 to 10:30 p. m., EST, November 11, in order to broadcast the noncommercial dedication of Holyoke's new Soldiers Memorial Building.

WHEB—Granite State Broadcasting Corp., Portsmouth, N. H.—Denied special temporary authority to operate from 6:30 to 7:30 p. m., EST, November 11, in order to broadcast dedication program of VFW, Governor Murphy guest.

WKAR—Mich. State College, E. Lansing, Mich.—Denied special temporary authority to operate from local sunset (November sunset, 4:15 p. m.) to 8:30 p. m., CST, November 12, in order to broadcast a show put on by Mich. State College.

WSPR—Conn. Valley Broadcasting Co., Springfield, Mass.—Denied special temporary authority to operate from local sunset (December sunset, 5:45 p. m.) to 6 p. m., EST, Sunday p. m., December 12, 19, and 26, in order to broadcast "The Rosary Hour" conducted by Father Justin.

KFIO—Spokane Broadcasting Corp., Spokane, Wash.—Denied special temporary authority to operate from local sunset (November sunset, 4:15 p. m., PST), to conclusion of football game, November 28, 1937.

APPLICATIONS DISMISSED

The following applications heretofore set for hearing were dismissed at request of applicants:

WJNO—Hazlewood, Inc., W. Palm Beach, Fla.—C. P., **1350 kc.**, 1 KW, 1 KW LS, unlimited time.

WDAE—Tampa Times Co., Tampa, Fla.—Modification of license, **1220 kc.**, 5 KW, 5 KW LS, unlimited time.

NEW—Mittelo Franklin Moble, Anniston, Ala.—C. P., **1420 kc.**, 100 watts, daytime.

APPLICATIONS RETIRED TO CLOSED FILES

W9XAA—Chicago Federation of Labor, Chicago, Ill.—Retired to closed file application for C. P. requesting authority to modify C. P. (granted 7-17-36) to increase power from 5 to 20 KW and make changes in equipment to International Broadcast station, inasmuch as applicant has not made application for license to cover this authority.

National Broadcasting Co., Inc., New York City.—Under date of May 11, 1937, the NBC filed with the Commission C. P.'s and applications for licenses to cover C. P.'s for two new relay broadcast stations contingent upon deletion of the existing experimental relay stations W10XCR and W10XS. The C. P.'s and licenses were granted on September 28, 1937, the licenses to expire October 1, 1938. In view of the fact that two new relay broadcast stations bearing call letters KSFM and WNBM were granted contingent upon deletion of W10XCR and W10XS, the licenses of these two stations are retired to closed files and call letters W10XCR and W10XS deleted.

S. H. Patterson.—On September 29, 1936, the Commission granted S. H. Patterson a modified license authorizing station KIKK to operate as a relay broadcast station, the license to expire October 1, 1937. Inasmuch as S. H. Patterson is no longer the licensee of a regular broadcast station, the license for relay station KIKK is retired to closed files and call letters deleted.

WEBR, Inc., Buffalo, N. Y.—On September 29, 1936, the Commission granted WEBR, Inc., modified licenses authorizing stations W8XX and W8XY to operate as relay broadcast experimental stations, the licenses to expire December 1, 1937. Inasmuch as WEBR, Inc., has no intention of applying for renewal of these licenses, as stated in their letter of September 28, 1937, the relay licenses are retired to the closed files and call letters W8XX and W8XY deleted.

MISCELLANEOUS

WIOD-WMBF—Isle of Dreams Broadcasting Co., Miami, Fla.—Inasmuch as applicant has now complied with Rule 131, the Broadcast Division directed that a modification of license to change frequency to **610 kc.** be issued, in accordance with action of September 14, 1937.

W10XHI—Columbia Broadcasting System, Inc., New York City, Mobile.—Granted modification of license to change frequencies of relay broadcast station from those specified in Group D to those specified in Group E of Rule 1003—**38900, 39100, 39300** and **39500 kc.**

NEW—Greater Greenwood Broadcasting Station, Greenwood, S. C.—Granted petition to intervene in the proceedings upon the application of Broadcasters, Inc., for a new station in Gastonia, N. C., to use **1420 kc.**, 100 watts, 250 watts LS, unlimited, which is scheduled for hearing on February 7, 1938.

WJBW—Charles C. Carlson.—Denied petition for further hearing and permission to intervene in such hearing, on application of WSMB, Inc., for a new station at New Orleans, to use **1500 kc.**, 100 watts, 250 watts LS, unlimited time, which was heard June 29, 1937, and is subject of Ex. Rep. No. 1-497.

The Brockway Company, Canton, N. Y.—Granted petition to intervene in the hearing on the application of WFBR, application of The Baltimore Radio Show, Inc., Baltimore, Md., for C. P. to use **1270 kc.**, 1 KW, 5 KW LS, unlimited time, scheduled for November 19, 1937.

WIP—Pennsylvania Broadcasting Co., Philadelphia, Pa.—Granted petition to intervene in the hearing, scheduled for December 3, 1937, in re the application of Young People's Assn. for the Propagation of the Gospel, for a new station at Philadelphia, to operate on **1220 kc.**, 1 KW, unlimited.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Granted petition of WFIL Broadcasting Co. to intervene in the above mentioned hearing.

WGNY—Peter Goelet, Newburg, N. Y.—Granted petition to intervene in the hearing, scheduled for November 15, on the application of Platt & Platt, Inc., for a new station at Poughkeepsie, to use **1000 kc.**, 1 KW, limited time.

Radio Enterprises, Inc., and Associated Arkansas Newspapers, Inc.—Granted joint motion for continuance of hearing now scheduled for November 12, 1937, for new station at Hot Springs, Ark., to use **1310 kc.**, 100 watts, daytime, to an indefinite date.

WKBZ—Karl L. Ashbacker, Muskegon, Mich.—Granted petition to withdraw without prejudice application for modification of license to use **1200 kc.**, 100 watts, 250 watts LS, unlimited time, now scheduled for November 22, 1937.

WCOP—Massachusetts Broadcasting Corp., Boston, Mass.—Denied motion to dismiss, without prejudice, application for modification of license specifying operating assignment of **1130 kc.**, 500 watts, limited time, which has been heard and reported in Ex. Rep. 1-380.

NEW—Arlington Radio Service, Inc., Arlington, Va.—Denied motion that hearing on application for C. P. to establish a new station to operate on **1140 kc.**, 1 KW, daytime hours, be held in Clarendon, Va.

WOOD—King-Trendle Broadcasting Corp., Grand Rapids, Mich.—Granted application to withdraw application for C. P. to use **1010 kc.**, 250 watts, unlimited time, without prejudice. This application is scheduled to be heard December 6, 1937.

KANS—KANS Broadcasting Co., Wichita, Kans.—Granted petition to withdraw without prejudice application for consent to transfer control of corporation from Charles C. Theis to Herbert Hollister and Don Searle. This case was scheduled for hearing on December 14, 1937.

WSAY—Brown Radio Service & Laboratory, Rochester, N. Y.—Denied petition of applicant to reconsider the Division's action of January 19, 1937, in designating for hearing application for authority to make changes in equipment and increase power to 100 watts night, 250 watts day, and operate unlimited time, and grant same without a hearing.

WESG—Cornell University, Ithaca, N. Y.—Granted petition to continue hearing for a period of 60 days, new date to be fixed by Dockets, on application for modification of license to use **850 kc.**, 1 KW, specified hours.

NEW—Richland Broadcasting Co., Mansfield, Ohio.—Dismissed petition to withdraw application for C. P. for new station. On October 12, 1937, the Commission denied this application as in cases of default for failure to file an appearance.

NEW—Charles F. Engle, Natchez, Miss.—Granted request for leave to withdraw without prejudice application for new station to use **1210 kc.**, 100 watts, 250 watts LS, which is scheduled to be heard November 19, 1937.

WBNX—WBNX Broadcasting Co., Inc., New York City.—Denied petition of applicant to reconsider and grant without hearing application to move transmitter locally, install new equipment and directional antenna for both day and night, increase day power from 1 to 5 KW. This application is scheduled for hearing on December 10, 1937.

NEW—Church of Jesus Christ of Latter-Day Saints, Salt Lake City, Utah.—Granted petition of applicant to retain hearing date, now scheduled for November 23, on application for C. P. to establish a new international broadcast station using frequencies **6020, 9310** and **11710 kc.**, 50 KW. Applicant submitted amendment to his application requesting additional frequencies **15170** and **25675 kc.**

NEW—Radio Enterprises, Inc., Lufkin, Tex.—Denied petition of applicant for the following: (1) that its application for C. P. for new station in Lufkin to use **1310 kc.**, 100 watts, daytime hours, be designated for hearing; and (2) that the effective date of decision upon the applications involved in Docket Nos. 4162 and 4312 be postponed.

WNBC—State Broadcasting Corp., New Britain, Conn.—Changed effective date in re Ex. Rept. 1-350 from November 16 to November 12.

EXAMINERS' REPORTS RELEASED SINCE OCTOBER 12, 1937

NEW—Ex. Rep. 1-502: Great Lakes Broadcasting Corp., Cleveland, Ohio.—Examiner Tyler Berry recommended denial of C. P. for new station to operate on **1270 kc.**, 1 KW, 5 KW LS, unlimited.

NEW—Ex. Rep. 1-503: Fall River Herald News Publishing Co., Fall River, Mass.—Examiner Robert L. Irwin recommended denial of C. P. for new station to operate on **1210 kc.**, 100 watts night, 250 watts LS, unlimited time.

NEW—Ex. Rep. 1-504: F. B. Clements & Company, a co-partnership composed of F. Braden Clements, Clara D. Clements, and C. C. Clements, d/b as Southern Minnesota Supply Co., Mankato, Minn.—Examiner P. W. Seward recommended grant of C. P. for new station to operate on **1500 kc.**, 100 watts night, 250 watts LS, unlimited time.

NEW—Ex. Rep. 1-505: The Colonial Network, Inc., Providence, R. I.—Examiner Tyler Berry recommended denial of C. P. for new station to operate on **720 kc.**, 1 KW, limited time.

NEW—Ex. Rep. 1-506: Geraldine Alberghane, Pawtucket, R. I.—Examiner Tyler Berry recommended denial, with prejudice, of application for C. P. for new station to operate on **720 kc.**, 1 KW, daytime.

KRE—Ex. Rep. 1-507: Central California Broadcasters, Inc., Berkeley, Calif.—Examiner Melvin H. Dalberg recommended grant of C. P. to change frequency from **1370 kc.** to **1440 kc.**, power from 100 watts, 250 watts LS, to 500 watts, 1 KW LS, contingent upon the granting of the application of KGGC for a change in frequency from **1420 kc.** to **1370 kc.**, and a denial of the application of Chase S. Osborne, Jr., for new station at Fresno, Calif., on **1440 kc.**

NEW—Ex. Rep. 1-508: George H. Evans and Davis O. Vandivier, d/b as the Chickasha Daily Express, Chickasha, Okla.—Examiner Tyler Berry recommended dismissal with prejudice of application for C. P. for new station to operate on **1500 kc.**, 250 watts, daytime.

NEW—Ex. Rep. 1-509: The Louisville Times Co., Louisville, Ky.—Examiner R. H. Hyde recommended denial of C. P. for new station to operate on **1210 kc.**, 100 watts, unlimited time.

NEW—S. O. Ward and P. C. Ward (Louisville Broadcasting Co.), Louisville, Ky.—Examiner Hyde recommended denial of C. P. for new station to operate on **1210 kc.**, 100 watts, daytime.

NEW—Ex. Rep. 1-510: Southwest Broadcasting Co., Prescott, Ariz.—Examiner P. W. Seward recommended grant of C. P. for new station to operate on **1500 kc.**, 100 watts, 250 watts LS, unlimited.

NEW—W. P. Stuart, Prescott, Ariz.—Examiner Seward recommended denial of C. P. for new station to operate on **1500 kc.**, 100 watts, unlimited.

KXA—Ex. Rep. 1-511: American Radio Tel. Co., Seattle, Wash.—Examiner Tyler Berry recommended grant of C. P. to increase power from 250 watts, 500 watts LS, to 1 KW; make changes in equipment; install vertical antenna and move transmitter and studios locally.

NEW—Ex. Rep. 1-512: Harry Schwartz, Tulsa, Okla.—Examiner Robert L. Irwin recommended grant of C. P. for new station to operate on **1310 kc.**, 250 watts, daytime.

NEW—Ex. Rep. 1-513: Clark Standiford, L. S. Coburn and A. C. Sidner, Fremont, Nebr.—Examiner R. H. Hyde recommended denial of C. P. for new station to operate on **1370 kc.**, 100 watts, unlimited time.

KFJZ—Ex. Rep. 1-514: R. S. Bishop, Transferor, and Mrs. Ruth G. Roosevelt, Transferee, Fort Worth, Tex.—Examiner George H. Hill recommended grant of authority to transfer control of station KFJZ from R. S. Bishop to Mrs. Ruth G. Roosevelt. Station operates on **1370 kc.**, 100 watts, 250 watts LS, unlimited.

NEW—Ex. Rep. 1-515: Galesburg Broadcasting Co., Galesburg, Ill.—Examiner R. H. Hyde recommended grant of C. P. for new station to operate on **1500 kc.**, 250 watts, daytime.

NEW—Ex. Rep. 1-516: Leon M. Eisfeld, Burlington, Iowa.—Examiner Tyler Berry recommended application for C. P. to use **1310 kc.**, 100 watts, unlimited time, be denied as in cases of default, and dismissed with prejudice.

NEW—Ex. Rep. 1-517: Standard Life Ins. Co. of the South, Jackson, Miss.—Examiner P. W. Seward recommended grant of C. P. for new station to operate on **1420 kc.**, 100 watts, 250 watts LS, unlimited time.

NEW—Ex. Rep. 1-518: Arthur Lucas, Savannah, Ga.—Examiner Melvin H. Dalberg recommended grant of application for new station to operate on **1310 kc.**, 100 watts, unlimited.

KPOF—Ex. Rep. 1-519: Pillar of Fire, Denver, Colo.—Examiner Tyler Berry recommended grant of modification of license to increase power from 500 watts to 1 KW.

NEW—Ex. Rep. 1-520: Centennial Broadcasting Corp., Dallas, Tex.—Examiner Robert L. Irwin recommended grant of C. P. for new station to use **1500 kc.**, 100 watts, daytime, upon condition that applications of Dallas Broadcasting Co. and Richard S. Gozzaldi and A. L. Chilton applications are denied.

NEW—Ex. Rep. 1-521: The Birmingham News Co., Birmingham, Ala.—Examiner Melvin H. Dalberg recommended grant of application for new station to operate on **590 kc.**, 1 KW, unlimited time, using directive antenna at night.

NEW—Ex. Rep. 1-522: Radio Station WFNC (partnership of C. Frank Walker and Waldo W. Primm), Fayetteville, N. C.—Examiner P. W. Seward recommended denial of application for new station to operate on **1210 kc.**, 250 watts, daytime; and

Capitol Broadcasting Co., Inc., Raleigh, N. C.—Recommended grant of application of Capitol Broadcasting Co., Inc., for new station to use **1210 kc.**, 100 watts, 250 watts LS, unlimited time.

RATIFICATIONS

The following stations were granted renewal of licenses for the regular period:

KGCX, Wolf Point, Mont.; KLRA, Little Rock, Ark.; KMED, Medford, Ore.; KRLC, Lewiston, Idaho; KXYZ, Houston, Tex.; WAGA, Atlanta, Ga.; WCOA, Pensacola, Fla.; WIOD-WMBF and auxiliary, Miami, Fla.; WSBT, South Bend, Ind.; WHOM, Jersey City, N. J.; WHP, Harrisburg, Pa.; WMBG, Richmond, Va.; WSMB, New Orleans; KID, Idaho Falls, Idaho; WQBC, Vicksburg, Miss.; WFBC, Greenville, S. C.

WBBC and auxiliary—Brooklyn Broadcasting Corp., Brooklyn, N. Y.—Granted renewal of license on a temporary basis for the period November 1, 1937, to May 1, 1938, subject to the order of the U. S. Court of Appeals for the District of Columbia in the case of Debs Memorial Radio Fund, Inc. (WEVD), v. FCC, and the Brooklyn Daily Eagle Broadcasting Co., Inc., v. FCC.

WVFW—Paramount Broadcasting Corp., Brooklyn, N. Y.—Granted renewal of license on a temporary basis for the period November 1, 1937, to May 1, 1938, subject to the order of the U. S. Court of Appeals for the District of Columbia in the case of Debs Memorial Radio Fund, Inc. (WEVD), v. FCC, and the Brooklyn Daily Eagle Broadcasting Co., Inc., v. FCC.

KGDY—Voice of South Dakota, Huron, S. Dak.—Granted renewal of license on a temporary basis subject to whatever action may be taken by the Commission upon the pending application for renewal.

WKBH—WKBH, Inc., LaCrosse, Wis.—Granted renewal of license on a temporary basis subject to whatever action may be taken by the Commission upon the pending application for renewal.

KGMB—Honolulu Broadcasting Co., Ltd., Honolulu, T. H.—Granted renewal of license on a temporary basis subject to whatever action may be taken on pending application for renewal and transfer of control.

KHBC—Honolulu Broadcasting Co., Ltd., Hilo, T. H.—Granted renewal of license on a temporary basis subject to whatever action may be taken on pending application for renewal and transfer of control.

WCBA—B. Bryan Musselman, Allentown, Pa.—Granted renewal of license on a temporary basis only subject to whatever action may be taken on pending application for renewal and related applications.

WSAN—WSAN, Inc., Allentown, Pa.—Granted renewal of license on a temporary basis only subject to whatever action may be taken on pending application for renewal and related applications.

WFEA—New Hampshire Broadcasting Co., Manchester, N. H.—Granted renewal of license on a temporary basis subject to whatever action may be taken upon application for renewal of license and upon petition of WSPD in opposition to the granting of renewal of license for this station.

WLBL—State of Wisconsin, Department of Agriculture and Markets, Stevens Point, Wis.—Granted renewal of license for the period ending March 1, 1938.

KVOR—Out West Broadcasting Co., Colorado Springs, Colo.—Granted renewal of license for the period ending April 1, 1938.

WJBO—Baton Rouge Broadcasting Co., Inc., Baton Rouge, La.—Granted renewal of license for the period ending April 1, 1938.

WBCM—Bay Broadcasting Co., Inc., Bay City, Mich.—Present license extended on a temporary basis for the period ending December 1, 1937, pending receipt and/or action on application for renewal.

WOKO—WOKO, Inc., Albany, N. Y.—Present license extended on a temporary basis for the period ending December 1, 1937, pending receipt and/or action on application for renewal.

KGBU—Alaska Radio & Service Co., Inc., Ketchikan, Alaska.—Present license extended on a temporary basis for the period ending December 1, 1937, pending receipt and/or action on application for renewal.

KABF—McClatchy Broadcasting Co., Mobile.—Granted renewal of relay broadcast station license for the period ending October 1, 1938.

WABV—Juan Piza, Mobile.—Granted renewal of relay broadcast station license for the period ending October 1, 1938.

KIJO—Eagle Broadcasting Co., Inc., Mobile.—Granted renewal of relay broadcast station license for the period ending October 1, 1938.

W3XAL—National Broadcasting Co., Inc., Bound Brook, N. J.—Granted renewal of international broadcast experimental station license.

W1XAL—World Wide Broadcasting Corp., Boston, Mass.—Present license extended on a temporary basis only for the period ending December 1, 1937, pending receipt and/or action on renewal application.

W9XAA—Chicago Federation of Labor, York Township, Ill.—Present license extended on a temporary basis only for the period ending December 1, 1937, pending receipt and/or action on renewal application.

WAAO—Julio M. Conesa, Mobile.—Present relay broadcast station license extended for a period ending December 1, 1937, pending receipt and/or action on renewal application.

KIIQ—KMTR Radio Corp., Mobile.—Present relay broadcast station license extended for a period ending December 1, 1937, pending receipt and/or action on renewal application.

KIIV—Chas. L. Jaren, Mobile.—Present relay broadcast station license extended for a period ending December 1, 1937, pending receipt and/or action on renewal application.

KGEZ—Donald C. Treloar, Kalispell, Mont.—Granted extension program test period 30 days from October 13, 1937.

WMBZ—Smith & Mace, Saranac Lake, N. Y.—Granted extension program test period 30 days from September 30, 1937.

WMPS—Memphis Broadcasting Co., Memphis, Tenn.—Granted special temporary authority to operate a 100-watt portable transmitter in vicinity of Memphis, for period October 18 to November 16, 1937, between hours of 12 midnight and 6 a. m., CST.

W2XDG—National Broadcasting Co., Inc., New York City.—Granted extension of special temporary authority to operate high frequency broadcast station on frequency 38.65 kc., for period October 17 to November 15, pending definite arrangements to be made in ultra high frequency bands.

KWTO—Ozarks Broadcasting Co., Springfield, Mo.—Granted extension of special temporary authority to operate from 5 to 6 a. m., CST, on 1 KW only, for period October 15 to November 13.

KHBG—Okmulgee Broadcasting Corp., Okmulgee, Okla.—Granted extension program test period 30 days from November 2.

KCRJ—Radio Station KCRJ, Jerome, Ark.—Granted authority to reduce power to such value as to permit modulation in accordance with Rule 139, for period not to exceed 10 days in accordance with Rule 142.

WSIX—WSIX, Inc., Nashville, Tenn.—Granted extension program test period 30 days from October 31.

WCHV—Community Broadcasting Corp., Charlottesville, Va.—Granted extension program test period 30 days from November 3.

KOAM—Pittsburgh Broadcasting Co., Pittsburgh, Pa.—Granted extension program test period 30 days from November 10.

WMPC—The First Methodist Protestant Church of Lapeer, Mich.—Granted extension special temporary authority to operate from 9 to 10 a. m., EST, Monday, Tuesday, Wednesday, Thursday, Friday and Sunday mornings, for period November 4 to December 3, in order to broadcast educational programs.

WQBC—Delta Broadcasting Co., Inc., Vicksburg, Miss.—Granted special temporary authority to operate from local sunset (5 p. m.), to 6 p. m., CST, November 6 to December 5, 1937, inclusive in order to broadcast news bulletins, football scores and other special events.

WRNL—WLBG, Inc., Richmond, Va.—Granted special temporary authority to operate from local sunset (5 p. m.), to 6 p. m., EST, Nov. 6, 13, 20 and 27, in order to broadcast football games.

KGHF—Curtis F. Ritchie, Pueblo, Colo.—Granted special temporary authority to rebroadcast over station KGHF conversation carried on between experimental station W5XAR and W5XAS of Western Radio Telg. Co., for period November 6 and November 11, for period of not more than 1 hour, flying weather permitting.

KGEK—Elmer G. Beehler, Sterling, Colo.—Granted special temporary authority to operate Saturday, November 6, 12, 20 and 27, from 1:30 to 2:30 p. m., MST, in order to broadcast livestock auction's from local Sales Pavilion.

KGEK—Westchester Broadcasting Corp., White Plains, N. Y.—Granted special temporary authority to operate simultaneously with station WBRB from 5 to 5:30 p. m., EST, November 13, 20, 1937, in order to carry all-Westchester football roundup.

WFAS—Westchester Broadcasting Corp., White Plains, N. Y.—Granted special temporary authority to operate simultaneously with station WGNY from 1:45 to 3 p. m., EST, November 13 and 20, in order to broadcast football games from Yale Bowl.

National Broadcasting Co., Inc., New York City.—Granted special temporary authority to transmit program material of the Imperial Tobacco Co., consisting of talks by L. S. Shapiro News Commentator over network of the Canadian Broadcasting Corp. for 15 minute periods on Fridays only, for period November 5 to December 4, 1937.

WSMK—WSMK, Inc., Dayton, Ohio.—Granted special temporary authority to operate simultaneously with KQV from 5:15 to 5:30 p. m., EST, daily, except Sundays for the period November 5 to November 30, in order that the listening audience might be maintained, continuity of programs not be interrupted and the regular newscast continued during this period.

WPRA—Puerto Rico Advertising Co., Inc., Mayaguez, P. R.—Denied special temporary authority to operate from 5 to 6 p. m., AST, Mondays, Tuesdays, Wednesdays, Thursdays, Fridays for the period November 5 to December 3; also from 5 to 6 p. m., AST and 10 p. m. to 1 a. m., AST, Saturdays and Sundays for the period November 6 to December 4, in order to comply with requests from sponsors.

WSPR—Conn. Valley Broadcasting Co., Springfield, Mass.—Granted special temporary authority to operate from local sunset

(5:45 p. m.), to 6 p. m., EST, November 14, 21, 28 and Dec. 5, in order to broadcast "The Rosary Hour".

WCAD—St. Lawrence University, Canton, N. Y.—Granted special temporary authority to operate from 1:30 to 3 p. m., EST.; 4 p. m. to local sunset (November sunset 4:30), November 6 and 13, in order to broadcast college football games.

WSVA—Shenandoah Valley Broadcasting Corp., Harrisonburg, Va. —Granted special temporary authority to operate from local sunset (November sunset, 5 p. m.), to 6 p. m., EST, November 13, 20 and 25, in order to broadcast football games.

WCAT—So. Dak. Schools of Mines, Rapid City, S. Dak.—Granted special authority to operate from 2:30 to 6 p. m., CST, November 11, in order to broadcast home games played by the College.

KIT—Carl E. Haymond, Yakima, Wash.—Granted special temporary authority to operate a 100 watt W. E. 12-B transmitter, pending repairs to damaged power amplifier damaged in move to new location, for period of 10 days.

KQV—KQV Broadcasting Co., Pittsburgh, Pa.—Granted special temporary authority to operate simultaneously with WSMK from 5:30 to 6:30 p. m., EST, November 13, 20 and 27, in order to broadcast Notre Dame football games which come to KQV through WLW lines.

WBNO—The Coliseum Place Baptist Church, New Orleans, La.—Granted modification of C. P. to move transmitter to Euphrosine and S. White Streets, provided towers are marked in accordance with Rule 131-d. Also granted modification of C. P. to extend commencement date to date of approval and completion date to 6 months hereafter.

KCRJ—Radio Station KCRJ, Jerome, Ariz.—Granted extension program test period 30 days from October 15, 1937.

KUMA—Albert H. Schermann, Yuma, Ariz.—Granted extension of special temporary authority to remain silent for period October 21 to November 19, pending completion of construction to move transmitter.

KPRC—Houston Printing Co., Houston, Tex.—Granted extension of special temporary authority to operate with 5 KW power at night, for period October 21 to November 19.

WOLS—O. Lee Stone, Florence, S. C.—Granted modification of C. P. approving transmitter site on Charleston Highway, south of Florence; changes in composite equipment and towers to be marked in accordance with Rule 131-d.

WNBZ—Smith & Mace, Saranac Lake, N. Y.—Granted extension program test period 30 days from October 30.

WIOD-WMBF—Isle of Dreams Broadcasting Corp., Miami, Fla.—Granted special temporary authority to operate on frequency **610 kc.**, under terms of modification of license granted September 14, 1937, for this authority for the period October 26 and ending in no event later than 20 days pending compliance with Rule 131.

WWJ—The Evening News Assn., Detroit, Mich.—Granted extension special temporary authority to operate for the period October 31 to November 29, with an increase in night power to 5 KW, to overcome interference.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Granted extension special temporary authority to operate on **560 kc.**, with 1 KW night, for period October 31 to November 30, pending filing of and action on license application to cover C. P. for this authority.

WMBQ—Joseph Husid, Receiver for Metropolitan Broadcasting Corp., Brooklyn, N. Y.—Granted extension special temporary authority for Joseph Husid, Receiver, to operate station WMBQ for period October 31 to November 29, pending action upon any applications affecting station WMBQ.

WTMV—Miss. Valley Broadcasting Co., Inc., E. St. Louis. Ill.—Granted special temporary authority to operate a 25 watt portable transmitter on frequency **1500 kc.**, from 12 midnight to 6 a. m., CST, for period not to exceed 10 days, in order to make measurement for proposed transmitter site.

WMBC—Mich. Broadcasting Co., Detroit, Mich.—Granted special temporary authority to pickup and rebroadcast over WMBC portions of the routine of Mich. State Police reports as broadcast from Lansing by police station WRDS at 7 p. m., EST, for 15 minutes or less, each Wednesday for the period November 3 to December 2, 1937.

KGA—Louis Wasmer, Spokane, Wash.—Granted special temporary authority to operate a 50 watt transmitter on **1470 kc.**, between hours 1 and 6 a. m., for period not to exceed 30 days to conduct site survey tests.

WCAX—Burlington Daily News, Inc., Burlington, Vt.—Granted special temporary authority to operate from 7 to 8 p. m., EST, Mondays to Thursdays, inclusive, on the following dates: November 8 to 11 inclusive, November 15 to 18 inclusive; November 22 to 25 inclusive; November 29 and 30, to broadcast sponsored sports program; also to operate from 2 to 4:30 p. m., EST, November 13 and 20, in order to broadcast sponsored Yale football games.

WSAY—Brown Radio Service & Lab., Rochester, N. Y.—Granted special temporary authority to operate between hours of 1 and 6 a. m., EST, for period not to exceed 10 days, in order to make field intensity tests for purpose of determining the extent of the skywave of WSAY at Stratford, Ontario, in relation to operation of Canadian station CJCS.

WFLA—Fla. West Coast Broadcasting Co., Inc., Clearwater, Fla.—Granted extension of special temporary authority to close Clearwater studios from November 1 to November 30, inclusive, and to use Tampa studios, pending action on application for modification of license for this authority.

KGDY—Voice of So. Dak., Huron, S. D.—Granted extension of special temporary authority to remain silent for period October 31 to November 29, inclusive, for purpose of rebuilding transmitter to comply with Rule 132.

WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authority to increase power to 1 KW night, in order to counteract interference caused by station CMX, Havana, and WWJ, Detroit, KPRC, Houston, for the period October 31 to November 29.

WRAX—WRAX Broadcasting Co., Philadelphia—Granted extension of special temporary authority to increase power to 1 KW night, in order to counteract interference caused by station CMX, Havana, and WWJ, Detroit, KPRC, Houston, for the period October 31 to November 29.

WWSW—Walker & Downing Radio Corporation, Pittsburgh, Pa.—Granted renewal of license for the period, ending January 1, 1938.

WBNX—WBNX Broadcasting Co., Inc., New York—Granted renewal of license for the period November 1, 1937, to May 1, 1938.

WGRC—Northside Broadcasting Corp., New Albany, Ind.—Granted renewal of license for the period, ending January 1, 1938.

WTNJ—WOAX, Inc., Trenton, N. J.—Designated for hearing application for renewal of license and temporary license issued pending hearing subject to whatever action may be taken by Commission upon pending application of this station for renewal of license.

WTNJ—WOAX, Inc., Trenton, N. J.—Designated for hearing application for C. P. to move transmitter, install new equipment and vertical radiator; to be heard with above application of WTNJ.

WRDO—WRDO, Inc., Augusta, Me.—Granted extension of present license of WRDO for period of two months from November 1, upon a temporary basis subject to such action as may be taken upon application for renewal and transfer of control pending before the Commission.

WNBZ—Smith and Mace, New York City.—Granted extension of present license for a period of 2 months from November 1, upon a temporary basis only and subject to such action as may be taken upon applications for renewal and assignment of license pending before the Commission.

KMAC—W. W. McAllister, San Antonio, Texas.—Granted extension of present license for period of 2 months from November 1, upon a temporary basis only, subject to such action as may be taken upon applications for renewal and assignment of license pending before the Commission.

KGNC—Plains Radio Broadcasting Co., Amarillo, Texas.—Granted special temporary authority to operate with reduced power of 1 KW daytime, in accordance with Rule 142, for period not exceeding 10 days, in order that additional repairs may be made to station's power supply equipment.

NEW—Valley Publ. Co., Harlingen, Texas.—Denied as in case of default for failure to file an appearance in accordance with Rule 104.6(c), application for C. P., **1200 kc.**, 100 watts, 250 watts, LS, unlimited, heretofore set for hearing.

NEW—S. L. Slover Corp., Norfolk, Va.—Dismissed at request of applicant, application for C. P. for new station to operate on **1370 kc.**, 100 watts, 250 watts, LS, unlimited time. (Application heretofore set for hearing.)

KYW—Westinghouse E. and M. Co., Philadelphia, Pa.—Dismissed at request of applicant, application heretofore set for hearing, for C. P. to make changes in equipment and increase operating power from 10 to 50 KW, and make changes in directional antenna.

WCBA—B. Bryan Musselman, Allentown, Pa.—Granted request to withdraw application heretofore set for hearing, without prejudice. Applicant requested voluntary assignment of license from B. Bryan Musselman to WSAN, Inc.

WSAN—WSAN, Inc., Allentown, Pa.—Granted request to withdraw without prejudice application for voluntary assignment of license to WSAN, Inc., which was set for hearing.

Granted extension of special temporary authority of Station WKZO, Kalamazoo, Mich., to operate with the present temporary antenna and to suspend construction of vertical radiator for period of 30 days.

Granted petition of Northside Broadcasting Corp. (WGRC), to intervene in the proceedings upon the application of Kentucky Broadcasting Corp. for new station at Louisville, Docket 4649.

Granted motion of Union Tribune Broadcasting Co. for continuance of hearing upon its application, Docket 4835, now scheduled for November 30, and directed that hearing be continued until March 1, 1938.

Waived Rule 104.6(b) as requested in petition of Hazlewood, Inc., and accepted its appearance in Docket No. 4868.

Granted request of Harold Thomas for extension of 60 days from September 20, within which to file his application for approval of the exact transmitter site at Pittsfield, Mass.

Denied the petition of applicant Northside Broadcasting Corp. (WGRC), to hold open the record in Docket 4654, and to consolidate the application with the application in Dockets Nos. 4649, 4731 and 4679; and denied the petition of Northside Broadcasting Corp. for continuance of hearing on application of Kentucky Broadcasting Corp. scheduled for November 5.

The Broadcast Division, upon its own motion, extended the effective dates upon the applications of William Penn Broadcasting Co. (WPEN), Dockets 4358, 4360 and 4498 and the applications of WRAX Broadcasting Co., Dockets 4359 and 4497, until November 9.

Granted petition of George H. Payne to intervene in the proceedings upon the application of Floyd A. Parton, for new station at San Jose, Calif.

Granted petition of Dorrance D. Roderick to intervene in the proceedings upon the application of Tri-State Broadcasting Co., Inc., Docket 4813.

Granted petition of Isle of Dreams Broadcasting Corp. to intervene in the proceedings upon the application of Broward Broadcasting Co.

Granted petition of Savannah Broadcasting Co., Inc., to intervene in the proceedings upon the application of Colonial Broadcasters, Inc., for new station at Savannah, Docket 4818.

Granted petition by Southwestern Hotel Co. to intervene in the proceedings upon the application of J. T. Griffin for new station at Fort Smith, Ark.

Granted petition of Peter Goelet (WGNY) for a continuance of the hearing upon his application for C. P., and directed that said hearing be continued until January 5, 1938.

Granted motion of Colonial Broadcasters, Inc., for continuance of the hearing upon its application, Docket 4818, and the application of Seaboard Broadcasting Corp., Docket 4625, for C. Ps., and directed that said hearing be continued until December 20, 1937.

Granted petition of Charles F. Engle, Natchez, Miss., for a continuance of the hearing upon his application for C. P., and directed that said hearing be continued until November 19, 1937.

Granted petition of Floyd A. Parton for continuance of hearing upon his application for a new station at San Jose, until January 10, 1938.

Granted motion of Lake Region Broadcasting Co. (WLAK), for continuance of hearing until December 16, 1937, upon application for C. P., Docket 4825.

Granted petition of Zenith Radio Corp., Chicago, Ill., that its application for C. P. for new visual broadcast station, be remanded to the docket and reopened for the taking of further testimony before the Examiner, on a date subsequent to October 30, 1937, with reference to its legal qualifications to construct and operate a visual broadcast station.

Denied request of Louis P. Thornton for an order to take depositions in the matter of his application for new station at Baker, Ore.

Granted petition of Mrs. W. J. Virgin (KMED), to intervene in the proceedings upon the application of Pacific Radio Corp. for new station at Grants Pass, Ore.

Granted petition of KQV Broadcasting Co. to intervene in the proceedings of WWPO, Inc., for new station at Pittsburgh, Pa.

Granted petition of King-Trendle Broadcasting Corp. to intervene in the proceedings upon the application of Cadillac Broadcasting Corp. for new station at Detroit, Mich.

Granted petition of KFH, an intervenor, for a continuance of the hearing upon the application of the Farmers & Bankers Broadcasting Corp. now scheduled for October 22, and directed that said hearing be postponed until November 23.

Granted petition of Voice of Detroit, Inc., for leave to amend its application for C. P. for new station at Detroit, Mich., without change in the hearing date.

Granted petition of Intermountain Broadcasting Corp. (KDYL), to intervene in the proceedings upon the application of Interstate Broadcasting Corp. (KLO).

Granted petition of J. T. Griffin for continuance of the hearing upon his application until January 11, 1938.

Granted joint motion of WCBA and WSAN, Allentown, Pa., for a continuance of the hearing on their applications until January 5, 1938.

Granted joint petition of WBNX Broadcasting Co., Inc., and Havens & Martin, Inc., for a continuance of the hearings upon their applications until December 10, 1937.

Granted petition of Station WMFR, Inc., for continuance of the hearing on its application for modification of license until December 1, 1937.

Denied petition of Dorrance D. Roderick, an intervenor, for postponement of the hearing upon application of Tri-State Broadcasting Co., Inc. (KTSM), until after court decision in the case of Tri-State Broadcasting Co., Inc., v. FCC. and Dorrance D. Roderick, Intervenor.

Granted petition of El Paso Broadcasting Co. to intervene in the proceedings upon the application of Tri-State Broadcasting Co., Inc. (KTSM), for C. P.; granted that part of said petition insofar as it prays for the delay in the final decision upon the application of Tri-State Broadcasting Co., until the Court of Appeals shall have acted in the matter of Dorrance D. Roderick for a C. P.; and denied that part of the petition in so far as it prays for a delay in the final decision upon the application of the Tri-State Broadcasting Co., Inc., until the Commission shall have acted upon the applications of El Paso Broadcasting Co. and Earl Yates.

Granted petition of Sharon Herald Broadcasting Co. to accept an agreement and stipulation between the attorney for the Sharon Herald and the various attorneys for the respondents, both attached to petition, in the matter of its application, Docket 4201.

Granted petition of Platt and Platt, Inc., for waiver of Rule 104.6(b), and accepted its appearance in Docket 4581.

ACTION ON EXAMINERS' REPORTS

NEW—Ex. Rept. 1-394: Arthur H. Croghan, Minneapolis, Minn.—Denied C. P. for new broadcast station to operate on **1310 kc.,** 100 watts, daytime, site to be determined. Order effective December 28, 1937. Examiner Melvin H. Dalberg sustained.

NEW—Ex. Rept. 1-408: Charles Porter and Edward T. Eversole, Festus, Mo.—Denied C. P. for new station to operate on **1420 kc.,** 100 watts, daytime. Order effective December 7, 1937. Examiner P. W. Seward reversed.

WHOM—Ex. Rept. 1-410: New Jersey Broadcasting Corp., Jersey City, N. J.—Denied C. P. to install new transmitter and increase power from 250 watts to 250 watts night, 1 KW day, **1450 kc.,** unlimited time. Order effective December 21, 1937. Examiner R. H. Hyde sustained.

NEW—Ex. Rept. 1-462: General Electric Co., near Belmont, Calif. —Granted C. P. for new international broadcast station to operate on frequencies **9530, 15330 kc.,** 20 KW, unlimited time. Order effective December 1, 1937. Examiner Geo. H. Hill sustained.

NEW—Ex. Rept. 1-479: Kenneth Baker, Hartwell Gaus, V. A. Bernier, d/b as Key City Broadcasting Co., Kankakee, Ill.—Denied C. P. for new broadcast station to operate on **1500 kc.,** 100 watts, unlimited time. Order effective December 28, 1937. Examiner Tyler Berry sustained.

NEW—Ex. Rept. 1-480: Robert Raymond McCulla, Oak Park, Ill. —Denied C. P. for new broadcast station to operate on **1500 kc.,** 100 watts, daytime. Order effective December 28, 1937. Examiner Tyler Berry sustained.

KABR—Ex. Rept. 1-481: Aberdeen Broadcast Co., Aberdeen, S. Dak.—Granted C. P. to install new transmitter; make changes in equipment; install directional antenna for night use; change frequency from **1420 kc.** to **1390 kc.;** and increase power from 100 watts to 500 watts night, 1 KW day, unlimited time. Order effective December 7, 1937. Examiner R. H. Hyde sustained.

NEW—Ex. Rept. 1-482: Don M. Lidenton and A. L. McCarthy, Poplar Bluff, Mo.—Granted C. P. for new broadcast station to operate on **1310 kc.,** 100 watts, daytime. Order effective December 7, 1937. Examiner Robert L. Irwin sustained.

NEW—Ex. Rept. 1-484: John W. Haigis, Greenfield, Mass.—Granted C. P. for new broadcast station to operate on **1210 kc.,** 250 watts, daytime, site to be determined subject to Commission's approval. Petition to sustain Examiner's recommendation dismissed. Order effective December 14, 1937. Examiner Tyler Berry sustained.

WBNS—Ex. Rept. 1-489: WBNS, Inc., Columbus, Ohio.—Granted C. P. to install new transmitter; install directional antenna for night use; and increase power from 500 watts night, 1 KW day, to 1 KW night, 5 KW day; **1430 kc.,** unlimited time. Order effective December 14, 1937. Examiner Robert L. Irwin sustained.

ORAL ARGUMENTS GRANTED

WBAX—Ex. Rept. 1-371: John H. Stenger, Jr., Wilkes Barre, Pa. —Granted oral argument to be held on January 13, 1938.

NEW—Ex. Rept. 1-500: Genesee Radio Corp., Flint, Mich.—Granted oral argument to be held on January 13, 1938.

NEW—Ex. Rept. 1-498: Dr. Wm. States Jacobs Broadcasting Co., Houston, Tex.—Granted oral argument to be held on January 20, 1938.

NEW—Ex. Rept. 1-502: Great Lakes Broadcasting Corp., Cleveland, Ohio.—Granted oral argument to be held on January 20, 1938.

NEW—Ex. Rept. 1-503: Fall River Herald News Publishing Co., Fall River, Mass.—Granted oral argument to be held on January 20, 1938.

APPLICATIONS RECEIVED

First Zone

WOR—Bamberger Broadcasting Service, Inc., Newark, N. J.—
710 Special experimental authorization to operate a facsimile station from 2 a. m. to 6:30 a. m., using 5 KW power. Amended to request hours of operation from 2 a. m. to 6 a. m.

WDEL—WDEL, Inc., Wilmington, Del.—Construction permit to
1120 install a vertical antenna, and move transmitter from Ninth and Market Sts. to 1.6 miles northeast of city along N. E. Blvd., Wilmington, Del.

WSAL—Frank M. Stearns, Salisbury, Md.—Modification of con-
1200 struction permit (B1-P-1613) as modified for new station, requesting authority to move studio and transmitter from 321 E. Main St. to 315 E. Main Street, Salisbury, Md.

WOKO—WOKO, Inc., Albany, N. Y.—License to cover construc-
1430 tion permit (B1-P-1867) for new equipment.

NEW—Garden Island Publishing Co., Ltd., Lihue, Hawaii.—Con-
1500 struction permit to erect a new broadcast station to be operated on **1500 kc.,** 100 watts night and 250 watts day, unlimited hours of operation.

NEW—General Electric Co., Albany, N. Y.—Construction permit for a new television broadcast station on **44000-50000 kc.,** Power, Video 10000 watts, Aural 3000 watts, located in Albany, N. Y.

NEW—General Electric Co., Easton, Conn.—Construction permit for a new television station on **44000-50000 kc.,** power, Video 10000 and Aural 3000 watts.

NEW—General Electric Co., Schenectady, N. Y.—Construction permit for a new television station on **44000-50000 kc.,** power of 40 watts, Video transmission only.

NEW—General Electric Co., Schenectady, N. Y.—Construction permit for a new television station on **44000-50000 kc.,** power of 40 watts, Video transmission only.

W10XHI—Columbia Broadcasting System, Inc., Mobile (area Chicago).—Modification of license to delete frequencies **31100, 34600, 37600, 40600 kc.,** and add **38900, 39100, 39300, 39500 kc.**

W2XAX—Columbia Broadcasting System, Inc., New York, N. Y. —Modification of construction permit (B1-PVB-6) to extend completion date from 12-16-37 to 6-16-38.

Second Zone

WHAS—The Louisville Times Co., Louisville, Ky.—Modification
820 of construction permit (B2-P-1126) as modified to extend completion date from 12-5-37 to 1-5-38.

NEW—Pontiac Broadcasting Co., Pontiac, Mich.—Construction
1100 permit for a new station to be operated on **1100 kc.,** 1 KW power, daytime operation.

WTOL—Community Broadcasting Co., Toledo, Ohio.—Modifica-
1200 tion of construction permit (B2-P-151) for new station, requesting approval of studio and transmitter sites at 709 Madison Ave., Toledo, Ohio, and approval of vertical antenna, install new transmitter.

WBRE—Louis G. Baltimore, Wilkes-Barre, Pa.—License to cover
1310 construction permit (B2-P-1708) for move of transmitter and install vertical antenna.

NEW—King-Trendle Broadcasting Corp., Pontiac, Mich.—Con-
1440 struction permit for a new station on **1440 kc.,** 250 watts power, unlimited time, using directional antenna day and night.

W3XGS—Keystone Broadcasting Corporation, Mobile, Harrisburg, Pa.—Construction permit for a high frequency relay station on **31100, 34600, 37600, 40600 kc.,** 50 watts power.

W3XGT—Keystone Broadcasting Corporation, Mobile, Harrisburg, Pa.—Construction permit for a high frequency relay station on **31100, 34600, 37600, 40600 kc.,** 5 watts.

W3XGN—Berks Broadcasting Co., Portable-Mobile (Reading, Pa.).—License to cover construction permit (B2-PRE-34) as modified for high frequency station.

W8XOY—Allen T. Simmons, Tallmadge, Ohio.—License to cover construction permit (B2-PHB-34) for high frequency relay station.

NEW—The WGAR Broadcasting Co., Cuyahoga Heights, Ohio.—Construction permit for a new relay broadcast station on **1622, 2058, 2150, 2790 kc.,** 100 watts power.

NEW—The WGAR Broadcasting Co., Mobile (Cleveland, Ohio).—Construction permit for a new relay broadcast station on **1622, 2058, 2150, 2790 kc.,** 100 watts power.

NEW—The WGAR Broadcasting Co., Mobile (Cleveland, Ohio).—License to cover construction permit (B2-PRY-72) above.

NEW—The WGAR Broadcasting Co., Cuyahoga Heights, Ohio.—License to cover construction permit (B2-PRY-73) for new relay station.

WBNT—WBNS, Inc., Mobile (Columbus, Ohio).—License to cover construction permit (B2-PRY-27) for low frequency relay station.

W8XIS—WLBG, Inc., Mobile (Richmond, Va.).—License to cover construction permit (B2-PRE-120) for new high frequency relay station.

Third Zone

NEW—W. A. Barnette, Greenwood, S. C.—Construction permit
610 to erect a new broadcast station to be operated on **610 kc.,** 250 watts, daytime operation.

WSM—The National Life & Accident Insurance Co., Inc., Nash-
650 ville, Tenn.—Special experimental authorization to operate a facsimile station from 12 midnight to 6 a. m., CST, for period ending 2-1-38.

WDAE—Tampa Times Co., Tampa, Fla.—Modification of license
780 to change frequency from **1220 kc.** to **780 kc.,** install directional antenna from day and night.

WSPA—Virgil V. Evans, tr/as Voice of South Carolina, Spartan-
920 burg, S. C.—Construction permit to install a new transmitter.

KRLD—KRLD Radio Corporation, Dallas, Tex.—Construction
1040 permit to install new transmitter.

WBNO—The Coliseum Place Baptist Church, New Orleans, La.—
1200 Modification of construction permit (B3-P-1622) for new transmitter and antenna and move transmitter and studio, further requesting move of transmitter from Broad and Thalia, New Orleans, La., to Euphrosine and S. White St., New Orleans, La.

NEW—S. B. Quigley, Mobile, Ala.—Construction permit for a
1200 new station to be operated on **1200 kc.,** 100 watts, daytime.

KPAC—Port Arthur College, Port Arthur, Tex.—Construction per-
1260 mit to make changes in transmitter; install directional antenna for night use; change frequency from **1260 kc.** to **1230 kc.;** increase power from 500 watts to 1 KW; change hours of operation from day to unlimited. Amended: Change requested frequency from **1230 kc.** to **1350 kc.,** and move transmitter 1/10 mile.

WTOC—Savannah Broadcasting Co., Inc., Savannah, Ga.—Modifi-
1260 cation of construction permit (B3-P-1764) for extension of commencement and completion dates from 10-18-37 and 4-18-38 to 4-18-38 and 10-18-38, respectively.

WJDX—Lamar Life Insurance Co., Jackson, Miss.—License to
1270 cover construction permit (B3-P-1584) as modified for changes in equipment and increase in power.

WSMB—WSMB, Inc., New Orleans, La.—Modification of construction
1320 permit (B3-P-1494) to move transmitter from Algiers Naval Station to Behrman Highway, New Orleans, La.

NEW—F. C. Todd, Gastonia, N. C.—Construction permit for a
1420 new station to be operated on **1420 kc.**, 100 watts night and 250 watts day, unlimited time.

NEW—Harry M. Ayers, Anniston, Ala.—Construction permit for
1420 a new station to be operated on **1420 kc.**, 100 watts, daytime.

WHBB—Selma Broadcasting Co., Inc., Selma, Ala.—Authority to
1500 transfer control of corporation from G. W. Covington, Jr., J. C. Hughes, and J. S. Allen, to H. A. Shuman, 60 shares common stock, and to S. A. Cisler, 60 shares common stock.

WKAT—A. Frank Katzentine, Miami Beach, Fla.—Authority to
1500 determine operating power by direct measurement of antenna power.

WKAT—A. Frank Katzentine, Miami Beach, Fla.—License to
1500 cover construction permit (B3-P-1198) as modified for new station.

NEW—Fountain of Youth Properties, Inc., Mobile (area St. Augustine, Fla.).—Construction permit for new relay broadcast station on **39700, 39900, 40800, 41400 kc.**, 10 watts.

WAXH—Savannah Broadcasting Co., Mobile (Savannah, Ga.).—Modification of construction permit (B3-PRY-52) for new low frequency station, requesting authority to make changes in equipment and increase in power from 10 watts to 50 watts.

XXX—Chamber of Commerce, Eureka Springs, Ark.—Authority to transmit program of one hour, on November 6, 1937, to station XENT, Nuevo Laredo, Mexico, by telephone line transmission.

Fourth Zone

KSD—The Pulitzer Publishing Co., St. Louis, Mo.—Special experi-
550 mental authorization to operate a facsimile station from 1 a. m. to 6 a. m. using 1 KW power, period from 12-1-27 to 3-1-38.

WTMJ—The Journal Co. (Milwaukee Journal), Milwaukee, Wis.
620 —Authority to determine operating power by direct measurement of antenna power.

WLS—Agricultural Broadcasting Co., Chicago, Ill.—Construction
870 permit to install a new transmitter and make changes in vertical antenna and move transmitter from 22.5 miles air line from State and Madison Sts., Chicago, Illinois, and 3.5 miles S. of Downers Grove, Illinois, to Tinley Park, Illinois.

WTAD—Illinois Broadcasting Corp., Quincy, Ill.—Modification of
900 license to change hours of operation from day to unlimited, using 1 KW power. Amended: To change to a construction permit, install directional antenna for night use, and move transmitter from N. 24th St., Quincy, Ill., to 3 mi. S. W. of Quincy, Ill.

WHBF—Rock Island Broadcasting Co., Rock Island, Ill.—Con-
1210 struction permit to install vertical antenna, move transmitter from 102 18th St., Rock Island, Ill., to S. E. ¼ of Section 2 Township 17 N. Range 1 W., near Rock Island, Ill. To change frequency from **1210** to **1240 kc.**, install new transmitter, increase power from 100 watts, 250 watts day to 500 watts night, 1 KW day and install directional antenna for night use. Amended: To change night power to 1 KW.

KFGQ—Boone Biblical College, Boone, Iowa.—Construction per-
1370 mit to install a new transmitter.

KATE—Albert Lea Broadcasting Co., Albert Lea, Minn.—License
1420 to cover construction permit (B4-P-883) as modified, for a new station.

KSTP—National Battery Broadcasting Co., St. Paul, Minn.—
1460 Special experimental authorization to operate a facsimile station from 1 a. m. to 6 a. m. using 10 KW power. Amended: RE: Equipment.

NEW—Kathryn B. Gosselin, Aurora, Ill.—Construction permit for
1500 a new station on **1500 kc.**, 100 watts night, 250 watts day power, unlimited hours of operation.

NEW—N. B. Egeland, Fort Dodge, Iowa.—Construction permit
1500 for a new station to be operated on **1500 kc.**, 100 watts, daytime. Amended: Studio and transmitter site to be determined, vicinity of Fort Dodge, Iowa.

NEW—Topeka Broadcasting Association, Inc. (Mobile), Area of Topeka, Kans.—Construction permit to erect a new relay broadcast station on **31100, 34600, 37600, 40600 kc.**, 10 watts power.

NEW—Topeka Broadcasting Association, Inc., Mobile.—License to cover the above construction permit (B4-PRE-159).

NEW—Topeka Broadcasting Association, Inc., Mobile (Area, Topeka).—Construction permit to erect new relay broadcast station on **38900, 39100, 39300, 39500 kc.**, 10 watts power.

NEW—Topeka Broadcasting Association, Inc., Mobile.—License to cover construction permit above (B4-PRE-160).

NEW—Topeka Broadcasting Association, Inc., Mobile (Area of Topeka).—Construction permit to erect new relay broadcast station on **39700, 39900, 40800, 41400 kc.**, 2 watts power.

NEW—Topeka Broadcasting Association, Inc., Mobile.—License to cover above construction permit (B4-PRE-161).

W9XRT—Gazette Printing Co., Mobile (Janesville, Wis.).—License to cover construction permit (B4-PRE-96) for relay broadcast station.

KAID—Woodmen of the World Life Insurance Asso., Mobile (Omaha, Nebr.).—Modification of construction permit (B4-PRY-60) for new low frequency relay broadcast station to change name to Woodmen of the World Life Insurance Society.

W9XPX—Woodmen of the World Life Insurance Asso., Omaha, Nebr. (Mobile).—Modification of license to change name to Woodmen of the World Life Insurance Society.

W9XPT—Woodmen of the World Life Insurance Association, Omaha, Nebr. (Mobile).—Modification of license to change name to Woodmen of the World Life Insurance Society.

W9XSB—South Bend Tribune, Mobile, South Bend, Ind.—Construction permit to make equipment changes and increase power from 1 watt to 3.5 watts.

W9XSB—South Bend Tribune, South Bend, Ind.—License to cover above construction permit (B4-PRE-164).

KAID—Woodmen of the World Life, Insurance Asso., Mobile, Omaha, Nebr.—License to cover construction permit (B4-MPRY-13) as modified.

WAHJ—The Champaign News-Gazette, Inc., Champaign, Ill.—License to cover construction permit (B4-PRY-66) for low frequency station.

Fifth Zone

KGEK—Elmer G. Beehler, Sterling, Colo.—Modification of license
1200 to change specified hours by adding Saturday hours from 1:30 p. m. to 2:30 p. m.

NEW—Michael J. Mingo, Tacoma, Wash.—Construction permit
1400 for a new station on **1400 kc.**, 250 watts, daytime operation.

KGGC—Golden Gate Broadcasting Co. (Robert J. Craig), San
1420 Francisco, Calif.—Modification of construction permit (B5-P-1725) to install new antenna and move transmitter locally, further requesting authority to make changes in equipment, increase power from 100 watts to 100 watts night, 250 watts day, extend commencement and completion dates 60 and 180 days respectively.

KAXA—Earle C. Anthony, Inc., Mobile, Los Angeles, Calif.—License to cover construction permit (B5-PRY-4) for new relay broadcast station.

Puerto Rican Zone

WNEL—Juan Piza, San Juan, P. R.—Construction permit to make
1290 changes in antenna and change frequency from **1290 kc.** to **590 kc.** Amended to install directional antenna for day and night use; move transmitter locally, San Juan, P. R. (no street address).

NEW—Juan Piza, San Juan, P. R.—Construction permit for new experimental broadcast station on **4797.5, 6425, 8655 kc.**, 100 watts, unlimited time.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

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McNINCH EXPLAINS NEW PROCEDURE

"From various sources," stated Frank R. McNinch, Chairman of the Federal Communications Commission, at a recent press conference, "I gather the impression that over a period of years there has grown up, like Topsy, the practice of making suggestions, requests or recommendations to members of the Commission or its staff as to matters pending by those not of record as parties in interest; and also by parties in interest, or their attorneys, after the record in a case has been closed but before action by the Commission. This has been the basis for a part of the criticism as to political or outside influence aimed at the Commission, and I think it should be said in all fairness that, whatever may have been the responsibility of the Commission and staff in this respect, such responsibility also rests in part on any who may have made such suggestions to or requests of any Commissioner or staff member.

"The Communications Commission is an independent Commission created by the Congress, to which has been delegated important and far-reaching powers, administrative, legislative and quasi-judicial. For anyone to make a request of or suggestion to a Commissioner or staff member touching any pending quasi-judicial matter, or for anyone to respond to any such request which is not a part of the public record in the case does violence to the true conception of how an independent Commission should exercise its quasi-judicial function. This observation is not applicable to purely administrative matters nor does it have reference to inquiries which have to do with the status of a particular case, the reasons for the delay in handling, if there has been delay, as to whether a particular matter will be set down for hearing and the probable or fixed date of such hearing and similar inquiries. Such inquiries are not only proper but are welcomed by the Commission and will receive prompt attention. The answer to such questions can be made promptly and accurately by the Secretary to the Commission.

"These candid statements are prompted not only by the conception of my associate Commissioners and myself as to the way in which the Commission should discharge the important powers and duties committed to it by the Congress, but also because the Congress created the Communications Commission as an independent agency with quasi-judicial powers and the Commission is directly responsible to the Congress for the fidelity with which it discharges these delegated duties.

"To all who desire that the Commission conduct its affairs in a manner that will best serve the interests of the public and reflect credit upon the Commission and Congress, frank appeal is made for support of the Commission in carrying out the purposes to be effected by the Orders hereinafter referred to.

"At the Commission meeting on November 10 I presented to the Commission," stated Chairman McNinch, "Orders Nos. 25 and 26. These Orders were adopted by unanimous vote, Commissioner T. A. M. Craven being absent on account of his official duties in connection with the Inter-American Radio Conference at Havana. However, I consulted Commissioner Craven relative to the substance of these Orders and had his approval.

"The Secretary is directed by Order No. 25 to make a record of all communications received by the Commission relating to the *merits* of any application pending, requesting the granting, renewal, modification, transfer or revocation of any license, construction permit, certificate of convenience and necessity, or rate schedule. The Secretary shall, when the date of hearing has been fixed, if any such matter is set down for hearing, notify all such persons to the end that they may have opportunity to appear and give evidence at such hearing. The Order provides that, in the case of communications signed by more than one person, which includes petitions, such notice shall be sent to the person first signing such communication unless the communication itself may request or direct that notice be sent to some other person therein designated.

"Order No. 25 further provides that no such communication will be considered by the Commission in determining the merits of any matter unless it may be and is introduced in evidence at the hearing under applicable rules of evidence. A further provision is to the effect that, while

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such informal communications may not be received as evidence except as above indicated, these communications will be considered by the Commission, if circumstances warrant, in deciding whether a particular matter shall be set down for hearing, where in the abesnce of such communication no hearing would be required. The reason for the statement in Order No. 25, that informal communications, such as letters, cannot be introduced as evidence at a hearing is obvious, as all parties to a matter being heard are entitled to examine or cross-examine witnesses either at the hearing or by deposition.

"The Secretary is directed by Order No. 26 to forward once each week to all members of the Senate and of the House of Representatives, as well as to the Governor of each State and to the State Regulatory or Public Utilities Commission, a statement as to all orders issued, all applications filed for the issuance, renewal, transfer, modification, or revocation of a license, construction permit, certificate of convenience and necessity, or rate schedule; except that, due to frequent necessity for immediate action thereon, such notice shall not be given as to applications for an operator's, amateur, itinerant aircraft, or ship license or permit, or modification or renewal thereof, nor of applications for temporary privileges such as special broadcasts, etc., nor of applications for emergency services.

"Such notice shall request persons so notified to advise the Commission whether they desire to appear either in person or by accredited representative at a hearing on any application referred to in the notice, if the matter is set down for hearing, and inform the Commission as to any public interest involved in said application.

"One of the purposes of Orders Nos. 25 and 26 is to provide the necessary procedure for keeping all public officials currently advised as to all matters of public interest pending before the Commission as well as of action taken on such matters through appropriate orders. Through these notices public officials, charged with the duty of representing their constituents and the interests of the public generally, may have prompt and timely notice of matters coming before the Commission with full opportunity to appear in person or by their representative at hearings, where such hearings are to be held, and give the Commission the benefit of their testimony. This would aid the Commission in reaching determinations which would serve the 'public interest, convenience or necessity.'

"I draw attention to what the Commission regards as one of the most important provisions of Order No. 25, which is to the effect that no person shall be precluded from giving relevant, material and competent testimony at any hearing because he may lack a sufficient interest to justify his formal intervention as a party in a particular matter. The Commission represents the public and is a forum before which the public should have the right to appear at hearings and present testimony under the rules of evidence. It will, of course, be proper and necessary that hearsay testimony be excluded and that testimony offered be relevant, material and competent, but within these well recognized limitations the Commission will welcome testimony, whether by public officials or by private citizens."

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C.

ORDER NO. 25

The Secretary is hereby directed to make a record of all communications received by the Commission relating to the merits of any application pending before the Commission requesting the granting, renewal, modification or revocation of any license or construction permit, certificate of convenience and necessity or rate schedule. Such record shall show the name and address of the person making the statement and the substance of such statement. When the date of hearing has been set, if the matter is designated for hearing, the Secretary shall notify all persons shown by the records to have communicated with the Commission regarding the merits of such matter in order that such persons will have an opportunity to appear and give evidence at such hearing, provided, that in the case of communications bearing more than one signature notice shall be given to the person first signing unless the communication clearly indicates that such notice should be sent to some one other than such person.

No such person shall be precluded from giving any relevant material and competent testimony at such hearing because he lacks a sufficient interest to justify his intervention as a party in the matter.

No such communication will be considered by the Commission in determining the merits of any such matter nor shall any such communication be considered by any examiner unless it has been introduced into evidence at the hearing and appears as a part of the record. The admissibility of any such communication or the Secretary's record of any such communication shall be governed by the applicable rules of evidence and no such communication shall be admissible on the basis of a stipulation unless Commission's counsel as well as counsel for all of the parties shall join in such stipulation.

Such communications, however, may be considered by the Commission if circumstances warrant in deciding whether or not a matter shall be set down for hearing in cases where in the absence of such communication no hearing would be required by the Commission.

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C.

ORDER NO. 26

The Secretary is hereby directed to prepare each week a report listing all applications which have been filed during the preceding week for the issuance, renewal, modification, transfer or revocation of licenses, construction permits or certificates of convenience and necessity, as well as all rate schedules filed. Such report shall also show what, if any, action has been taken by the Commission during the preceding week with respect to designation of any of said applications for hearing, the setting of a date for a hearing on any such application, the granting or denial of petitions for intervention, continuance, etc., as well as final action on any of such applications by the Commission. It shall not be necessary for the Secretary to include in such report any information with respect to either the filing of or action upon applications for operator's, amateur, itinerant aircraft, or ship licenses or permits, or the modification or renewal thereof, nor of applications for temporary privileges such as special broadcasts, etc., nor of applications for emergency services.

The Secretary is also directed to mail a copy of such report to all Senators, members of and delegates to the House of Representatives and Governors of the several States, as well as the utility commissions of such states. The Secretary shall include with such report a request that all such persons shall advise the Commission whether they desire to appear either in person or by accredited representative at a hearing on any application listed in said report as having been filed with the Commission, when and if such matter shall be set down for hearing, in order that they may inform the Commission as to any public interest involved in the matter.

The Secretary is also directed to request such persons to advise any state or municipal officials charged with the duty of protecting the public interest likely to be affected by the granting or denial of any such application that such an application has been filed and that such public official should advise the Commission if he desires to appear either in person or by accredited representative at a hearing on such application when and if the matter is set down for hearing.

CONGRESS AND RADIO LEGISLATION

The second session of the Seventy-Fifth Congress convening here on Monday of this week has a number of radio bills and resolutions pending in both the House and the Senate. The status of these bills is exactly as it was when Congress adjourned. Details of the pending measures will be found in Volume 5, No. 36 of NAB Reports.

FCC CHANGES RULES AND REGULATIONS

At a press conference the latter part of last week, Chairman Frank R. McNinch, of the Federal Communications Commission announced the Commission's action making changes in its rules and regulations for the transfer of all functions from the Broadcast, Telegraph and Telephone Divisions to the Commission itself, which was effective at midnight on November 15.

On October 14, when the Communications Commission adopted Order No. 20, abolishing as of midnight, November 15, the Broadcast, Telegraph and Telephone Divisions, and transferred all powers and functions presently vested in such Divisions to the Commission, Chairman McNinch was directed to prepare and submit to the Commission such new and supplementary rules and regulations as were made necessary by this Order.

"At its regular meeting, November 10," stated Chairman McNinch, "I presented to the Commission for its consideration Order No. 23, which was adopted unanimously. This Order provides:

> 'That all orders, determinations, rules, regulations, permits, contracts, licenses, and privileges which have been issued, made, or granted by a Division, shall, consistent with the terms thereof, continue in effect except as or until modified, terminated, superseded, or repealed by the Commission or by operation of law."

"This order further provides that proceedings, hearings and investigations commenced or pending before any Division or a Director of a Division shall be continued by the Commission as if originally commenced before it.

"For lack of time," continued Chairman McNinch, "no effort whatever was made to make any general revision of rules, regulations, procedure, etc. This is, however, a matter that will be given early consideration.

"I also presented to the Commission," stated Chairman McNinch, "Order No. 24, which was also adopted unanimously, and makes amendments to the rules, regulations, etc., which provided for handling of matters by the Divisions.

"While no formal action was taken at the Commission meeting on November 10," said Chairman McNinch, "in regard to the hearing of oral arguments on matters before the several Divisions which will be pending and unfinished after November 15, it was informally agreed, and will subsequently be officially ordered, that oral arguments heretofore set for hearing before either of the Divisions will be heard by the full membership of the Commission. It may be found necessary to make some adjustments in the dates heretofore set by the Divisions for oral arguments after December 1, but those set for hearing during the last half of November will be heard at the time now set unless the Commission may discover some irreconcilable conflict as to the time set for arguments on matters now pending, in which event the Commission will advise parties in interest at the earliest possible date as to any change in dates for arguments. Hence, in the absence of notice to the contrary, parties in interest should be prepared to make oral arguments on their respective matters on the November dates now set.

"It is probable, though this has not been definitely determined, that where oral argument has been made before either of the Divisions in a matter on which final decision has not been made, parties in interest will be offered opportunity to argue such matter before the full Commission. However, if such parties should avail themselves of the opportunity for re-argument, it may unavoidably delay decisions in these matters as dates for re-arguments would necessarily have to be reconciled with the dates for oral arguments now set."

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C.

ORDER NO. 23

At a meeting of the Federal Communications Commission held at the offices of the Commission in Washington, D. C., on the 10th day of November, 1937;

The Commission having under consideration, the effect of Commission Order No. 20, abolishing the Divisions of the Commission;

IT IS ORDERED, That all orders, determinations, rules, regulations, permits, contracts, licenses, and privileges which have been issued, made, or granted by a Division, shall, consistent with the terms thereof, continue in effect except as or until modified, terminated, superseded, or repealed by the Commission or by operation of law.

Except as provided by Commission Order No. 21, any proceeding, hearing, or investigation commenced or pending before any Division or a Director of a Division shall be continued by the Commission as if originally commenced before it.

This order shall be effective at midnight, November 15, 1937, and shall continue in effect until rescinded or modified by subsequent order of the Commission.

BY THE COMMISSION
T. J. Slowie,
Secretary.

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C.

ORDER NO. 24

At a meeting of the Federal Communications Commission held at the offices of the Commission in Washington, D. C., on the 10th day of November, 1937;

The Commission having under consideration certain amendments to the Rules and Regulations made necessary by Commission Order No. 20,

IT IS ORDERED, that the Rules and Regulations, Part I, Practice and Procedure be and the same are hereby amended as follows:

Rule 100.2. This rule is deleted.

Rule 106.6. This rule is amended to read as follows:

Rule 106.6. The Commission, a Commissioner, or an examiner, when designated to preside at a hearing, may, upon its or his own motion or the motion of any party and for good cause shown, after opening any hearing pursuant to notice, temporarily postpone the hour or date or change the place thereof, when in its or his judgment the ends of justice will be better served.

Rule 106.7. This rule is amended to read as follows:

Rule 106.7. At hearings on complaints, petitions, applications or for other instruments of authorization which the Commission is empowered to make, the complainant, petitioner, or applicant as the case may be, shall open and close. At hearings on investigation and suspension proceedings under Title II of the act, the respondent whose tariffs are under suspension shall open and close. At hearings on all other investigations, revocations, modifications, suspension of operator licenses under title III of the Act, or other proceedings instituted by the Commission, the Commission shall open and close. At hearings on protests, the protestant shall open and close. In hearings upon a consolidated record, the Commission or presiding officer shall designate the order of presentation. Interveners shall follow the party in whose behalf intervention is made, and in all cases where the intervention is not in support of either original party, the Commission or presiding officer shall designate at what stage such interveners shall be heard.

Rule 106.16. This rule is amended to read as follows:

Rule 106.16. At any stage of a hearing, the presiding Commissioner or examiner may call for further evidence upon any issue, and may require such evidence to be presented by any party to the proceeding.

Rule 106.17. This rule is amended to read as follows:

Rule 106.17. Before the close of a hearing, the presiding Commissioner or examiner may, at the request of a party or upon his own motion, require that a party furnish additional documentary evidence, supplementary to the existing record, within a stated period of time. The record of such proceeding will be held open until the expiration of such fixed time, and such additional documentary evidence will be made a part thereof.

Rule 106.18. This rule is amended to read as follows:

Rule 106.18. Subpenas requiring the attendance and testimony of witnesses, and subpenas requiring the production of any books, papers, schedules of charges, contracts, agreements, and documents relating to any matter under investigation or hearing may be signed and issued as follows:

(1) Hearings before the Commission en banc: By any Commissioner.

(2) Hearings before an examiner;

(a) By any Commissioner.

(b) When an examiner has been designated to hear a case, he may sign and issue subpenas in that case.

(c) By the chief examiner or the assistant chief examiner.

No subpena shall be signed or issued in any event without recommendation thereon in advance by the law department: *Provided, however,* That if a hearing is held in the field and no representative of the law department is in attendance, examination and recommendation by the law department in advance shall not be required.

Rule 106.25. This rule is amended to read as follows:

Rule 106.25. No deposition shall constitute a part of the record in any proceeding until received in evidence at a hearing before the Commission, a Commissioner, or Examiner, unless otherwise ordered by the Commission.

Rule 106.27. This rule is amended to read as follows:

Rule 106.27. In the event testimony is taken before a Commissioner or an Examiner, the testimony duly transcribed shall be reported back to the Commission, together with a written report containing recommendations as to the decision to be made thereon, and the facts and grounds upon which such recommendation is based.

Rule 106.29. The first paragraph of this rule is amended to read as follows:

Rule 106.29. In the event that a case is heard before a Commissioner or an Examiner, the Commission shall hear oral argument upon petition of any party, and may permit the filing of briefs. Such party shall request oral argument at the time of the filing of exceptions, or if no exceptions are filed, within the time allowed for the filing of exceptions. In the event that testimony is taken before the Commission, it may be followed by oral argument by the parties, or by the filing of briefs, or both, in the discretion of the Commission, and the case shall thereafter be decided on the basis of the testimony heard and proceedings had.

Rule 106.30. The third paragraph of this rule is amended to read as follows:

Rule 106.30 * * *

* * *

For good cause, a Commissioner or an Examiner before whom any hearing is being held, may, prior to the conclusion of such hearing, on his own motion or that of any party, add to or reduce the time hereinabove provided for the filing of briefs.

Rule 107.1. This rule is amended to read as follows:

Rule 107.1. These rules may be suspended, revoked, modified, amended, or supplemented, in whole or in part, at any time, by the Commission.

These amendments shall become effective at midnight, November 15, 1937, and shall continue in effect until rescinded or modified by subsequent order of this Commission.

BY THE COMMISSION
T. J. Slowie,
Secretary.

INDICATING INSTRUMENTS AND RULE 143

The Broadcast Division of the Federal Communications Commission last week issued the following instructions relative to indicating instruments used by broadcast stations in compliance with Rule 143:

Instruments indicating the plate current or plate voltage of the last radio stage (linear scale instruments) shall meet the following specifications:

1. Length of scale shall not be less than 2 3/10 inches.
2. Accuracy shall be at least two percent of the full scale reading.
3. The maximum rating of the meter shall be such that it does not read off scale during modulation.
4. Scale shall have at least 40 divisions.
5. Full scale reading shall not be greater than five times the minimum normal indication.

Instruments indicating the antenna current shall meet the following specifications:

1. Instruments having logarithmic or square law scales.
    (a) Shall meet same requirements as 1, 2 and 3 above for linear scale instruments.
    (b) Full scale reading shall not be greater than three times the minimum normal indication.
    (c) No scale division above one-third full scale reading (in amperes) shall be greater than 1/30 of the full scale reading. (Example: an ammeter meeting requirement (a) above having full scale reading of six amperes is acceptable for reading currents from two to six amperes provided no scale division between two and six amperes is greater than 1/30 of six amperes, 0.2 ampere.)
2. Radio frequency instruments having expanded scales.
    (a) Shall meet same requirements as 1, 2 and 3 for linear scale instruments.
    (b) Full scale reading shall not be greater than five times the minimum normal indication.
    (c) No scale division above 1/5 full scale reading (in amperes) shall be greater than 1/50 of the full scale reading. (Example: an ammeter meeting the requirement (a) above is acceptable for indicating currents from one to five

amperes provided no division between one and five amperes is greater than 1/50 of five amperes, 0.1 ampere.)

(d) Manufacturers of instruments of the expanded scale type must submit data to the Commission showing that these instruments have acceptable expanded scales, and the type number of these instruments must include suitable designation.

3. Antenna ammeters employing vacuum tube rectifiers are acceptable provided:

   (a) The indicating instrument meets all the above requirements for linear scale instruments.

   (b) Data are submitted under oath showing the unit has an overall accuracy of at least two percent of the full scale reading.

   (c) Thermocouple type ammeter meeting above requirements 1 (a), (b) and (c) is installed at the same point in the antenna circuit as the vacuum tube ammeter.

   (d) The calibration of the vacuum tube ammeter is checked against the thermocouple ammeter at least once a week (the thermocouple ammeter may be so connected that it is short circuited or open circuited when not actually being read).

4. Remote reading ammeters.

   (a) Shall meet the same requirements as for the regular instruments.

   (b) Shall be connected at the same point in the circuit.

   (c) The calibration shall be checked against the regular meter at least once a week (the regular meter may be so connected with a switch that it is short circuited or open circuited when not actually being read).

   (d) All remote reading instruments, including the vacuum tube type, shall be connected to the antenna circuit through a properly designed electrostatically shielded current transformer except in case a shunt excited antenna is employed, in which case the transmission line current meter may be considered as the remote meter provided the transmission line is terminated directed into the excitation circuit feed line which shall employ series tuning only (no shunt circuits of any type shall be employed) and in so far as practicable the type and scale of the transmission linemeter should be the same as those of the excitation circuit feed line meter. Any method of providing a remote meter different from the above shall be submitted to and approved by the Commission before the indications thereof may be logged as the antenna current.

Stations determining power by the indirect method may log the transmission line current in lieu of the antenna current, provided the instrument meets the above requirements for antenna ammeters, and further provided that the ratio between the transmission line current and the antenna current is entered each time in the log. In case the station is authorized for the same operating power for both day and nighttime operation this ratio shall be checked at least once daily. Stations which are authorized to operate with nighttime power different from the daytime power shall check the ratio for each power at least once daily.

No instrument indicating the plate current or plate voltage of the least radio stage, the antenna current or the transmission line current when logged in lieu of the antenna current shall be changed or replaced without written authority of the Commission, except by instruments of the same make, type, maximum scale reading and accuracy. Requests for authority to change an instrument may be made by letter or telegram giving the manufacturer's name, type number, serial number and full scale reading of the proposed instrument and the values of current or voltage the instrument will be employed to indicate. Requests for temporary authority to operate without an instrument or with a substitute instrument may be made by letter or telegram stating the necessity therefor and the period involved.

No instrument, the seal of which has been broken, shall be employed. Repairs and recalibration of instruments shall be made by the manufacturer, by an authorized instrument repair service of the manufacturer or by some other properly qualified and equipped instrument repair service. In either case the instrument must be resealed with the symbol or trade mark of the repair service and a certificate of calibration supplied therewith.

Since it is usually impractical to measure the actual antenna current of a shunt excited antenna system, the current measured at the input of the excitation circuit feed line is accepted as the antenna current.

OHIO BROADCASTERS ELECT

At the annual meeting of the Ohio Association of Broadcasters held in Columbus, November 12 and 13, the following officers were elected for the ensuing year: J. Harold Ryan, WSPD, Toledo, President; Warren P. Williamson, WKBN, Youngstown, Vice-President; and C. R. Thompson, WCOL, Columbus, Secretary.

NEBRASKA LAW TEMPORARILY ENJOINED

On November 13 a three judge federal court at Omaha issued a temporary injunction against the Nebraska music copyright law. A hearing on the merits will take place with 60 or 90 days.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints issued against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them:

No. 3261. Alleging use of unfair methods of competition in violation of Section 5 of the Federal Trade Commission Act, a complaint has been issued against **Cornelius P. Van Schaack, Jr.,** trading as **The Ink Company of America,** 6 North Michigan Ave., **Chicago,** engaged in selling sales promotion cards and certificates, fountain pen and pencil sets, Ticoa ink and Ticoa pencil leads. Van Schaack also trades as **Pioneer Advertising Company,** 549 West Randolph St., **Chicago.**

The respondent allegedly enters into contracts with retailers who agree to purchase from him at 10 cents each so-called pen and pencil certificates which the retailer distributes to his customers when they have purchased $5 worth of merchandise. According to the complaint, when a certificate holder sends the respondent 80 cents for the purchase of a specified quantity of Ticoa ink and pencil leads, he is entitled to receive a pen and pencil set which the respondent represents to be a nationally advertised product, having a value of $3.50.

The respondent allegedly represents that The Ink Company of America is engaged in a national campaign to advertise Ticoa products, and that such campaign is conducted by the Pioneer Advertising Company, a separate organization, so as to permit merchants to distribute nationally advertised pen and pencil sets free.

No. 3262. Moretrench Corporation, Rockaway, N. J., manufacturer of wellpoints, pumps and equipment used in draining wet soil during excavation work, is charged in a complaint with certain false and misleading representations concerning the merits of its products and those of competitors.

Wellpoint equipment consists of a steel tubular header which is laid on the ground surface around the perimeter of the proposed excavation. Attached to the header and inserted into the ground below the depth to which the excavation is to be made are pieces of pipe to which wellpoints are connected. Wellpoints are made of fluted tubing around which is wrapped a copper screen which serves as a filter during the pumping operation. According to the complaint, the water-passing screen area, or filter, constitutes one of the important factors in the efficiency of the pumping equipment.

The complaint alleges that the respondent company, in catalogues, pictures five wellpoints numbered from 1 to 5, No. 1 being identified as a Moretrench product, and the other four, although designated only by number, easily are recognized by the contracting trade as wellpoints manufactured by specific competitors of Moretrench. The pictorial representation, the complaint charges, is accompanied by a tabulation comparing the five wellpoints and representing the respondent company's as excelling the competitors' products as to unobstructed water-passing screen area, the length of the screen, the kind of material in the screen mesh, and certain other mechanical features.

Nos. 3263-3264-3265-3266. Alleging violation of Section 2 (a) of the Clayton Act, as amended by the Robinson-Patman Act, complaints have been issued against four firms manufacturing and distributing nitrogen-fixing bacteria, which is a commodity commonly known as a commercial inoculant and is useful in promoting the growth of leguminous plants and crops. The respondents are as follows:

Agricultural Laboratories, Inc., 3415 Milton Ave., **Columbus, Ohio; Hansen Inoculator Company, Inc.,** 808 North Lincoln Ave., **Urbana, Ill.; Albert L.** and **Lucille D. Whiting,** trading as **The Urbana Laboratories,** 406 North Lincoln Ave., **Urbana, Ill.,** and **The Nitragin Company, Inc.,** 3747 North Booth St., **Milwaukee.**

The complaints allege that the respondents are discriminating in price unlawfully by selling bacteria to some purchasers at prices lower than the prices at which they sell bacteria of like grade and quality to other purchasers. The complaints further charge that the respondents allow some purchasers larger discounts from the prices at which they sell bacteria than the discounts which they grant to other purchasers of bacteria of like grade and quality.

The effect of the discriminations in price, according to the complaints, may be to injure, prevent or destroy competition in the use, sale or distribution of bacteria among the favored purchasers and those who are denied the lower prices and discounts; among the customers of the favored purchasers and the customers of those who do not receive the benefit of the price discrimination, and among the respondents and other individuals and firms similarly competitively engaged in the sale and distribution of commercial inoculants.

Stipulations

The Commission has entered into the following stipulations:

No. 01917. Winifred Bertell, P. O. Box 375, Hollywood, Calif., trading as Hollywood Star Products, Ltd., in the sale of an obesity remedy called Reduce-Easies, agrees to stop advertising that this preparation of itself is a competent treatment for obesity and that by its use a person may attain figure control and guaranteed weight reduction, and that the preparation is amazing, new or harmless. In the stipulation, the respondent admits that the value of Reduce-Easies is limited to its action as a laxative or cathartic, according to the dosage in which it is taken.

No. 01918. The Bump Paper Fastener Company, 1832-A 12th St., LaCrosse, Wis., in the sale of Bump Paper Fasteners and accessories, stipulates that it will cease asserting that an amazing invention opens a $10,000,000 market for agents of the company; that there is no competition for the company's agents, and that its sales plan should make an agent an average of $89 or more weekly, unless, in connection with the latter representation, reliable records show such to be the average net return of full-time agents under normal conditions. In its stipulation, the respondent company admitted that a prospective agent cannot rightfully expect to draw business from a $10,000,000 market without competition, and that its sales persons have not made an average of $89 or more weekly.

No. 01919. Edward R. and Juliana Von Castelberg, Harbor View, South Norwalk, Conn., trading as Murvon Seed Company, and engaged in the sale of Japanese rose seeds, will discontinue advertising that Japanese rose bushes will bloom in the winter, unless in direct connection with this assertion it is explained that such is the case only in a warm climate or when the plants are cared for in a greenhouse. The respondent partnership also agrees to cease representing that Japanese rose bushes, when three years old, will have 500 or 600 roses, or will have roses the year around. The respondents admitted that not all Japanese rose bushes three years old have 500 or 600 roses, and that such bushes will not, under ordinary conditions, bloom in winter.

No. 2092. Samuel McCrudden & Co., Inc., 1 West 37th St., **New York,** has entered into a stipulation to discontinue misbranding and misrepresenting certain handkerchiefs it sells in interstate commerce.

The company agrees to stop using in advertising or on labels the words "linen" or "Irish linen" as descriptive of handkerchiefs not composed of linen, and to cease employing the word "linen" alone or with other words so as to imply that the products to which such words refer are made from linen, when such is not a fact.

No. 2093. Anthony Salzman, trading as Monticello Mail Order House, Monticello, N. Y., selling remnants and patchwork pieces, will cease using the word "free" as descriptive of merchandise represented to be given free, when in fact it is not free nor is it given as a gratuity, but may be obtained only in consideration of the purchase of merchandise with which the purported "free" gift is included. Salzman also will stop employing the phrase "For 10 days only", or any other representation of similar meaning, so as to imply that his alleged free offer of a sewing kit is available only for such limited time, when in fact the offer is unlimited as to time of acceptance.

The respondent will discontinue use of the word "silk" in any manner implying that articles so described are silk, when such is not a fact, and will desist from representing that his merchandise is "cut by machine from our regular stock," or that it is material composed of 80x80 threads to the square inch, when this is not true.

No. 2094. Hickok Manufacturing Company, Inc., Rochester, N. Y., engaged in the sale of men's dress accessories, including cuff links and shirt studs, agrees to stop using in advertising matter the word "crystal" alone or with other words so as to imply that the articles to which the word refers are natural rock crystal products, when such is not a fact.

No. 2095. Robert P. Milburn, Lanett, Ala., trading as Nehi Bottling Company, agreed that in promoting the sale of RC Cola, also known as Royal Crown Cola, he will cease using any scheme, plan or method which involves a gift enterprise or lottery whereby cash or any article is given as a premium in consideration of the purchase of another article. According to the stipulation, some of the bottle caps bore either the figure 5¢, 25¢, 50¢ or $1 on the inside, and the customer purchasing one of the bottles whose cap revealed a figure was entitled to receive the amount of cash indicated.

No. 2096. A stipulation to discontinue misbranding certain knives sold in interstate commerce has been entered into by **Edward Katzinger Company,** 1949 North Cicero Ave., **Chicago,** and **Geneva Forge, Inc., Geneva, N. Y.,** engaged in the manufacture and sale of kitchen utensils.

The companies agreed to stop using the word "crucible" to describe knives not made of crucible steel, and to cease employing such word as a stamp or label or in advertising matter so as to imply that the knives so designated are made of crucible steel, when this is not true.

No. 2097. Opelika Creamery, Inc., Opelika, Ala., signed a stipulation substantially the same as that entered into by Robert P. Milburn, agreeing to discontinue lottery methods to promote the sale of frozen stick confections. The word "free", according to the stipulation, was printed upon certain sticks and was concealed by the frozen confection, each purchaser obtaining a "free" stick being entitled to another confection without additional cost.

No. 3146. Los Angeles Soap Company, trading as **Cosray Products Company,** 617 East First St., **Los Angeles,** has entered into a stipulation to discontinue certain misleading representations in the sale of Cosray Vitamin D Soap.

In approving the stipulation, the Commission closed its case growing out of a complaint issued in June, 1937, charging the respondent company with unfair representations in the sale of Cosray Vitamin D Soap.

According to the stipulation, the respondent company began to manufacture Cosray Vitamin D Soap six months prior to filing of the Commission's complaint, made certain representations regarding its chemical properties and bacteriological effects, and ceased such manufacture a short time before the complaint was filed.

Cease and Desist Orders

The Commission has issued the following cease and desist orders:

No. 1134. The Commission has modified its order to cease and desist against **P. H. Hanes Knitting Company,** underwear manufacturer of **Winston-Salem, N. C.,** so as to make such order conform to the provisions of the Tydings-Miller Act, approved August 17, 1937. This act permits contracts for the maintenance of prices fixed by the seller in connection with the sale of trade marked or branded merchandise in those states which permit such contracts in their intrastate commerce.

The original order in the case, entered December 21, 1925, directed the respondent company to discontinue certain methods of bringing about the observance of prices at which its products were to be resold by dealers. On April 7, 1926, this order was modified slightly.

No. 2728. American Character Doll Company, Inc., 200 Fifth Ave., **New York,** has been served with an order requiring it to cease and desist from certain misleading representations in the sale of its products.

Findings are that the respondent company, in the sale of its paratex doll, made of hard rubber and under a secret formula, advertised it as superior to composition dolls because of being impervious to water. The respondent's paratex doll is sold in competition with the more expensive composition dolls such as the Shirley Temple doll, according to findings.

Pictures were made and circulated by the respondent company, according to findings, showing a so-called immersion test, as a result of which the Shirley Temple composition doll was compared unfavorably with the paratex doll. According to testimony of doll buyers employed by certain large stores, composition dolls are not made to withstand immersion-in-water tests, and are not inferior products because they will disintegrate if left in water for a substantial time.

No. 2875. Adah Alberty, 729 Seward Ave., **Los Angeles,** has been ordered to cease and desist from certain false and misleading representations concerning the therapeutic value of baby foods and health preparations which she sells in interstate commerce.

The respondent is directed to stop advertising that Alberty's Food, or any other preparation composed of the same or similar ingredients and properties, under whatever name sold, rebuilds the intestinal tract and is the only food which accomplishes this result; that it eliminates rickets and other calcium-starvation diseases in children, adults and animals; that it modifies milk so that the calcium element is assimilated; that its use enables one to store up in the body more calcium than would be stored by drinking three or four times the quantity of ordinary milk; that it is the only food discovered that offsets acidosis, and is the most powerful alkaline food known.

No. 3059. Mells Manufacturing Co., 250 Park Ave., **Brooklyn,** candy manufacturer, has been served with an order to cease and desist from certain sales methods involving a lottery or gift enterprise.

The respondent company is directed to stop selling and distributing to dealers candy so packed and assembled that sales to the public may be made by means of a lottery, and to cease supplying dealers with assortments of candy which may be used without alteration of the contents to conduct a lottery in its sale to the public.

No. 3188. An order to cease and desist has been entered against **Lavoptik Company, Inc.,** Michigan Ave. and 7th St., **St. Paul, Minn.,** vendor of Lavoptik, an alleged remedy for eye ailments.

The order directs Lavoptik Company, Inc., to cease representing that the preparation is endorsed or recommended by any designated number of eye specialists for any purpose, unless the product is in fact recommended by such number of graduate doctors of medicine, who specialize in treatment of the eyes. According to findings, the respondent company asserted in radio and periodical advertising that 6,000 eyesight specialists had suggested the use of "Lavoptik", when such was not a fact.

No. 3192. Croxonol Sales Corporation, 142 West 24th St., **New York,** has been ordered to cease and desist from certain unfair methods of competition in connection with the sale of Croxon Method, advertised as a preparation for the treatment of superfluous hair.

The order directs the respondent corporation to discontinue representing in newspaper and magazine advertisements, or by any other means, that Croxon Method will permanently remove and completely stop the growth of superfluous hair, that it is guaranteed to remove superfluous hair, and that no odor will result from the use of the product.

FTC CASE CLOSED

No. 3170. The Federal Trade Commission has entered an order closing its case against **Louis J. Whitmarsh** because of the death of the respondent.

The Complaint alleged that Whitmarsh, who traded as **Rite-Way Sales,** at **Cleveland, Ohio,** had engaged in certain unfair methods of competition in connection with the sale of earthenware cooking utensils.

The case was closed without prejudice.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, November 22:

Monday, November 22

HEARING BEFORE AN EXAMINER

(Broadcast)

WKBZ—Karl L. Ashbacker, Muskegon, Mich.—Present assignment; **1500 kc.,** 100 watts night, 250 watts LS, unlimited time. Voluntary assignment to Ashbacker Radio Corporation.

Tuesday, November 23

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Church of Jesus Christ of Latter Day Saints, near Salt Lake City, Utah.—C. P.; **6020, 9510, 11710 kc.,** 50 KW, unlimited time. (In accordance with Rule 983.)

NEW—Allen B. DuMont Laboratories, Inc., Upper Montclair, N. J.—Permit for television, B/c experimental. **46000-56000 kcs.,** 50 watts. (Unlimited time in accordance with Rule 983.)

KFBI—The Farmers & Bankers Broadcasting Corp., Wichita, Kans. —C. P.; **1050 kc.,** 5 KW, limited time. Present assignment: Same facilities; requests to move from Abilene, Kansas to Wichita, Kansas, exact site to be determined.

APPLICATIONS RECEIVED

First Zone

NEW—Peter J. Caldarone, Providence, R. I.—Construction permit
1270 to erect a new station to be operated on **1270 kc.,** 250 watts power, daytime.

WBNX—WBNX Broadcasting Co., Inc., New York, N. Y.—Con-
1350 struction permit to install a new transmitter, install new directional antenna for day and night use, increase power from 1 KW to 1 KW night, 5 KW day, move transmitter from 138 Pine St., Cliffside Park, N. J., to near Secaucus, New Jersey. Amended: To make correction in transmitter site from near Secaucus, N. J., to Bergen County, Borough of Carlstadt, N. J., and make changes in directional antenna.

NEW—Cherry & Webb Broadcasting Company, Providence, R. I. —Construction permit to install a new transmitter.

W2XOY—General Electric Co., Albany, N. Y.—License to cover construction permit (B1-PHB-12) for high frequency relay station.

Second Zone

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—Modi-
570 fication of construction permit for installation of directional antenna for day and night when WOSU is operating, change hours of operation from specified hours to unlimited and extend commencement and completion dates. Amended: Changes in directional antenna.

WIP—Pennsylvania Broadcasting Co., Inc., Philadelphia, Pa.—
610 Construction permit to install new transmitter and antenna, antenna to be determined, increase power from 1 KW to 1 KW night, 5 KW day and move transmitter to site to be determined, Phila., Pa. Amended: To install directional antenna for day and night use and give exact transmitter site, as E. of Brooklawn, N. J.

WCLE—Cleveland Radio Broadcasting Corp., Cleveland, Ohio.—
1210 Special experimental authorization to operate a facsimile station from 1 a. m. to 6 a. m. for period ending 3-1-38.

WMBG—Havens & Martin, Inc., Richmond, Va.—Construction
1350 permit to install auxiliary transmitter for emergency use only.

W3XHU—Pennsylvania Broadcasting Co., Mobile—Philadelphia, Pa.—License to cover construction permit (B2-PRE-94) for high frequency relay station.

Third Zone

WBRC—Birmingham Broadcasting Co., Inc., Birmingham, Ala.—
930 Modification of construction permit (B3-P-1585) for new transmitter and vertical antenna and increase in power from 1 KW to 1 KW night, 5 KW day, further requesting authority to install new transmitter.

WFTC—Jonas Weiland, Kinston, N. C.—Authority to make changes
1200 in automatic frequency control apparatus.

WSIX—WSIX, Inc., Nashville, Tenn.—License to cover construc-
1210 tion permit (B3-P-1903) for a new transmitter and increase in power.

NEW—Jonas Weiland, New Bern, N. Car.—Construction permit
1370 for a new broadcast station at New Bern, N. C., to be operated on **1370 kc.,** 100 watts, unlimited time.

WSFA—Montgomery Broadcasting Co., Inc., Montgomery, Ala.—
1410 Authority to make changes in automatic frequency control.

NEW—University of Oklahoma, Norman, Okla.—Construction permit for a new experimental broadcast station on **8655 kc.,** 100 watts power.

Fourth Zone

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Construction
560 permit to increase power from 1 KW night, 5 KW day to 5 KW day and night and make changes in directional antenna.

WGN—WGN, Inc., Chicago, Ill.—Special experimental authoriza-
720 tion to operate a facsimile station from 1 a. m. to 6 a. m. for period ending 2-1-38.

KWK—Thomas Patrick, Inc., St. Louis, Mo.—Modification of
1350 license to change power from 1 KW night, 5 KW day to 5 KW night and day. Amended: Install directional antenna, for day and night use.

KOVC—KOVC, Inc., Valley City, N. Dak.—License to cover con-
1500 struction permit (B4-P-1800) for changes in equipment and increase in power.

NEW—The Pulitzer Publishing Co., St. Louis, Mo.—License for a new facsimile broadcast station (experimental), utilizing equipment constructed for high frequency broadcast station W9XPD (File No. B4-PE-61, granted 8-13-35), **31600, 35600, 38600, 41000 kc.,** 100 watts power.

WNBM—National Broadcasting Co., Inc., Mobile—Chicago, Ill.—Modification of license to add A-1, A-2 emission.

Fifth Zone

KYOS—Merced Star Publishing Co., Inc., Merced, Calif.—Volun-
1040 tary assignment of license from Merced Star Publishing Company, to Merced Broadcasting Company.

KNX—Columbia Broadcasting System, Inc., Los Angeles, Calif.—
1050 Modification of construction permit (B5-P-1895) for new transmitter, changes in antenna, move of transmitter, further requesting installation of new transmitter.

NEW—Larry Rhine, San Francisco, Calif.—Construction permit
1150 for a new station to be operated on **980 kc.,** 250 watts power, daytime. Amended: Changes in proposed equipment and change frequency requested from **980** to **1150 kc.,** and power from 250 watts to 1 KW.

KTKC—Tulare-Kings Counties Radio Associates, Charles A. Whit-
1210 more, President, Visalia, Calif.—Modification of license change frequency from **1190** to **1210 kc.,** change hours of operation from daytime to unlimited time, using 100 watts night and 250 watts day power. (Contingent on KDON's application for **1400 kc.**)

KVOA—Arizona Broadcasting Co., Inc., Tucson, Ariz.—Transfer
1260 of control of corporation from Albert Steinfeld and Company, to KTAR Broadcasting Company, 1503 shares common stock.

KIDO—Frank L. Hill & C. G. Phillips, d/b as Boise Broadcast
1350 Station, Boise, Idaho.—Modification of construction permit (B5-P-1556) to make changes in equipment, increase in power, further requesting to extend commencement and completion dates to 12-27-37 and 6-27-38, respectively.

KSFM—National Broadcasting Co., Inc., Mobile, San Francisco, Calif.—Modification of license to add A-1, A-2, emission.

KAAC—Columbia Broadcasting System, Inc., Mobile, Los Angeles, Calif.—License to cover construction permit (B5-PRY-57) for low frequency relay station.

NEW—Church of Jesus Christ of Latter Day Saints, County of Salt Lake, Utah.—Construction permit for new international broadcast station to be operated on **6020 kc.** (daytime, but remaining silent at night when interference might be caused to service of DJC, Zeesen, Germany); **9510 kc.** (subject to operation only at such times when interference is not caused to service of GSB, Daventry, England), and **11710 kc.,** 50 KW, A-3 emission. Amended: To add the frequencies **15170** and **25675 kc.**

Hawaiian Zone

NEW—Garden Island Publishing Company, Ltd., Lihue, Hawaii.—
1500 Construction permit to erect a new station to be operated on **1500 kc.,** 100 watts night, 250 watts day power, unlimited time. Amended: Antenna to be determined, and transmitter site to be determined, Lihue, Hawaii.

Puerto Rican Zone

WPRA—Puerto Rico Advertising Co., Mayaguez, P. R.—Con-
1370 struction permit to change frequency from **1370 kc.** to **780 kc.;** change power from 100 watts night, 250 watts day, to 1 KW night, 2½ KW day; changes in antenna and equipment, and hours from specified to unlimited. Amended: Antenna changes.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS ★ ★ ★ ★ ★ Vol. 5 - - No. 47
DEC. 2, 1937

Copyright, 1937. The National Association of Broadcasters

FCC REORGANIZATION COMPLETED COMMISSIONERS DELEGATED POWERS

With the announcement on Tuesday by Chairman Frank R. McNinch of two new orders by the Federal Communications Commission delegating various powers to individual Commissioners, it is understood that the major reorganization plans for the Commission have been completed.

It is said that later there may be some minor amendments needed in the event that things do not work out the way they are expected. Also it is possible that a further delegation of powers may have to be made at a later date, but with the announcement of the new powers for the Commissioners, the main reorganization work is finished. The new orders provide that the powers delegated to the various Commissioners shall be rotated every month.

The Commission also set specific days of the week for meetings to act on various subjects—the broadcast matters will be taken up on Wednesday of each week at which time the Commission will sit en banc to decide broadcast cases, whereas in the past this has been done by the Broadcast Division, which like the Telegraph and Telephone Divisions was abolished on November 15. The new plan became effective as of December 1.

In an official explanation of the new orders the Commission says:

"Order No. 28 provides for delegation to members of the Commission and all staff heads the authority to act upon many matters of a routine, engineering or emergency character. Nearly all of the matters thus delegated require prompt action and some of them emergency action. Hence, each day there is a considerable number of matters that must, in the public interest, be acted upon that day. The purposes of Order No. 28 are, therefore, two-fold:

"(1) To assure certainty and promptness in acting upon all such matters where time is of the essence, and

"(2) To relieve the Commission of a great deal of detail and routine, which can just as effectively be handled by a member of the Commission. This procedure will leave for Commission handling in regular meetings all matters of major importance and for the handling of which the Commission will have available more of its time than heretofore.

A couple of issues of NAB REPORTS have been omitted recently owing to the fact that there has been no action on broadcasting matters at the Federal Communications Commission for three weeks. Members of the Commission have been giving all of their attention to reorganization which has now been completed. Regular meetings of the Commission to take up broadcast matters will begin on December 8 and be held thereafter on every Wednesday.

"Order No. 28, paragraph (1), delegates to the Secretary of the Commission the handling of matters heretofore handled by him, such as applications for operators' licenses and for amateur and ship stations.

"To the Chief Engineer, in paragraph (2), is likewise delegated those purely engineering matters which have heretofore been delegated to and handled by him, such as operation without an approved frequency monitor or without thermometer in automatic temperature control chamber; without antenna ammeter; or with temporary antenna system; or with new or modified equipment pending replacement of existing equipment; specifications for painting and lighting of antenna towers; relocation of transmitter in the same building; approval of types of equipment, and many similar matters which are set out specifically in the Order.

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"The delegation of functions to the several Commissioners are comprised within six groups covered by paragraphs (3) to (8) inclusive of Order No. 28.

"These delegations of functions and duties are to be for a period of one month and the duties covered by the several paragraphs will be rotated among the Commissioners from month to month.

"The immediate delegations of functions and duties run for the month of December, 1937, and are as follows:

"Paragraph 3 of the Order to Commissioner Payne. This covers applications for aeronautical, aircraft, geophysical, motion picture, airport, municipal and state police, marine relay, marine fire, and emergency and special radio facilities and other matters therein recited.

"Paragraph 4 to Commissioner Craven. This covers applications for licenses following construction which comply with construction permit; for extensions of time to commence and complete construction; modifications of construction permit involving only change in equipment; to install frequency control, auxiliary equipment; or special temporary authorization; change of name of licensee where ownership or control is not affected and other matters therein recited.

"Paragraph 5 to Commissioner Sykes. This covers all radio matters (except broadcast, operators' licenses and amateur and ship stations) within the territory of Alaska.

"Paragraph 6 to Commissioner Brown. This covers issuance of certificates of convenience and necessity; authorization of temporary or emergency wire service as provided in Section 214 of the Act.

"Paragraph 7 to Commissioner Walker. This delegates all matters arising in connection with the administration of tariff circulars adopted pursuant to Section 203 of the Act, including the waiver of notice of the filing of tariffs.

"Paragraph 8 to Commissioner Case. This paragraph contemplates setting up a Motions Docket and delegates the hearing and determining of matters arising under the Rules of Practice and Procedure relating to withdrawals, dismissals or defaults of applications or other proceedings, subject to the statutory right of appeal to the Commission; also to hear and determine all interlocutory motions, pleadings and related matters of procedure.

"Having adopted the foregoing procedure for handling of the above matters the Commission has now adopted an order appointing regular meeting dates for the handling of all matters coming before the Commission itself and for oral argument, as follows:

"Effective Monday, December 6, 1937, the schedule of regular meetings and the subjects to be considered and acted upon therein will be as follows:

Each Tuesday, 10 A. M., Telephone, wire and radio; Telegraph, wire and radio.

Each Wednesday, 10 A. M., Broadcasting.

Each Thursday, 10 A. M., Oral Argument.

"The Commission will begin regular meetings next week pursuant to the above schedule, and will continue with oral arguments on the dates now set unless for reasons hereafter found compelling the Commission may revise the oral argument schedule, in which event all parties interested would be given due notice."

The orders are as follows:

ORDER NO. 28

Under the authority of the Communications Act of 1934, as amended, particularly Sections 5(e) and 409 thereof,

IT IS ORDERED:

(1) That the Secretary of the Federal Communications Commission is hereby authorized to determine, order, certify, report or otherwise act, with the advice of the General Counsel and the Chief Engineer, upon:

(a) all applications for operator licenses, and
(b) all applications for amateur and ship stations;

(2) That the Chief Engineer of the Federal Communications Commission is hereby authorized to determine upon all applications and requests, and to make appropriate order in letter form for the signature of the Secretary in the following matters:

(a) operation without an approved frequency monitor;
(b) operation without an approved modulation monitor;
(c) operation without thermometer in automatic temperature control chamber;
(d) operation without antenna ammeter, plate voltmeter or plate ammeter;
(e) operation with substitute ammeter, plate voltmeter or plate ammeter;
(f) operation with temporary antenna system;
(g) operation with auxiliary transmitter as main transmitter;
(h) operation with new or modified equipment pending repair of existing equipment, or pending receipt and action upon a formal application;
(i) where formal application is not required, application for new or modified equipment or antenna system;
(j) where formal application is not required, change of specifications for painting and lighting of antenna towers;
(k) operation to determine power by direct method during program test periods;
(l) relocation of transmitter in the same building;
(m) operation with reduced power or time under Rules 142 and 151;
(n) approval of types of equipment;
(o) where it appears that terms of construction permit have been complied with, authorization for equipment and program tests or extensions thereof;
(p) denial of requests for equipment and program tests where specifications of construction permit have not been met;
(q) withdrawal of authorizations for equipment and program tests where subsequent to the issuance of the original authorization it appears that the terms of the construction permit have not been met;

(3) That a Commissioner, to be selected and appointed by subsequent order or orders of the Commission, is hereby authorized to hear and determine, order, certify, report or otherwise act upon all applications for aeronautical, aircraft, geophysical, motion picture, airport, aeronautical point to point, municipal and state police, marine

relay, marine fire, and emergency and special emergency radio facilities;

(4) That a Commissioner, to be selected and appointed by subsequent order or orders of the Commission, is hereby authorized to hear and determine, order, certify, report or otherwise act upon all applications for licenses following construction which comply with the construction permit; applications for extensions of time within which to commence and complete construction; applications for construction permit and modification of construction permit involving only a change in equipment; applications to install frequency control; applications relating to auxiliary equipment; applications for authority to determine operating power of broadcast stations by direct measurement of antenna power; applications for special temporary authorizations; applications for modification of licenses involving only change of the name of the licensee, where the ownership or control is not affected; applications for construction permit or modification of license involving relocation locally of a studio, control point or transmitter site; and applications for relay broadcast stations;

(5) That a Commissioner, to be selected and appointed by subsequent order or orders of the Commission, is hereby authorized to hear and determine, order, certify, report or otherwise act upon all radio matters of every character (except broadcast, operator licenses and amateur and ship stations) within the territory of Alaska;

(6) That a Commissioner, to be selected and appointed by subsequent order or orders of the Commission, is hereby authorized to hear and determine, order, certify, report or otherwise act upon all uncontested proceedings involved in the issuance of certificates of convenience and necessity; and the authorization of temporary or emergency wire service, as provided in Section 214 of the Act;

(7) That a Commissioner, to be selected and appointed by subsequent order or orders of the Commission, is hereby authorized to determine and act upon all matters arising in connection with the administration of tariff circulars of the Commission adopted pursuant to Section 203 of the Act, including the waiver of notice for the filing of tariffs; and

(8) That a Commissioner, to be selected and appointed by subsequent order or orders of the Commission, is hereby authorized to hear and determine, order, certify, report or otherwise act upon all matters arising under the Rules of Practice and Procedure of the Commission relating to withdrawals, dismissals, or defaults of applications or other proceedings, subject to the statutory right of appeal to the Commission; and to hear and determine all interlocutory motions, pleadings and related matters of procedure before the Commission.

This Order shall become effective December 1, 1937.

ORDER NO. 29

(1) Order No. 27 assigning to Commissioners Sykes and Brown authority to act upon certain emergency applications is hereby revoked.

(2) For the month of December, 1937, the work, business and functions of the Commission specified and described in Paragraphs (3) through (8), both inclusive, of Order No. 28, are hereby assigned and referred as follows:

(a) That in Paragraph (3) to Commissioner Payne;
(b) That in Paragraph (4) to Commissioner Craven;
(c) That in Paragraph (5) to Commissioner Sykes;
(d) That in Paragraph (6) to Commissioner Brown;
(e) That in Paragraph (7) to Commissioner Walker;
(f) That in Paragraph (8) to Commissioner Case.

This Order shall become effective December 1, 1937.

STATEMENT ON CASH DISCOUNTS

The statement on cash discounts which was recently distributed by the American Association of Advertising Agencies touches upon a matter of very great importance to the radio broadcasting industry. Broadcasters should not take any action in this matter until the question has been thoroughly investigated and a comprehensive report thereon can be furnished to all stations. Such a report will be compiled by the NAB.

INTERNATIONAL COPYRIGHT CONVENTION

The Senate Committee on Foreign Relations has recommended that the Senate consent to the International Convention of the Copyright Union as revised and signed at Rome on June 2, 1928. This report goes to the Senate calendar and may be acted upon any day.

One of the provisions in the report provides for a period of one year in which the Copyright Act of 1909 may be amended. This provision reads as follows:

> "In order that there might be generous time for appropriate adjustment by persons interested in copyright, it is further recommended that, in accordance with article 25, paragraph (3) of the convention, the day for its entry into force as to the United States be fixed at one year from the date of its approval by the Senate."

It is understood that the Duffy Copyright Bill will come up for consideration early during the regular session which will be convened in January.

FREE TIME FOR GOLDEN GATE INTERNATIONAL EXPOSITION

Arthur Linkletter of the Golden Gate International Exposition has advised that all the radio time they have used so far has been furnished gratis and that they cannot see their way clear to spend any money for radio time.

Broadcasters are justified in believing that when the time comes the Golden Gate International Exposition will buy newspaper space and other forms of printed advertising. These expositions are definitely of commercial character and are not entitled to free radio time. Broadcasters are urged to refuse free time to advertise the Golden Gate International Exposition.

TRANSFER OF WROK RECOMMENDED

Rockford Broadcasters, Inc., licensees of Station WROK, Rockford, Ill., applied to the Federal Communications Commission for authority to transfer control of the station to Rockford Consolidated Newspapers, Inc., through its purchase of ten shares of stock in the licensee company from Lloyd C. Thomas, a minority stockholder. The proposed transferee now owns 245 shares, or 49% of the 500 shares which are authorized and outstanding.

Examiner Melvin H. Dalberg in Report No. I-527 recommended that the application for transfer of the station be granted. In his conclusions in this case the Examiner says:

"The proposed transferee is qualified to hold a controlling interest in the stock of the licensee of radio Station WROK. The licensee, under the control of the proposed transferee, will be legally, technically, financially and otherwise qualified to continue the operation of this station in the public interest.

"In view of the return on the investment entailed in this proposed sale of stock, the original cost and replacement cost of the equipment and property, and inasmuch as 2% of the stock which is sought to be purchased represents control of the corporation, the difference between $31.26, the price proposed to be paid per share, and the fraction of the total station assets represented by each share of stock appears to be reasonable and cannot properly give rise to any suggestion that the parties to the agreement involved herein have placed a monetary value on the station license.

"This application may be granted within the purview of Section 310 of the Communications Act of 1934, as amended by the Act of June 5, 1936.

"It is therefore believed that the granting of the application will serve the public interest, convenience and necessity."

RENEWAL RECOMMENDED FOR STATION WDEV

Broadcasting Station WBZA, Springfield, Mass., operating on 990 kilocycles, 1,000 watts and unlimited time, applied to the Federal Communications Commission to change its frequency to 550 kilocycles. Also Station WDEV, Waterbury, Vt., operating on 550 kilocycles, 500 watts, daytime, asked the Commission for a license renewal.

Examiner R. H. Hyde, in Report No. I-525, recommended that the application of WBZA be denied and that the license of Station WDEV be renewed. He states that "the evidence relative to Station WDEV indicated that the continued operation of that station would serve the public interest, convenience and necessity."

POWER INCREASES RECOMMENDED

Broadcasting Station KQV, Pittsburgh, Pa., operating on 1380 kilocycles, 500 watts and operating simultaneously with WSMK daytime and sharing night hours, applied to the Federal Communications Commission to increase its power to 1,000 watts and to operate unlimited time. Also broadcasting Station WSMK, Dayton, Ohio, operating on the same frequency with 200 watts on the same day and specified night hours as KQV asked to increase its power to 250 watts and 500 watts LS and to operate unlimited time.

Examiner Melvin H. Dalberg, in Report No. I-524, recommended:

1. That the application of KQV Broadcasting Company, Pittsburgh, Pennsylvania, for unlimited time operation on the 1380 kilocycles frequency with power of 1 kw. and the use of a directional antenna at night be *granted;* and

2. That the application of WSMK, Incorporated, Dayton, Ohio, for unlimited time operation on the 1380 kilocycles frequency with power of 250 watts night and 500 watts until local sunset with the use of a directional antenna at night be *granted.*

RECOMMENDS NEW PUERTO RICAN STATION

United Theatres, Inc., applied to the Federal Communications Commission for a construction permit for the erection of a new station at San Juan, Puerto Rico, to use 570 kilocycles, 1,000 watts and unlimited time on the air.

Examiner Tyler Berry, in Report No. I-523, recommended that the application be granted. He states that "there is a need for additional service in the area proposed to be served." The Examiner states that granting of the application would be in the public interest.

ASSIGNMENT OF WNBZ RECOMMENDED

Smith & Mace, licensees of Station WNBZ, Saranac Lake, N. Y., applied to the Federal Communications Commission for authority to voluntarily assign the construction permit and license to the Upstate Broadcasting Corporation. The station operates on 1290 kilocycles, 100 watts and daytime.

Examiner George H. Hill, in Report No. I-526, recommended that the application for the assignment be granted. He states that the Upstate Corporation "proposed to render to the Saranac Lake area an improved program service." The Examiner states also that there is a definite need for the continuation of the service from the station and the granting of the application would be in the public interest.

RECOMMENDS NEW FLORIDA STATION

Nathan N. Bauer applied to the Federal Communications Commission for a construction permit for a new station to be located at Miami, Florida, to use 1420 kilocycles, 100 watts and unlimited time on the air.

Examiner P. W. Seward, in Report No. I-528, recommended that the application be granted. He states that "a need does exist in the proposed service area for additional radio service, particularly of a local nature and to provide additional advertising facilities." The Examiner states that granting of the application would not cause any interference and it would be in the public interest.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints issued against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3267. Alleging use of certain unfair methods of competition in connection with the interstate sale of Nailife, a preparation for the nails, a complaint has been issued against **Leopold Levoy** and **Nathan C. Blacher,** trading as **Sunbeam Laboratories,** 3704 Washington Boulevard, **Los Angeles.**

In newspapers, magazines, catalogues and other printed matter, the respondents allegedly advertise that Nailife constitutes a competent and effective treatment for dry, brittle and splitting nails; that it is the perfect food for nourishing the nails and will make them strong and healthy; that it is a scientific preparation, and will transform irregular, broken nails into well-formed, symmetrical ones.

No. 3268. Unfair disparagement of the products of competitors is alleged in a complaint served upon **Perma-Maid Company, Inc., Toledo, Ohio,** engaged in the manufacture and sale of steel cooking utensils.

Certain representations made by the respondent company in advertising matter and by its sales agents, the complaint charges, lead customers to believe that the consumption of food prepared or kept in aluminum utensils will cause ulcers, cancerous growths and various other ailments and diseases; that the food so prepared is detrimental to the health of the users, and that preparation of food in aluminum utensils causes formation of poisons.

No. 3269. Selling and distributing ladies' handbags, fastening devices and zippers, **Waldes Koh-I-Noor, Inc.,** 47-52 Twenty-seventh St., **Long Island City, N. Y.,** has been served with a complaint charging unfair competition in the sale of its products. The Grey Advertising Agency, Inc., 128 West 31st St., New York, is also named a respondent.

Advertisements placed by Waldes Koh-I-Noor, Inc., in cooperation with the advertising agency, are alleged to have featured certain low-priced domestic-made handbags along with higher priced articles of this class purchased in France. The domestic-made handbags were advertised at $2.95 and were alleged to have been exact copies of the Paris bags advertised in Vogue magazine as for sale from $35 to $80.

The complaint charges that in fact the imported bags advertised were not actually sold in the United States, and had no actual retail value or price, and that the advertisements appearing in Vogue magazine were pure subterfuge calculated to give the domestic bags a false and fictitious value by virtue of the false comparison, thus creating a preference and exceptional demand therefor.

No. 3270. Universal Handkerchief Mfg. Co., Inc., 309 Fifth Ave., **New York,** is charged in a complaint with certain unfair methods of competition in connection with the interstate sale of packaged handkerchiefs.

Through use of the abbreviation "Mfg." in its corporate name, the words "manufacturers" and "makers" in advertising matter, and the representation that it has factories at Passaic, N. J., and Ellenville, N. Y., the respondent company, the complaint alleges, falsely represents that it manufactures the handkerchiefs it sells. According to the complaint, the company does not have factories at Passaic or Ellenville or elsewhere, but purchases and sells handkerchiefs manufactured by others.

No. 3271. Allegedly representing themselves to be manufacturers of certain prophylactics, when such is not a fact, **Harry J. Katz** and **Louis Black,** trading as the **Nutex Company,** 322 South 7th St., **Philadelphia,** are charged in a complaint with using unfair methods of competition in violation of the Federal Trade Commission Act.

The complaint alleges that on cartons containing the respondents' products appear the words "Mfg. by The Nutex Co., Philadelphia, Pa.", while on business stationery they represent themselves to be "manufacturers and distributors of druggists' sundries."

No. 3272. Alleging false and misleading representations in the sale of jewelry, a complaint has been issued against **Elmer Sussman,** trading as **Diamond Brokerage Company,** Palace Building, 4th & Nicollet Ave., **Minneapolis.**

Advertising by means of price lists, catalogues, and other printed matter, the respondent is alleged to have made representations having the effect of misleading buyers into believing that certain of his products are composed of superior materials and have superior value; that Sussman is liquidating a distress stock of diamond rings and other merchandise at a fraction of their original cost; that his products have been obtained from bankrupt stocks and other distress sources; that the watches he sells are the latest models and possess the values represented; that diamonds sold by the respondent are 100 per cent perfect, and that Sussman is a diamond broker.

No. 3273. Gimbel Brothers, Inc., operating a department store at 33rd St. and Broadway, **New York,** is charged in a complaint with use of certain unfair methods of competition in connection with the sale of women's wearing apparel.

In advertising matter, the respondent company allegedly represented certain garments as containing "12½% to 25% silk and wool," and on labels attached to some of the garments appeared the words "12½% silk and wool—10% wool."

No. 3274. Alleging unfair competition in the sale of a hair preparation, a complaint has been issued against **Monroe Chemical Company, Quincy, Ill.,** and its subsidiary, **Mary T. Goldman Company, St. Paul, Minn.**

Mary T. Goldman's Gray Hair Color Restorer, according to the complaint, was advertised by these companies in a manner tending to create the impression that its use would restore gray, streaked or faded hair to its original or youthful color; erase or remove all trace of gray hair, and produce warm, youthful color or original color of the user's gray, streaked or faded hair.

The complaint alleges that use of this preparation will not accomplish the results claimed, but that it acts as a dye or stain and the color produced is artificial.

Cease and Desist Orders

The Commission has issued the following cease and desist orders:

No. 2725. An order to cease and desist from certain unfair methods of competition in connection with the sale of Kimball Tablets has been entered against **John J. McCloskey,** 727 West Wisconsin Ave., **Milwaukee,** trading as **H. B. Kimball Company, H. B. Kimball** and **Kimball Laboratories.**

The order directs the respondent to discontinue representing, directly or through the use of testimonials or indorsements, or in any other manner, that Kimball Tablets constitute an effective remedy or cure for, or have any therapeutic value in the treatment of, stomach trouble, ulcers of the stomach, constipation, indigestion, dyspepsia, and gastritis.

The respondent also is prohibited from advertising that the product is a competent remedy or cure for, or will remove the cause of, gas pains, intestinal toxic conditions, acidosis, bloating after meals, and symptoms of dyspepsia, provided, however, that the respondent is not prevented from representing the product as a palliative treatment for temporary relief of such ailments.

No. 2877. Health Guard, Inc., 110 East Utica St., **Buffalo, N. Y.,** has been ordered to cease and desist from false and misleading representations concerning the function and effectiveness of a device called Health Guard, designed to be attached to gas heaters and stoves for the purpose of removing or reducing the amount of carbon monoxide gas expelled from them.

The respondent company is directed to cease representing in advertising matter or otherwise that use of the device will change carbon monoxide passing through it to a harmless gas; that it is a safe substitute for stove pipes, and that stove pipes are not necessary when the device is used; that it is effective or sure in its operation, and that its use will afford protection against the dangers of carbon monoxide poisoning.

No. 2978. Nineteen corporations manufacturing metal window products and their trade association, **Metal Window Institute,** 1427 I St., **Washington, D. C.,** have been ordered to cease and desist from certain unlawful practices, the effect of which has been to establish and maintain fixed minimum prices for the products of the industry.

The order also is directed against officers of the respondent corporation and of the institute. The practices prohibited were found to constitute unfair methods of competition in violation of Section 5 of the Federal Trade Commission Act.

Comprising substantially all of the manufacturers and distributors of metal window products in the United States, the respondent corporations sell a substantial portion of their output to the Federal and State governments and municipalities for use in the construction of public buildings. They manufacture various types of metal windows as well as industrial doors, frames, mechanical operators, screens, and stools, which products are made principally from solid or formed sections of steel, iron, bronze, aluminum, or other metal or alloy.

No. 3008. Under an order to cease and desist, **The Electric Appliance Company, Burlington, Kans.,** is directed to discontinue certain unfair representations regarding the value of its electric belts and insoles in the treatment of disease.

Electric belts and insoles sold by the respondent company are no longer to be advertised as having therapeutic value in treating diseases. Findings are that the respondent's products, advertised for use in treating nervous diseases, rheumatism, heart trouble and other ailments, do not have the curing qualities claimed for them.

No. 3014. Under an order, **Nelson E. Woolman** and **Lyle G. Jackson,** trading as **Power Seal Company,** 1601 South Broadway, **Los Angeles,** are directed to cease and desist from making certain false and misleading representations concerning the merits of Power Seal, a preparation sold in pellet form for use in internal combustion engines.

The respondents recommend Power Seal as a product capable of releasing rings in engines when such rings are gummed, of causing valves to seat properly, and of acting as a lubricant.

No. 3028. Julius Goodman & Son, Inc., 43 South Main St., **Memphis, Tenn.,** retail jeweler, has been served with an order to cease and desist from certain representations in violation of the Federal Trade Commission Act.

Under the order, the respondent company is instructed to cease representing directly, or through failure to disclose the true nature, character and condition thereof, that certain old, used and reconditioned silverware is new.

No. 3079. Phoebe Phelps Caramel Company, 74 Fulton St., **Boston,** has been served with an order to cease and desist from certain sales methods involving a lottery or gift enterprise.

The respondent company is directed to stop selling and distributing to dealers candy so packed and assembled that sales to the public may be made by means of a lottery, and to cease supplying dealers with assortments of candy which may be used without alteration of the contents to conduct a lottery in its sale to the public.

No. 3148. Wally Frank, Ltd., 10 East 45th St., **New York,** distributor of pipes and smokers' supplies, has been ordered to cease and desist from misrepresenting the nature of its business, the origin or character of its products, and the prices at which certain such products are sold.

The order directs the respondent company to discontinue advertising in newspapers, magazines, in its monthly publication, on labels, or otherwise, that it is a British or English concern, and that it has a place of business in London or any other city where it does not actually maintain such a place; that it is a manufacturer or that its pipes are shipped direct from the manufacturer, unless it owns and operates or directly controls a factory in which its products are made, and that it deals exclusively in imported goods, unless such is a fact.

Stipulations

The Commission has entered into the following stipulations:

No. 01920. Zo-Ak Company, 62 West 45th St., New York, will cease advertising that Zo-Ak Tablets, for men and women, represent the very latest development in gonadal replacement therapy; that they are either a competent or effective remedy for temporary impairment of vitality due to fatigue, overwork or remediable weakness of the glandular system, or that they are harmless.

No. 01921. Dr. Pepper Company, 429 Second Ave., Dallas, Tex., selling a flavoring syrup used in the manufacture of Dr. Pepper, a carbonated beverage, agrees to stop representing that there are more calories per pound in Dr. Pepper than in oranges, lemons, pineapples, spinach or buttermilk; that the beverage is "packed" with energy, helps to melt fat away, or is the perfect pick-up for tired minds, tired nerves or tired bodies, and that drinking of three or any other number of Dr. Peppers a day makes one healthy.

No. 01922. R. E. G. Zaleski, trading as Zal's Laboratories, 7554 South Halsted St., Chicago, will stop representing that Zal's Medicine is helpful as a general tonic and is a competent treatment for the relief of ulcers, gastritis, acidosis, indigestion, and related stomach troubles; that the most stubborn cases yield to this preparation or its adjunct treatment; that it will remove all irritation from inflamed and weakened parts, and that it is the result of many years of research.

No. 01923. De Forest's Training, Inc., 1109 Center St., **Chicago,** selling a correspondence course of instruction in radio, television and sound equipment engineering, has entered into a stipulation to discontinue certain unfair advertising of its courses.

Under the stipulation, De Forest's Training, Inc., will no longer represent that Dr. Lee De Forest is now actively or financially associated with the respondent corporation's business, or that pupils of the respondent are under the tutorage of Dr. De Forest or that its salesmen are associated with the De Forest organization of Chicago.

The respondent company also will stop representing, through the publication of Help Wanted advertisements, that it has positions available or that employment will be offered to those who answer the advertisements, when in fact such advertisements are really contact advertisements used in connection with the sale of the courses.

No. 01924. W. W. Metcalf and Mrs. Fred E. Grant, trading as Dr. Fred E. Grant Company, 706 Davidson Building, Kansas City, Mo., in selling a remedy for epilepsy, will stop representing that the preparation is a private prescription which controls epilepsy attacks and is a competent treatment for convulsions, falling sickness or fits. The respondents will desist from asserting that their offer to sell the medicine at a reduced price will be held open for 90 days or any limited period, unless the higher price is charged after the expiration of such period. It was admitted by the respondents that the therapeutic value of their product is limited to relieving the severity and lessening the frequency of attacks of epilepsy.

No. 01925. John L. and Nancy E. Hatch, trading as Slimmets Company, 853 Seventh Ave., New York, agree to refrain from advertising that by use of their Slimmets method of reducing one can get rid of superficial fat or can reduce quickly, safely and easily, unless this claim is qualified by a statement defining such method. The respondents also will cease representing that their method of weight reduction is safe, does not involve the use of harmful drugs, and does not include diets or exercises.

No. 01926. E. S. Bullock, Philadelphia, trading as Keystone Service and as Keystone Company, agreed to stop representing that the horoscopes he sells will enable one to know about his opportunities in life; that his "The Forbidden Books of Moses" is referred to by millions who never undertake any important step in life relating to finance or health without seeking guidance and advice from its pages; that any of his books provides a simple guide to character reading, makes astrology easy and enables one to know his future by means of palmistry, and that his charms, amulets and seals will give one victory over every earthly enemy, and are effective for insuring business success and promoting health.

No. 01927. The Lavena Corporation, 141 West Jackson Boulevard, Chicago, will stop advertising that Lavena will permanently rid the skin of blemishes, unless this claim is limited to temporary conditions due to external causes; that it stimulates or enlivens the skin, tissues or sluggish pores and cleanses the pores "to their very depths"; that it has an amazing effect on blackheads and other skin disorders, and is "the year's cosmetic sensation."

No. 2098. Under a stipulation entered into the **Old Dominion Veneer Company, Bristol, Va.,** will stop making misleading representations of its veneer products by using the phrase "oriental walnut" to describe veneers not made of wood derived from trees of the walnut tree family.

No. 2100. Under a stipulation entered into **Eagle-Picher Lead Company** and **Eagle-Picher Sales Company,** both of **Cincinnati,** with offices in the Temple Bar Building, have agreed to discontinue misleading representations in the sale of certain rock wool insulating material.

In selling Eagle Home Insulation, the Eagle-Picher companies agreed to stop the use in advertising of the words "Lightest weight" as descriptive of this insulation, when in fact there are competitive products as light and even lighter than the respondent companies' article. The respondent companies also agreed to cease employing the words "lightest weight" in any manner implying that all competitive products are heavier or substantially heavier than their advertised product.

FEDERAL COMMUNICATIONS COMMISSION ACTION

There has been no action by the Commission in other than routine broadcast cases for the past three weeks owing to the reorganization of the Commission itself under the new Chairman. Beginning next week, however, on December 8, broadcast cases will be taken up every Wednesday by the Commission meeting en banc.

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, December 6.

Tuesday, December 7

HEARING BEFORE AN EXAMINER

(Broadcast)

WLVA—Lynchburg Broadcasting Corp., Lynchburg, Va.—C. P., **1390 kc.,** 500 watts, unlimited time. Present assignment: **1200 kc.,** 100 watts night, 250 watts LS, unlimited.

WQDM—E. J. Regan and F. Arthur Bostwick, d/b as Regan and Bostwick, St. Albans, Vt.—**1390 kc.,** 1 KW, unlimited. Present assignment: **1390 kc.,** 1 KW LS, daytime.

NEW—Jack W. Hawkins and Barney H. Hubbs, d/b as Odessa Broadcasting Co. (a partnership).—C. P., **1310 kc.,** 100 watts LS, daytime.

Wednesday, December 8

HEARING BEFORE AN EXAMINER

(Broadcast)

WILL—University of Illinois, Urbana, Ill.—C. P., **580 kc.,** 5 KW LS, daytime. Present assignment: **580 kc.,** 1 KW LS, daytime.

NEW—Wm. F. Huffman, Wisconsin Rapids, Wis.—C. P., **580 kc.,** 250 watts, unlimited time. *Using directional antenna at night.*

NEW—W. H. Kindig, Hollywood, Calif.—C. P., **710 kc.,** 500 watts, limited time (requests facilities of station KMPC).

KMPC—Beverly Hills Broadcasting Corp., Beverly Hills, Calif.—Renewal of license, **710 kc.,** 500 watts, limited time.

Thursday, December 9

ORAL ARGUMENT BEFORE THE COMMISSION

Examiner's Report No. 1-470:

NEW—WRBC, Inc., Cleveland, Ohio.—C. P., **890 kc.,** 1 KW, unlimited time.

Examiner's Report No. 1-471:

KWTN—Greater Kampeska Radio Corp., Watertown, S. Dak.—C. P., **1340 kc.,** 250 watts, 500 watts LS, unlimited time. Present assignment: **1210 kc.,** 100 watts, unlimited, requests facilities of KGDY.

KWTN—Greater Kampeska Radio Corp., Watertown, S. Dak.—Renewal of license, **1210 kc.,** 100 watts, unlimited.

KGDY—Voice of South Dakota, Huron, S. Dak.—C. P., **1210 kc.,** 100 watts, 250 watts LS, unlimited time. Present assignment: **1340 kc.,** 250 watts, daytime, requests facilities of KWTN.

KGDY—Voice of South Dakota, Huron, S. Dak.—Renewal of license, **1340 kc.,** 250 watts, daytime.

KGDY—F. Koren, Robert J. Dean and W. M. Plowman, Transferors, and Greater Kampeska Radio Corp., Transferee, Huron, S. Dak.—Authority to transfer control of corporation; **1340 kc.,** 250 watts, daytime.

Examiner's Report No. 1-473:

NEW—Roberts-MacNab Co., Bozeman, Mont.—C. P., **1420 kc.,** 100 watts, 250 watts LS, unlimited.

NEW—Gallatin Radio Forum, Bozeman, Mont.—C. P., **1420 kc.,** 250 watts, daytime.

Friday, December 10

HEARING BEFORE AN EXAMINER

(Broadcast)

WGBI—Scranton Broadcasters, Inc., Scranton, Pa.—Modification of license, **880 kc.,** 1 KW night, 1 KW LS, shares with WQAN. Present assignment: **880 kc.,** 500 watts night, 1 KW LS, shares WQAN.

WBNX—WBNX Broadcasting Co., Inc., New York City.—C. P., **1350 kc.,** 1 KW, 5 KW LS, shares with WAWZ. Present assignment: **1350 kc.,** 1 KW, shares with WAWZ.

WMBG—Havens & Martin, Inc., Richmond, Va.—C. P., **1350 kc.,** 1 KW, unlimited. Present assignment: **1350 kc.,** 500 watts, unlimited.

APPLICATIONS RECEIVED

First Zone

WEAN—The Yankee Network, Inc., Providence, R. I.—Modifica-
780 tion of construction permit (B1-P-1605) for changes in equipment and increase in power, requesting changes in requested equipment.

WEAN—The Yankee Network, Inc., Providence, R. I.—License to
780 cover construction permit (B1-P-1605) as modified for changes in equipment and increase in power.

WNBC—State Broadcasting Corp., New Britain, Conn.—Modifica-
1380 tion of construction permit (B2-P-1055) requesting changes in directional antenna and approval of transmitter site at Cedar Street, Newington, Connecticut.

Second Zone

WRNL—WLBG, Inc., Richmond, Va.—License to cover construc-
880 tion permit (B2-P-667) as modified for move of transmitter and studio, installation of new transmitter, and changes in antenna.

NEW—King-Trendle Broadcasting Corp., Detroit, Mich.—Con-
1000 struction permit for a new station to be operated on **1010 kc.,** 250 watts, unlimited time.

WMBS—Fayette Broadcasting Corp., Uniontown, Pa.—Modifica-
1420 tion of license to change power from 250 watts day to 100 watts night, 250 watts day, and hours of operation from daylight to unlimited time.

WLAP—American Broadcasting Corporation of Kentucky, Lexing-
1420 ton, Ky.—Construction permit to change frequency from **1420 kc.** to **1270 kc.;** install a new transmitter and directional antenna for night use; increase power from 100 watts night, 250 watts day, to 1 KW; move transmitter from Walton Bldg., Main and Esplanade Sts., Lexington, Ky., to northwest of Lexington, Ky., and studio from Walton Bldg., Main and Esplanade Sts., Lexington, Ky., to Short and Walnut Sts., Lexington, Ky.

NEW—Hal Broadcasting Co., Inc., Camden, N. J.—Construction
1500 permit for a new station to be operated on **1500 kc.,** 100 watts night, 250 watts day, unlimited time.

Third Zone

1120 KTBC—State Capitol Broadcasting Association (R. B. Anderson, President), Austin, Tex.—Modification of construction permit (B3-P-932) for a new station, requesting authority to install new transmitter and vertical antenna. Amended to change studio site from Driskill Hotel, corner Sixth and Brazos Sts., Austin, Tex., to 605-607 Brazos St., Austin, Tex., and extend commencement and completion dates.

1140 WAPI—Board of Control of Radio Station WAPI, Alabama Polytechnic Institute, University of Alabama and Alabama College, Birmingham, Ala.—Construction permit to install new transmitter, directional antenna for night use; change frequency from **1140 kc.** to **1020 kc.**, power from 5 KW to 50 KW; and move transmitter from On Sandusky Mt., near Pratt City, Birmingham, Ala., to site to be determined, Alabama.

1140 WAPI—Alabama Polytechnic Institute, University of Alabama, Alabama College (Board of Control of Radio Station WAPI), Birmingham, Ala.—Special experimental authorization to operate on the frequency **1020 kc.**, with unlimited hours of operation, and install directional antenna for night use, for the period of six months.

1200 WOLS—O. Lee Stone, Florence, S. C.—License to cover construction permit (B3-P-1104) as modified for a new station.

1210 WFOY—Fountain of Youth Properties, Inc., St. Augustine, Fla.—Construction permit to change frequency from **1210 kc.** to **590 kc.**; change power from 100 watts night, 250 watts day, to 250 watts day and night, and make changes in antenna.

1210 WGCM—WGCM, Inc., Mississippi City, Miss.—Construction permit to move transmitter and studio from Great Southern Golf Club (East Beach, Gulfport), Mississippi City, Miss., to site to be determined, Mobile, Ala., and install a new vertical antenna.

1210 WGRM—P. K. Ewing, Grenada, Miss.—License to cover construction permit (B3-P-829) as modified for changes in equipment and move of transmitter.

1310 WGTM—H. W. Wilson and Ben Farmer, Wilson, N. C.—Voluntary assignment of license from H. W. Wilson and Ben Farmer to WGTM, Inc.

1370 NEW—Publix Bamford Theatres, Inc., Asheville, N. C.—Construction permit for a new station to be operated on **1370 kc.**, 100 watts, unlimited time. Amended to give type of transmitting equipment and give transmitter site as site to be determined, near Asheville, N. C.

1420 NEW—Spartanburg Herald-Journal Co., Spartanburg, S. C.—Construction permit for a new station to be operated on **1420 kc.**, 100 watts night, 250 watts day, unlimited time. Amended to make further changes in vertical antenna and give transmitter site as 2.55 miles west, northwest from center of City of Spartanburg, S. C.

1470 WLAC—WLAC, Inc., Nashville, Tenn.—Construction permit to install a new transmitter and make changes in antenna and increase power from 5 KW to 50 KW. Amended to install directional antenna for night use and move transmitter from 5 miles from city limits, Nashville, Tenn., to near Jordonia, Tenn.

W4XFJ—Miami Broadcasting Co., area Miami, Fla.—License to cover construction permit (B3-PRE-142) for a new relay broadcast station.

Fourth Zone

890 WBAA—Purdue University, West Lafayette, Ind.—Construction permit to install new transmitter; make changes in antenna; change power from 500 watts night, 1 KW day, to 1 KW night, 5 KW day; change hours of operation from specified hours to unlimited time; and give transmitter and studio sites as site to be determined, Marion County, Indiana. Amended to make changes in requested equipment, install directional antenna for day and night use, and give transmitter site as W. 38th St. near Route No. 52, Indianapolis, Ind.

1370 KRMC—Roberts-MacNab Co. (Arthur L. Roberts, R. B. MacNab, A. J. Breitbach, Gen. Mgr.), Jamestown, N. Dak.—Construction permit to install a new transmitter and antenna to be determined; change frequency from **1370 kc.** to **900 kc.**, power from 100 watts night, 250 watts day, to 500 watts night, 1 KW day. Amended to give transmitter site as site to be determined, Jamestown, N. Dak.

NEW—Indianapolis Power & Light Co., area of Marion City, Ind.—Construction permit for a new relay broadcast station to be operated on **1646, 2090, 2190, 2830 kc.**, 40 watts.

NEW—Indianapolis Power & Light Co., area of Marion County, Ind.—Construction permit for a new relay broadcast station to be operated on **1646, 2090, 2190, 2830 kc.**, 40 watts.

NEW—Star-Times Publishing Co., St. Louis, Mo.—Construction permit for a new facsimile broadcast experimental station utilizing equipment of high frequency broadcast station W9XOK on frequencies **31600, 35600, 38600, 41000 kc.**, 100 watts.

W9XXM—Indianapolis Power & Light Co., Indianapolis, Ind.—License to cover construction permit (B4-PRE-134) for a new relay broadcast station.

W9XXZ—Indianapolis Power & Light Company, area Marion County, Ind.—License to cover construction permit (B4-PRE-143) for a new relay broadcast station.

W9XXT—KCMO Broadcasting Co., Kansas City, Mo.—License to cover construction permit (B4-PRE-140) for a new relay broadcast station.

Fifth Zone

1110 KBPS—Benson Polytechnic School (R. T. Stephens, Agent), Portland, Ore.—Modification of license to change hours of operation from share KXL, 1/7 time, to unlimited (contingent upon KXL's application for construction permit B5-P-1968 to change frequency from **1420 kc.** to **1110 kc.** being granted).

1440 KELA—Central Broadcasting Corp., between Centralia and Chehalis, Wash.—License to cover construction permit (B5-P-1477) as modified for a new station.

Puerto Rican Zone

1370 WPRA—Puerto Rico Advertising Co., Mayaguez, P. R.—Construction permit to change frequency from **1370 kc.** to **780 kc.**; make changes in antenna; change power from 100 watts night, 250 watts day, to 1 KW night, 2½ KW day; change hours of operation from specified hours to unlimited time; and make changes in transmitting equipment. Amended to change transmitter site from 350 feet from Insular Road No. 2, Mayaguez, P. R., to site to be determined, Mayaguez, P. R.

1370 WPRA—Puerto Rico Advertising Co., Inc., Mayaguez, P. R.—Modification of license to change hours of operation from specified hours to unlimited time.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS ★ ★ ★ ★ ★ Vol. 5 - - No. 48
DEC. 10, 1937

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FCC ACTS IN SEGAL CASE

The Federal Communications Commission this week suspended Paul M. Segal, prominent radio lawyer, from practising before it for a period of sixty days from December 6, 1937. George S. Smith, an associate of Segal, was found not guilty of any of the charges except in the Casto matter for which he had previously been reprimanded by the Commission.

The decision represented a unanimous verdict of the six Commissioners who heard the case. Commissioner Walker dissented only from that portion of the opinion which upheld the jurisdiction of the Commission in disqualifying Commissioner Payne from taking part in the trial.

In the first case of its kind ever to come before it, the Commission wrote a lengthy opinion in justification of its action. After reviewing the evidence the Commission said:

"Attention is also directed to the fact that Mr. Segal actually prepared or had prepared under his direction, the answer to the questions contained in these applications; that he actively participated in the concealment of the real party in interest in both applications and more especially in the Palmer applications. Besides the making of untrue and misleading statements in these applications, the further conduct of Mr. Segal, above enumerated, in concealing from the Commission the real parties interested in these applications, was intended to and did deceive the Commission in preventing it from knowing from these applications who these real applicants were. Mr. Segal was an active party in both instances in forming these corporations and in making these concealments from the Commission.

"The grant to an applicant to erect and operate a broadcasting station is regulated by the Federal Government and Congress has delegated this duty to this Commission. The law prescribes that these facilities may be granted only in the public interest, that is to say, so that the public may be served by the grant. The licensee is a trustee of the Federal Government to perform a public duty. For these reasons there must be no concealment, so far as this Commission is concerned, of the real applicants who desire to exercise this public franchise; and a lawyer who actively participates in concealing from this Commission the real party in interest and in making untrue and misleading answers to questions prescribed by this Commission is guilty of unethical conduct in deceiving the licensing authority of the Federal Government.

"The Commission, therefore, upon the evidence finds and concludes that the conduct of the respondent, Segal, in preparing or causing to be prepared, and causing to be sworn to and filed the applications in the Palmer Broadcasting Syndicate, Inc., and the Commercial Broadcasters, Inc., and his subsequent conduct relating thereto, more especially in the Palmer Broadcasting Syndicate, Inc., did deceive and mislead the Commission in its consideration of these applications.

"The Commission further finds and concludes upon the evidence that respondent, George S. Smith, is not guilty of any of these charges except in the Casto matter for which he has already been reprimanded by the Commission.

"A number of the leading lawyers who practice at the bar of this Commission testified as to the good character and reputation of the respondent, Segal. No other fact or act of alleged misconduct in his life as a lawyer for ten or more years has been called to our attention. This testimony shows that Mr. Segal's standing, character and integrity as a lawyer has been of the highest.

"We also take judicial notice of the fact that wide publicity has been given to the charges contained in the two orders of the Commission, above quoted. This publicity has existed for a period of more than six months and that necessarily during this time the respondent, Segal, has been more or less under a cloud because of

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these charges, and that necessarily his practice must have been adversely affected. We also take into consideration that this is the first time this Commission has been called upon to enunciate certain principles relating to the truthfulness of answers contained in applications. We have given careful consideration to the testimony of Mr. Segal, namely, that he did not feel that an applicant or his lawyer was required to divulge who the real applicant was until the hearing.

"After giving most careful consideration to these facts as extenuating circumstances, the Commission concludes that the ends of justice will be fully served by suspending Mr. Segal from practicing before this Commission from December 6, 1937, until the sixth day of February, 1938, and the Commission's order will issue accordingly."

And issued the following orders:

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C.

IN THE MATTER OF:
A Rule to Show Cause Issued to
Paul M. Segal and
George S. Smith

Order of the Commission

Charges heretofore having been preferred by the Commission in the above-entitled matter by orders of May 19 and September 16, 1937, and

The Commission having considered the separate and joint answers of the respondents thereto, the evidence adduced at public hearings duly held thereon, oral argument presented, and

In conformity with its opinion and findings this day issued,

It is, this 4th day of December, 1937, ORDERED

That Paul M. Segal be, and he is hereby, suspended from practicing as an attorney before this Commission during the period from December 6, 1937, to and including February 5, 1938.

BY THE COMMISSION.

T. J. Slowie,
Secretary.

FEDERAL COMMUNICATIONS COMMISSION

Washington, D. C.

IN THE MATTER OF:
A Rule to Show Cause Issued to
Paul M. Segal and
George S. Smith

Order of the Commission

Charges heretofore having been preferred by the Commission in the above-entitled matter by orders of May 19 and September 16, 1937, and

The Commission having considered the separate and joint answers of the respondents thereto, the evidence adduced at public hearings duly held thereon, oral argument presented, and

The Commission having found that the said George S. Smith is not guilty of any of the charges preferred in said orders except in regard to those matters in the Casto case for which he was reprimanded by the Commission by letter dated February 10, 1937, and

In conformity with its opinion and findings this day issued,

It is, this 4th day of December, 1937, ORDERED

That the pending charges against the said George S. Smith be, and the same are hereby, dismissed.

BY THE COMMISSION.

T. J. Slowie,
Secretary.

TELEVISION STATION GRANTED

The Federal Communications Commission at its meeting on Wednesday granted a construction permit to the Philco Radio & Television Corp., of Philadelphia for the erection of a new television broadcast station to be located at Philadelphia and to use 20,400-210,000 kilocycles on an experimental basis only, with 15 watts power for a visual transmitter.

DENIAL OF NEW STATION RECOMMENDED

The Evanston Broadcasting Company applied to the Federal Communications Commission for a construction permit for the erection of a new station at Evanston, Ill., to use 1020 kilocycles, 250 watts and daytime operation.

Examiner George H. Hill in Report No. I-542 recommended that the application be denied. He states that "while there is no radio-broadcast station located in Evanston, Ill., there does not appear to be any substantial need for the services of the proposed station. Evanston is in the metropolitan area of Chicago and receives primary service from a large number of stations. Many of these stations deliver a greater signal in Evanston than the proposed station would lay down, if the application was granted."

INCREASED POWER RECOMMENDED FOR KQW

Broadcasting station KQW, San Jose, Cal., operating unlimited time on 1010 kilocycles applied to the Federal Communications Commission to increase its daytime power from 1,000 watts to 5,000 watts, to select a new site locally, install a new transmitter and erect a vertical radiator.

Examiner Tyler Berry in Report No. I-541 recommended that the application be granted. He states that there appears to be a need for the service proposed and the granting of the application would not cause objectionable interference. The Examiner says that granting of the application would be in the public interest.

TEXAS STATION RECOMMENDED

Mervel M. Valentine applied to the Federal Communications Commission for a construction permit for the erection of a new station at Laredo, Texas, to use 1500 kilocycles, 100 watts and 250 watts LS and unlimited time on the air.

Examiner Melvin H. Dalberg in Report No. I-539 recommended that the application be granted. He states that "according to the proof adduced by the Commission engineer no objectionable interference would ensue as the result of granting this application to or from existing stations." The Examiner states also that "in view of the fact that such stations as supply radiobroadcasting service of a primary nature to the city of Laredo are located in the Republic of Mexico and that the nature of these broadcasts is not satisfactory or appropriate to meet the demands of the population sought to be served by this applicant, there appears to be a need for the local facilities sought herein."

RECOMMENDS ALABAMA STATION

John S. Allen and G. W. Covington, Jr., applied to the Federal Communications Commission for a construction permit for the erection of a new station at Montgomery, Ala., to use 1210 kilocycles, 100 watts and daytime operation.

Examiner P. W. Seward in Report No. 540 recommends that this application be granted. He states that "the evidence indicates that a need exists in the area proposed to be served for additional radio broadcast service." The Examiner states that the granting of the application would be in the public interest.

DISMISSAL WITH PREJUDICE

The Airfan Radio Corp., Ltd., applied to the Federal Communications Commission for a construction permit for the erection of a new station at San Diego, Cal., to use 1420 kilocycles, 100 watts and unlimited time on the air.

Examiner Robert L. Irwin in Report No. I-531 recommended that the application be denied with prejudice. The Examiner states that "when the application was called for hearing, counsel for the applicant stated for the record that he had prepared the evidence in this proceeding but immediately prior to the date set for hearing his client had instructed him to note a withdrawal of the application."

WBNO LICENSE RENEWAL DENIAL RECOMMENDED

The Southern Broadcasting Corporation, applied to the Federal Communications Commission for a construction permit for the erection of a new station at New Orleans, La., to use 1200 kilocycles, 100 watts and 250 watts LS and the unlimited facilities of WBNO and WJBW. Also Station WBNO, New Orleans, asked for a license renewal and for changes from 1200 to 1420 kilocycles, from 100 watts to 100 watts and 250 watts LS and from sharing time with WJBW to unlimited time.

Examiner P. W. Seward in Report No. I-532 recommended that the application of the Southern Broadcasting Corporation "be dismissed with prejudice"; that the application of Station WBNO for license renewal be denied and that its application for changes also be denied.

It is also stated by the Examiner that "it appears that the acts and conduct of the applicant in connection with Radio Station WBNO has violated Section 310(b) of the Communications Act of 1934."

RECOMMENDS POWER INCREASE FOR WRNL

Broadcasting station WRNL, Richmond, Va., applied to the Federal Communications Commission to increase its power from 500 to 1,000 watts and from daytime to unlimited time on the air. The station operates on 880 kilocycles.

Examiner Melvin H. Dalberg in Report No. I-534 recommended that the application be granted, employing a directional antenna day and night. He states that the change would not cause objectionable interference and says that "there appears to be a need in the Richmond area for the type of service proposed by the applicant."

PROVISIONAL PERMIT RECOMMENDED

Ellwood W. Lippincott, Inc., applied to the Federal Communications Commission for a construction permit for the erection of a new station at Bend, Ore., to use 1310 kilocycles, 100 watts and unlimited time on the air.

Examiner Tyler Berry in Report No. I-529 recommended that "if the application of Bend Bulletin be denied that the application of Ellwood W. Lippincott, Inc., * * * be granted, subject to the selection of a satisfactory transmitter site. But if the application of Bend Bulletin be granted, then it is recommended that the application of Ellwood W. Lippincott, Inc., be denied." There is need for service at Bend, the Examiner states.

RECOMMENDS DISMISSAL WITH PREJUDICE

The Broward Broadcasting Company applied to the Federal Communications Commission for a construction permit for a new station to be located at Ft. Lauderdale, Florida, to use 1370 kilocycles, 100 watts and 250 watts LS and unlimited time.

Examiner P. W. Seward in Report No. I-536 recommended that the application be dismissed with prejudice. When the case came on for hearing at the Commission the applicant was not represented.

DENYING STATION ASSIGNMENT RECOMMENDED

The Black Hills Broadcast Company, an unincorporated association, applied to the Federal Communications Commission for authority to transfer control of Station KOBH, Rapid City, S. D., to the Black Hills Broadcast Company, of Rapid City, a corporation.

Examiner Robert L. Irwin in Report No. I-530 recommended that the application be denied. He states that "the application may not be granted within the purview of Sections 301 and 310(b) of the Communications Act of 1934. The provisions of Section 310(b) prohibit the assignment or transfer of the rights granted in the station license prior to a determination and consent in writing by the Commission that said transfer or assignment is in the public interest."

LICENSE RENEWAL RECOMMENDED FOR WJBW

Broadcasting Station WJBW, New Orleans, La., using 1200 kilocycles, 100 watts and sharing time with WBNO applied to the Federal Communications Commission for a license renewal.

Examiner P. W. Seward in Report No. I-537 recommended that the application be granted. He states that "the manner in which Radio Station WJBW has been operated does not disclose that it has been in any wise in violation of Section 310 of the Communications Act of 1934." The Examiner says that the continued operation of the station would be in the public interest.

NEW PENNSYLVANIA STATION RECOMMENDED

The Keystone Broadcasting Company, applied to the Federal Communications Commission for a construction permit for the erection of a new broadcast station at New Castle, Pa., to use 1250 kilocycles, 250 watts and daytime operation.

Examiner Tyler Berry in Report No. I-533 recommended that the application be granted. The Examiner states that there is need for the service in the area proposed. There would be very slight interference to a small area adjacent to the transmitter of the proposed station. The applicant specified that the antenna site is to be subject to the Commission's approval. The Examiner found that granting of the application would be in the public interest.

NEW STATION DENIAL RECOMMENDED

Jules J. Rubens applied to the Federal Communications Commission for a construction permit for the erection of a broadcast station at Aurora, Ill., to use 1040 kilocycles, 250 watts and daytime operation.

Examiner Melvin H. Dalberg in Report No. I-535 recommended that the application be denied. He states that "the evidence adduced at the hearing does not establish such facts as would justify a conclusion that the applicant has had any experience whatsoever in the management or conduct of a radio broadcast station, or that he has any knowledge or is familiar with the problems involved, either in the operation of such a station or the conduct of its business."

The Examiner says further in this case that "while the proposed programs appear to be typical for stations of this class, the applicant's expectations of procuring live talent of a very high order is not supported or corroborated by any proof worthy of serious consideration."

NEW STATIONS RECOMMENDED ON 940 KC.

Four applications have been filed with the Federal Communications Commission for the construction of broadcasting stations on the frequency 940 kc. These applications were filed by the El Paso Broadcasting Company, El Paso, Texas; The Tribune Company, Tampa, Florida; Radio Station KGKL, San Angelo, Texas; and the World Publishing Company, Tulsa, Oklahoma.

John P. Bramhall in Report No. I-538 made the following recommendations on these applications:

"1. That the application of the El Paso Broadcasting Company, El Paso, Texas, be granted on condition that Dorrance D. Roderick, applicant in Docket No. 3858, abandon his application for a new station at El Paso.

"2. That the application of the World Publishing Company, Tulsa, Oklahoma, be granted.

"3. That the application of KGKL, Inc., San Angelo, Texas, be denied.

"4. That the application of The Tribune Company, Tampa, Florida, be granted."

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints issued against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them:

No. 3275. Alleging certain unfair representations in the sale of cosmetics, a complaint has been issued against **Allen H. Rabin,** trading as **The Rabin Company,** 820 McGarry St., **Los Angeles.** Representations of The Rabin Company are alleged to have misled buyers into believing that its products contain sufficient amounts of oil of avocado to be beneficial.

According to the complaint, the avocado oil content in cleansing and tissue creams advertised was so small as to be negligible, and was incapable of impairing beneficial effects, and an astringent, a liquid powder base, lipstick and rouge allegedly contained no avocado oil.

No. 3276. A company manufacturing fabrics and one of its customers, a garment maker, are named respondents in a complaint charging misrepresentation of the fiber content of certain merchandise they sell in interstate commerce.

The respondents are **A. Schottland, Inc.,** 1441 Broadway, **New York,** operating fabric mills at **Nanuet, N. Y.,** and **Rocky Mount, N. C.,** and **Valmor Undergarment Company,** 149 Madison Ave., **New York,** manufacturer of women's undergarments and allied products for sale to retailers and other customers.

In selling certain fabrics to garment makers, the complaint alleges, the Schottland company supplies such customers with labels and tags to be attached and which customers do attach, to the garments manufactured from the fabrics purchased. These labels and tags, it is alleged, bear the words "Pure Dye Nanuette Crepe—Du Pont Rayon and Silk," the words "Pure Dye" and "Crepe" being prominently displayed, while the words "Du Pont Rayon and Silk" are printed in small and less conspicuous type. Other fabrics sold by the Schottland company are labeled "Raysilk," the complaint charges.

Valmor Undergarment Company, according to the complaint, attaches the tags, and labels supplied by the Schottland company to women's apparel it manufactures from the fabrics purchased from that company, and also supplies its customers with display cards which bear the same words as those appearing on the tags and labels referred to. The Valmor company allegedly describes other garments as "Van Ceta Taffeta" and "Val Sheen Satin."

Nos. 3277-3278. Complaints charging the use of lottery methods in the sale of their products have been issued against **Irving Schwartz,** 521 Fifth Ave., **New York,** trading as **Lloyd's Distributing Company,** and **Yale I. Glubok,** 5244 Enright Ave., **St. Louis,** trading as **Reliable Sales Company.**

Both companies are alleged to have provided dealers with devices specified in one instance as pullcards and in the other as pushcards. Such devices, according to the complaints, were used in conducting a lottery scheme by which purchasers drew prizes by selecting girls' names.

No. 3279. Violation of Section 3 of the Clayton Act, which prohibits exclusive dealing contracts where the effect may be to substantially lessen competition or to tend to create a monopoly, is alleged in a complaint issued against **Carter Carburetor Corporation, St. Louis,** said to be a dominant factor in the carburetor industry. The company also is charged with violation of Section 5 of the Federal Trade Commission Act, which forbids unfair methods of competition in interstate commerce.

Pointing out that carburetors are sold to automobile manufacturers for use as original equipment, and that carburetors and parts are sold to independent service stations, garages and repair shops for replacements and repairs, the complaint alleges that the Carter company supplied more than 50 per cent of the carburetors used as original equipment in automobile production for 1937, and with one other manufacturer, supplied more than 95 per cent of the carburetors so used.

According to the complaint, the Carter company has entered into contracts, now in force, for the sale and governing the terms of sale of its products, with more than 900 dealers, the contracts generally running for one year, subject to renewal and subject to cancellation by any party on 30 days' notice. Pursuant to the terms of the contracts, the dealer receives 50 per cent discount from the list price on carburetor products, as against a 25 per cent discount available to the retail trade generally.

No. 3280. Belvedere Silks, Inc., 1384 Broadway, **New York,** is charged with unfair competition in the sale of fabrics to garment manufacturers and other customers, in a complaint.

Using its corporate name containing the word silks and the phrase Belvedere Silks, the respondent company is alleged to have advertised and sold fabrics not composed of silk but of rayon having the appearance of silk, and to have marketed such products without disclosing that they were not silk.

Stipulations

The Commission has entered into the following stipulations:

No. 01928. Var-Ne-Sis Medicine Company, 578 Chestnut St., Lynn, Mass., in the sale of its products, agrees to stop advertising that Var-Ne-Sis, in tablet or liquid form, is a competent remedy for rheumatism, neuritis, lumbago and kindred ailments, unless this assertion is limited to relief of some of the symptoms; that it will eliminate uric acid or other poisons, and that it is composed of roots and herbs and will tone up the system or build up general good health.

No. 01929. Hood-Lax Corporation, 685 Broadway, New York, agrees to cease advertising that its Cal-Par is a nerve, tissue or body builder, unless this assertion is limited in reference to bones and teeth; that the preparation is beneficial in nervous disorders, unless this is limited to temporary disorders due to Vitamin B deficiency, and that calcium deficiency is a result of modern diet, unless the claim is restricted in its reference to localities where milk and green leafed vegetables are scarce and sparingly used, or to individuals whose diets do not include sufficient milk or green leafed vegetables.

No. 01932. Drezma, Incorporated, 130 West Forty-second St., New York, in the sale of Drezma Lotion and Drezma Nourishing Cream, stipulates that it will no longer advertise that use of its lotion will prevent the pores from clogging; will normalize oily conditions of the skin, and that the preparation "works beneath your make-up to clear and beautify your skin." The respondent company agrees to cease employing the word "nourishing" as a part of the trade name for its face cream, provided, however, that for six months from the date of acceptance of its stipulation, it shall be permitted to use, in connection with whatever trade name it may employ, the phrase "Formerly Drezma Nourishing Cream."

No. 01934. California Vegetable Concentrates, Inc., Architects Building, Los Angeles, selling certain preparations known as CVC Formulated Compounds of Vegetable Concentrates, stipulates that it will stop advertising that the average American diet is deficient in minerals and that any of its products are prolific sources of vitamin potencies unless limited to vitamins A and C. The respondent company will discontinue representing that its various preparations are indicated in the treatment of such ailments as low blood pressure, nervous debility, muscular rheumatism, calcium deficiency, malnutrition, goiter, and intestinal ulcers.

No. 01935. W. H. Braun, 537 South Dearborn St., Chicago, trading as Imperial Brands Company, will cease representing that his product designated Steno Nail Protection Cream will transform brittle, peeling or splitting nails into healthy or lovely finger-tips; that it will cause spots to disappear or hangnails to vanish; that it nourishes the nails and can be relied upon to correct bad nails, unless this claim is limited to conditions where it constitutes a corrective treatment.

No. 01936. R. M. Jones and A. J. Cage, trading as Cajo Distributing Company, 40 West Gay St., Columbus, Ohio, engaged in the sale of Glanoids Tablets, agreed to cease advertising that the preparation is a rejuvenating, scientific tonic-stimulant and a remedy for persons suffering from weak glands; that it will help those who are tired, nervous and run down; that through its use one can be young again, and that it possesses glandular food value and produces lasting benefits.

No. 01937. Grace Donohue, Inc., 640 Madison Ave., New York, will cease advertising that Seba Gland Cleanser decomposes dirt particles, neutralizes excess acid residue, and is an aid in preventing eruptions or other facial blemishes; that Sanguatone will correct acne, pimples, blackheads, blemishes or blotchy skin; that Dermatone nourishes the skin, and that Pure Pore Balm is nourishing to the skin or pores. The respondent corporation further agrees to discontinue use of the names Seba Gland Cleanser, Sanguatone, and Pure Pore Balm for the products now so designated.

No. 01938. Silmo Chemical Company, Inc., Vineland, N. J., will cease representing that its cod liver oil product, Silmo XX, sold as a poultry remedy assures eggs with stronger shells and increases the hatchability and the production of eggs, unless all comparative conditions are clearly stated in the advertisements in sufficiency close proximity to command attention. The respondent company admitted that its product will be as effective as represented only when fed in sufficient amounts to poultry getting less than an adequate amount of Vitamin D.

No. 01939. Oriental Importing Company, 654 West Lake St., Chicago, will cease advertising that any incense it sells is "lucky" or develops "lucky numbers", is prepared in accordance with a rare or mystic formula, and will bring prosperity, peace or happiness.

No. 01940. Household Helps, Inc., Muncie, Ind., selling Ope-N-Seal, a device described as a fruit jar tool kit, agrees that it will stop making unmodified representations of earnings of salesmen in excess of the average earnings of its active, full-time salesmen or dealers under normal business conditions, and will cease representing that any salesperson referred to in its advertising is still engaged in selling the respondent company's merchandise, when such is not a fact. The company admitted that some persons represented as still making large sales, profits and bonuses have not sold its products for the last eight years.

No. 01941. George Wagner, 2640 Broadway, New York, trading as American Detective Training School and as American Detective System, will discontinue representing that the correspondence course he sells contains instruction in every problem a detective is called upon to solve; that it is offered to qualify a student for a position with the United States Secret Service; that there is no other profession offering as many opportunities as detective work, and that any and every person can become a successful detective with the aid of the course. The respondent stipulates that he will cease deducting "a percentage for overhead" from refunds made to students who discontinue the course of study.

No. 01942. Picot Laboratories, Inc., Wilmington, Del., selling a laxative preparation designated Picot Salt, will cease advertising that the product is a competent treatment for rheumatism, seasickness or colds; that it is an effective remedy for constipation, unless limited to temporary constipation; that it will banish pain and prevent accumulation of poisons, and that its use will enable one to have a clear skin.

No. 01943. Dorothy Perkins Company, Mart Building, St. Louis, will refrain from representing that through use of Dorothy Perkins Cream of Roses Cleansing Cream, Acne Cream, Rose Lotion, or Acne Lotion, or a combination of these products, one may clear up acne or pimples. With respect to certain other cosmetics the respondent company sells, it stipulates that it will cease asserting that New Plex will revitalize one's face, stimulate circulation or make facial muscles firmer or more youthful; that Skin Tonic will tone or stimulate the skin or reduce large pores; that Special Astringent tightens flabby skin and corrects oiliness or large pores, and that Brilliantine will give life to the hair. The respondent company also will stop describing any of its products as Skin Tonic, Acne Lotion or Acne Cream.

No. 01944. Harold T. Maloney and John C. O'Neil, trading as Nu-Health Products Company, 178 East Long St., Columbus, Ohio, in selling Floradex, will cease representing that the product will prevent constipation or intestinal intoxication, and that it is an effective remedy for aches and pains, rheumatism, arthritis, skin eruptions, nervousness, high blood pressure, and other ailments. The respondent also will desist from advertising that Floradex is guaranteed to produce specific results.

No. 01945. Norman Paint Company, Inc., 1248 H St., N. E., Washington, D. C., will discontinue advertising that "We manufacture all the paint we sell," unless it is made clear that during the busy season a small per cent of the paint it sells is made by other manufacturers from ingredients and formulas furnished by it, and unless it is further made clear that this representation does not apply to allied products such as roof coating, spar varnish, enamel, putty, and brushes. The company also will cease asserting that its customers can "save up to 45%," unless it is explained that this representation applies only to paints manufactured by it.

No. 01946. William H. Britton, 123 Prospect Ave., Dunellen, N. J., trading as American Monogram Company, is engaged in the sale of sign letters, which, his advertising matter indicates, are designed principally for initialing automobile doors. The respondent agrees to stop representing that his sign letters, when transferred to a surface, retain their luster, color and beauty indefinitely, are more durable than paint, and, when applied, the result obtained is better than that produced by a sign painter; that they are in great demand and the quickest and easiest seller ever put on the market, and are being used by typewriter, phonograph, telephone and other companies. The respondent also will discontinue making unmodified representations of earnings in excess of the average earnings achieved by his active, fulltime sales persons or dealers under normal business conditions.

No. 01947. E. O. Reber, Lebanon, Pa., trading as Seminole Drug Company, agrees to cease representing that his Seminole Indian Herb Tablets are pure vegetable and contain no narcotics, and are capable of regulating the stomach, toning up the system, cleansing the liver and kidneys, eliminating headaches, bad nerves, and rheumatism, and relieving colds. The respondent also will stop using the word "Indian" as part of the name of his product.

No. 01948. Associated Distributors, Inc., 111 West Monroe St., Chicago, in selling a preparation called Lip-Youth, agrees to stop advertising that it will end dry, chapped, rough, parched lips; that it contains thousands of units of vitamins D and F, and that such vitamins have any appreciable effect upon the lips.

No. 2099. The J. R. Watkins Company, Winona, Minn., has entered into a stipulation to discontinue certain false and misleading representations in connection with the sale of Watkins Baking Powder, which contains, among other ingredients, dried white of egg.

According to the stipulation, the respondent company circulated among its dealers folders containing instructions for making what is known as the water-glass test, whereby it purportedly could be demonstrated that Watkins Baking Powder was a superior product and would give "better results." Certain dealers followed the instructions in making the test, which involved the use of Watkins Baking Powder and frequently a competing baking powder which did not contain any white of egg.

No. 2101. Nathan R. Stern, 6619 Denison Ave., **Cleveland,** trading as **Western Reserve Laboratories,** has entered into a stipulation to discontinue certain misrepresentations in connection with the interstate sale of a product to be used as a household cleaning agent and as a windshield cleaner.

According to the stipulation, Stern labeled his product Benzyne-Crystals, but suggested to retail customers that they use the name Benzoline or Spray-On for the product, and furnished them with labels bearing the name Benzoline.

Stern agreed to cease using the words Benzyne or Benzoline in any manner so as to imply that the preparation to which the words refer is a benzene product or crystallized benzene, when such is not a fact. He also will stop representing that cleaning with the so-called Benzyne Crystals or Benzoline is the same as cleaning with naphtha or some other dry cleaning preparation, or that such product is a proper substitute for dry cleaning or the use of naphtha.

Cease and Desist Orders

The Commission has issued the following cease and desist orders:

No. 2838. Misrepresentation of the therapeutic value and place of origin of certain cosmetics is prohibited under an order to cease and desist entered against **Bourjois, Inc.,** 35 West 34th St., **New York,** and its subsidiary, **Barbara Gould Sales Corporation.** Products involved in the order are Evening in Paris Talcum, Barbara Gould Irradiated Face Powder and Barbara Gould Irradiated Skin Food, the name of which was changed to Barbara Gould Irradiated Skin Cream in July, 1935.

The respondent companies are ordered to desist from using the word "Paris" or "France" or any illustration suggesting French origin to advertise or describe products compounded, bottled or packaged in the United States solely from imported ingredients, without making this fact clearly known. It was found that Evening in Paris Talcum was not manufactured in France as represented, but was made at the Bourjois, Inc., factory in Rochester, N. Y., from ingredients imported separately into the United States.

No. 3177. Prohibiting certain lottery methods in the sale of clocks and other merchandise, an order to cease and desist has been issued against **Frieda Wolchin,** 3318 West Marquette Road, **Chicago,** trading as **Wright Manufacturers Distributing Company.**

Under the order, the respondent is directed to discontinue selling or otherwise disposing of clocks or other merchandise by the use of pushcards or similar devices, and to cease supplying and shipping to others certain pushcards or similar devices so prepared or printed as to enable them to sell or distribute clocks or other merchandise.

FTC DISMISSES COMPLAINTS

Nos. 2252-2523-2366. The Federal Trade Commission has dismissed complaints against **Bristol-Myers Company, New York City,** drug manufacturer, **Gillette Safety Razor Company, Boston,** and **Yardley & Co., Ltd., New York City,** manufacturer of soaps and toilet preparations. The complaints charged resale price maintenance in the sale of the respondent companies' products, and were issued and the cases tried prior to approval of the Tydings-Miller Act.

In dismissing the complaints, the Commission points out that the testimony and evidence in these proceedings appears insufficient to support the complaints' allegations respecting sales into the District of Columbia for resale therein, or sales into States not having statutes legalizing minimum resale price contracts or agreements.

The order of dismissal points out that the Tydings-Miller Act, approved August 17, 1937, provides that nothing therein contained shall render illegal contracts or agreements prescribing minimum prices for resale of a commodity which bears, or the label or container of which bears the trade-mark, brand or name of the producer or distributor of such commodity, and which is in free and open competition with commodities of the same general class produced or distributed by others, when that type of contracts or agreements are lawful as applied to intra-state transactions under the laws or public policy of any State in which such resale is to be made, or to which the commodity is to be transported for such resale.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, December 13:

Monday, December 13

HEARING BEFORE AN EXAMINER

(Broadcast)

WMPS—Memphis Commercial Appeal Co., Transferor, and Memphis Press-Scimitar Co., Transferee, Memphis, Tenn.—Transfer of control of corporation.

KRGV—M. S. Niles, Transferor, O. L. Taylor, Gene Howe and T. E. Snowden, Transferees, Weslaco, Tex.—Transfer of control of corporation.

Thursday, December 16

ORAL ARGUMENT BEFORE THE COMMISSION

Examiner's Report No. 1-475:

NEW—Press-Union Publishing Co., Atlantic City, N. J.—C. P., **1200 kc.**, 100 watts, 250 watts LS, unlimited.

Examiner's Report No. 1-461:

NEW—Ann Arbor Broadcasting Co., Inc., Ann Arbor, Mich.—C. P., **1550 kc.**, 1 KW, unlimited time.

Examiner's Report No. 1-476:

NEW—Summit Radio Corp., Akron, Ohio.—C. P., **1430 kc.**, 1 KW, unlimited time.

Examiner's Report No. 1-487:

NEW—Geo. W. Taylor Co., Inc., Williamson, W. Va.—C. P., **1370 kc.**, 100 watts, daytime.

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Lake Region Broadcasting Co., Lakeland, Fla.—C. P., **1310 kc.**, 100 watts night, 250 watts LS, unlimited. Present assignment: **1310 kc.**, 100 watts, unlimited time.

The Commission has taken the following action:

APPLICATIONS GRANTED

WGN—WGN, Inc., Chicago, Ill.—Granted special experimental authority to operate applicant's regular broadcast transmitter for the experimental transmission of facsimile signals from 1 to 6 a. m., using 50 KW power on the frequency regularly assigned to WGN, **720 kc.**, for the duration of the regular license period for WGN, which expires February 1, 1938.

WSM—The National Life and Accident Insurance Co., Nashville, Tenn.—Granted special experimental authority to operate its regular broadcast transmitter for the experimental transmission of facsimile on frequency **650 kc.**, with 50 KW power, from midnight to 6 a. m., CST, for the duration of the present license period, February 1, 1938.

KSD—The Pulitzer Publishing Co., St. Louis, Mo.—Granted special experimental authorization to operate regular broadcast transmitter of KSD for experimental transmission of facsimile signals from 1 to 6 a. m., using 1 KW, for the period December 1, 1937, to March 1, 1938, on **550 kc.**

WOR—Bamberger Broadcasting Service, Inc., Newark, N. J.—Granted special experimental authority to operate a 5-KW auxiliary broadcast transmitter for the experimental transmission of facsimile on frequency **710 kc.**, with 5 KW, from 2 to 6 a. m., for the duration of the present license period, February 1, 1938.

NEW—Everett L. Dillard, d/b as Commercial Radio Equipment Co., Kansas City, Mo.—Granted C. P. for new high frequency broadcast station, frequencies **31600, 35600, 38600** and **41000 kc.**, on an experimental basis, 250 watts.

NEW—Philco Radio & Television Corp., Philadelphia, Pa.—Granted C. P. for new television broadcast station to be located in Philadelphia, frequencies **20400-210000 kc.**, on an experimental basis only, power 15 watts for visual transmitter.

KSTP—National Battery Broadcasting Co., St. Paul, Minn.—Granted special experimental authority to operate regular transmitter for experimental transmission of facsimile from 1 to 6 a. m., using 10 KW power on **1460 kc.**

WAXH—Savannah Broadcasting Co., Inc., Mobile (Savannah, Ga.).—Granted modification of C. P. covering authority to make changes in equipment and increase in power from 10 to 50 watts.

KRLD—KRLD Radio Corp., Dallas, Tex.—Granted C. P. covering installation of new equipment.

W9XUP—National Battery Broadcasting Co., St. Paul, Minn.—Granted modification of C. P. approving transmitter site at North Snelling Ave., and approval of antenna system.

WBRE—Louis G. Baltimore, Wilkes-Barre, Pa.—Granted license to cover C. P. covering move from present location to Kingston, Pa., and install vertical antenna.

WHIP—Hammond-Calumet Broadcasting Corp., Hammond, Ind.—Granted license to cover C. P. as modified authorizing new station to operate on **1480 kc.**, 5 KW, daytime only, using directional antenna; transmitter to be located at 137 Pochman Avenue.

KAXA—Earle C. Anthony, Inc., Mobile (Los Angeles, Calif.).—Granted license to cover C. P. for relay broadcast station, frequencies **1606, 2022, 2102** and **2758 kc.**, 100 watts.

WHAS—The Louisville Times Co., Louisville, Ky.—Granted modification of C. P. extending completion date from 12-5-37 to 1-5-38.

KGCI—Clarence A. Berger and Saul S. Freeman, Couer D'Alene, Idaho.—Granted modification of C. P. approving transmitter at 3rd and Bancroft, and studio at 2nd and Sherman, both Couer D'Alene, Idaho; also approving new equipment and installation of vertical radiator.

KAID—Woodmen of the World Life Ins. Society, Mobile (Omaha, Nebr.).—Granted license to cover C. P. for relay broadcast station, frequencies **1622, 2058, 2150** and **2790 kc.**, 100 watts.

NEW—National Broadcasting Co., Inc., Mobile (Bellmore, N. Y.).—Granted C. P. and license for new relay broadcast station, frequencies **1606, 2022, 2102** and **2758 kc.**, 500 watts.

WPRO—Cherry & Webb Broadcasting Co., Providence, R. I.—Granted C. P. to install a new transmitter.

WSIX—WSIX, Inc., Nashville, Tenn.—Granted license to cover C. P. authorizing 250 watts LS; **1210 kc.**, 100 watts night, unlimited time.

WKAT—A. Frank Katzentine, Miami Beach, Fla.—Granted license to cover C. P. for new station to operate on **1500 kc.**, 100 watts, unlimited time. Also granted authority to determine operating power by direct measurement of antenna input in compliance Rule 137.

WOKO—WOKO, Inc., Albany, N. Y.—Granted license to cover C. P. to install new transmitting equipment.

KAID—Woodmen of the World Life Ins. Assn., Mobile (Omaha, Neb.)—Granted modification of C. P. to change corporate name to Woodmen of the World Life Insurance Society.

WTOC—Savannah Broadcasting Co., Inc., Savannah, Ga.—Granted modification of C. P. extending commencement date to 4-18-38 and completion date to 10-18-38.

WFTC—Jonas Weiland, Kinston, N. C.—Granted authority to make changes in automatic frequency control apparatus.

WOW—Woodmen of the World Life Ins. Assn., Omaha, Neb.—Granted modification of license to change name from Woodmen of the World Life Ins. Asso. to Woodmen of the World Life Insurance Society.

W9XPX-W9XPT—Woodmen of the World Life Ins. Assn., Mobile (Omaha, Neb.).—Granted modification of license to change name from Woodmen of the World Life Ins. Asso. to Woodmen of the World Life Insurance Society.

KOVC—KOVC, Inc., Valley City, N. Dak.—Granted license to cover C. P. authorizing 250 watts LS, **1500 kc.**, 100 watts night, unlimited time.

WBRC—Birmingham Broadcasting Co., Inc., Birmingham, Ala.—Granted modification of C. P. authorizing installation of new equipment.

WSFA—Montgomery Broadcasting Co., Inc., Montgomery, Ala.—Granted authority to make changes in automatic frequency control apparatus.

WMBG—Havens & Martin, Inc., Richmond, Va.—Granted C. P. for installation of auxiliary transmitter for emergency purposes only, to operate with power of 250 watts, employing present directional antenna system.

W8XNK—Charleston Broadcasting Co., Mobile (Charleston, W. Va.).—Granted modification of C. P. and license to cover same, authorizing changes in equipment and decrease in power from 5 to 2 watts, in relay broadcast station.

KSFM—National Broadcasting Co., Inc., Mobile (Area of San Francisco).—Granted modification of license for use of A1 and A2 emission in addition to A3 now authorized in outstanding permit.

NEW—The WGAR Broadcasting Co., Mobile (area of Cleveland).—Granted C. P. for new relay broadcast station, frequencies **1622, 2058, 2150, 2790 kc.**, 100 watts.

WAAI—The WGAR Broadcasting Co., Mobile (area of Cleveland).—Granted license covering above C. P.

WAHJ—The Champaign News-Gazette, Inc., Mobile (Champaign, Ill.).—Granted license to cover C. P. for relay broadcast station, frequencies **1606, 2022, 2102, 2758 kc.**, 100 watts.

KTMS—The News Press Publishing Co., Santa Barbara, Calif.—Granted license to cover C. P. for new station, **1220 kc.**, 500 watts, unlimited time, using directional antenna for both day and night-time operation.

KDYL—Intermountain Broadcasting Corp., Salt Lake City, Utah.—Granted modification of C. P. approving transmitter site and installation of new equipment and vertical radiator.

WSMB—WSMB, Inc., New Orleans, La.—Granted modification of C. P. approving transmitter site.

SET FOR HEARING

NEW—W. A. Barnette, Greenwood, S. C.—C. P. for new station to operate on **610 kc.**, 250 watts, daytime only, exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

NEW—F. C. Todd, Gastonia, N. C.—C. P. for new station to operate on **1420 kc.**, 100 watts night, 250 watts day, unlimited time, exact transmitter and studio sites to be determined with Commission approval.

NEW—Roberts-MacNab Co., Livingston, Mont.—C. P. (already in hearing docket) amended to request frequency **1310 kc.**, 100 watts night, 250 watts day, unlimited time, exact transmitter and studio sites to be determined with Commission approval.

WTAW—Agricultural & Mechanical College of Texas, College Station, Tex.—C. P. to move transmitter locally; install vertical radiator; change time of operation from specified hours to daytime only (facilities of KTBC).

KGDM—E. F. Peffer, Stockton, Calif.—C. P. to move transmitter locally to an exact location to be determined with Commission's approval; install new equipment; change frequency from **1100 kc.** to **1150 kc.**; increase power to 5 KW; and change hours of operation to limited time.

NEW—S. B. Quigley, Mobile, Ala.—C. P. for new station to operate on **1200 kc.**, 100 watts, daytime only, exact transmitter and studio sites and type of antenna to be determined with Commission approval.

KGGC—Golden Gate Broadcasting Co., San Francisco, Calif.—Modification of C. P. for changes in equipment; increase in day power to 250 watts; extend commencement date to 60 days after grant and completion date to 180 days thereafter.

WDAE—Tampa Times Company, Tampa, Fla.—Modification of license to install directional antenna system for day and night-time operation, and change frequency from **1220 kc.** to **780 kc.**

NEW—Anne Jay Levine, Palm Springs, Calif.—C. P. (already in hearing docket) amended to request frequency **1370 kc.**, 100 watts night, 250 watts day, unlimited time. Exact transmitter site to be determined with Commission's approval.

NEW—Michael J. Mingo, Tacoma, Wash.—C. P. for new station to operate on **1400 kc.**, 250 watts, daytime only, exact transmitter location to be determined subject to Commission's approval; also type of antenna to be determined.

WNEW—Wodaam Corp., New York City.—Modification of license to increase day power from 2½ KW to 5 KW.

WNEL—Juan Piza, San Juan, P. R.—C. P., already in hearing docket, amended to request move of transmitter locally, install directional antenna for day and night-time operation, and change frequency to **590 kc.**

NEW—N. B. Egeland, Fort Dodge, Iowa.—C. P. for new station, already in hearing docket, amended to request **1500 kc.**, 100 watts, daytime only, exact transmitter and studio sites to be determined with Commission's approval.

NEW—Clinton Broadcasting Corp., Clinton, Iowa.—C. P. for new station to operate on **1310 kc.**, 100 watts night, 250 watts day, unlimited time, exact transmitter site to be determined with Commission's approval.

WGAN—Estate of George W. Martin (by Mary P. Martin, Administratrix), Portland, Me.—Transfer of control of Portland Broadcasting System, Inc., permittee of WGAN, from Estate of George W. Martin, deceased, to William N. Campbell and Lloyd C. Greene; **640 kc.**, 500 watts night-day, limited time, employing directional antenna.

KMPC—KMPC, The Station of the Stars, Inc., Beverly Hills, Calif.—Special experimental authority to operate unlimited time experimentally from date of grant to expiration of present license, February 1, 1938 (to be heard before the Commission).

NEW—Frank Ray, Dickinson, N. Dak.—Application for new station to operate on **1310 kc.**, 100 watts night, 250 watts day, unlimited time.

NEW—Jonal Weiland, New Bern, N. C.—Application for new station to operate on **1370 kc.**, 100 watts power, unlimited time, exact transmitter and studio sites to be determined subject to Commission's approval, as well as type of antenna.

NEW—Larry Rhine, San Francisco, Calif.—Application for C. P., already in hearing docket, amended to request **1150 kc.**, 1 KW, daytime operation, exact transmitter and studio sites and type of antenna to be determined subject to Commission's approval.

WBNX—WBNX Broadcasting Co., Inc., New York City.—Application for C. P., already in hearing docket, amended to request move of transmitter site locally; installation of new equipment and directional antenna system; and increase in day power from 1 to 5 KW, employing directional antenna system for both day and night-time operation.

WRDW—Augusta Broadcasting Company, Augusta, Ga.—Application for C. P. to install new equipment and directional antenna system; change frequency from **1500 kc.** to **1240 kc.**; increase power from 100 watts night, 250 watts day, to 1 KW, employing directional antenna system for night-time operation.

WFOY—Fountain of Youth Properties, Inc., St. Augustine, Fla.—Application for C. P. to install new antenna; change frequency from **1210 kc.** to **590 kc.**; increase night power from 100 to 250 watts.

KPAC—Port Arthur College, Port Arthur, Tex.—Application for C. P. to move transmitter site locally; make changes in transmitter, install directional antenna system; change frequency from **1260 kc.** to **1350 kc.**; increase power from 500 watts day time only to 1 KW unlimited time, using directional antenna for night-time operation.

WMBS—Fayette Broadcasting Corp., Uniontown, Pa.—Application for modification of license to increase power and time of operation from 250 watts, daytime only, to 100 watts night, 250 watts day, unlimited time.

KYOS—Merced Star Publishing Co., Inc., Merced, Calif.—Application for voluntary assignment of license to Merced Broadcasting Company, a newly organized corporation; **1040 kc.**, 250 watts, daytime only.

NEW—Harry M. Ayers, Anniston, Ala.—C. P. for new station; **1420 kc.**, 100 watts, daytime only; exact transmitter and studio sites and type of antenna to be determined with Commission approval.

NEW—Kathryn B. Gosselin, Aurora, Ill.—C. P. for new station to operate on **1500 kc.**, unlimited operation; transmitter location to be determined with Commission's approval, also type of antenna.

WMC—Memphis Commercial Appeal Co., Memphis, Tenn.—C. P. for changes in directional antenna system; increase in night power to 5 KW. (To be heard before the Commission.)

WRTD—The Times Dispatch Publishing Co., Inc., Richmond, Va.—Voluntary assignment of license to Times-Dispatch Radio Corp., a newly organized corporation. **1500 kc.,** 100 watts, unlimited time.

WGAL—WGAL, Inc., Lancaster, Pa.—C. P. to move transmitter to Marietta Pike, Lancaster Township, Lancaster, Pa.; also install new equipment and directional antenna system; change frequency from **1500 kc.** to **1510 kc.;** increase power from 100 watts night, 250 watts day to 1 KW, unlimited time, using directional antenna system for nighttime operation. (To be heard before the Commission.)

WTMV—Mississippi Valley Broadcasting Co., Inc., E. St. Louis, Ill.—C. P. to move transmitter site locally 3 miles east of E. St. Louis, Ill. Also install new equipment and directional antenna system; change frequency from **1500 kc.** to **1510 kc.;** increase power and time of operation from 100 watts night, 250 watts day, unlimited time, to: 1 KW night, 5 KW day, employing directional antenna for both day and nighttime use. (To be heard before the Commission.)

NEW—Scripps-Howard Radio, Inc., Denver, Colo.—C. P., already in hearing docket, amended as to transmitter site, equipment and power; **630 kc.,** 1 KW night, 5 KW day, using directional antenna for both day and night operation; exact studio location to be determined with Commission's approval.

WCLS—R. W. Hoffman, Joliet, Ill.—Application for transfer of control to L. W. Wood (**1310 kc.,** 100 watts night and day, specified hours).

KRQA—J. Laurence Martin, Santa Fe, New Mexico.—Voluntary assignment of license to I. E. Lambert; **1310 kc.,** 100 watts day and night, unlimited time.

NEW—Garden Island Publishing Co., Ltd., Lihue, Kauai, T. H.—C. P. for new station requesting frequency **1500 kc.,** 100 watts night, 250 watts day, unlimited time. Exact transmitter and studio sites and type of antenna to be determined with Commission's approval.

WAYX—E. F. Sapp and S. F. Sapp, d/b as Waycross Broadcasting Co., Waycross, Ga.—Voluntary assignment of license to Jack Williams; **1200 kc.,** 100 watts night, 250 watts day, unlimited time, under C. P.

WBLY—Herbert Lee Blye, Lima, Ohio.—Voluntary assignment of license to The Fort Industry Company; **1210 kc.,** 100 watts, daytime only.

KHUB—Anna Atkinson, Executrix, Watsonville, Calif.—Voluntary assignment of license from Anna Atkinson, Executrix of the Estate of F. W. Atkinson, deceased, licensee, to: John P. Scripps; **1310 kc.,** 250 watts, daytime only.

WFAB—Fifth Avenue Broadcasting Corp., Carlstadt, N. J.—Application for voluntary assignment of license to Debs Memorial Radio Fund, Inc.; **1300 kc.,** 1 KW, sharing with WHAZ, WEVD and WBRB (day and night).

NEW—Ben S. McGlashan, Mobile (Los Angeles, Cal.)—C. P. for new relay station; frequencies **1622, 2058, 2150, 2790 kc.,** 10 watts, unlimited operation.

NEW—Ben S. McGlashan, Mobile (Los Angeles, Cal.)—C. P. for new relay station; frequencies **1622, 2058, 2150, 2790 kc.,** 75 watts, unlimited operation.

RENEWAL OF LICENSES

The following stations were granted renewal of licenses for the regular period:

KABC, San Antonio, Tex.; KCMC, Texarkana, Tex.; KELD, El Dorado, Ark.; KFIZ, Fond du Lac, Wis.; KGFF, Shawnee, Okla.; KFIW, Alamosa, Colo.; KGKB, Tyler, Tex.; KGKY, Scottsbluff, Neb.; KICA, Clovis, New Mexico; KLUF, Galveston, Tex.; KNEL, Brady, Tex.; KOKO, La Junta, Colo.; KONO, San Antonio, Tex.; KORE, Eugene, Ore.; KOTN, Pine Bluff, Ark.; KPLC, Lake Charles, La.; KPLT, Paris, Tex.; KRBC, Abilene, Tex.; KRMC, Jamestown, N. Dak.; KSAL, Salina, Kans.; KTEM, Temple, Tex.; KTOK, Oklahoma City, Okla.; WACO, Waco, Tex.; WAGF, Dothan, Alabama; WAPO, Chattanooga, Tenn.; WATL, Atlanta, Ga.; WAZL, Hazleton, Pa.; WBTM, Danville, Va.; WCHV, Charlottesville, Va.; WDNC, Durham, N. C.; WDWS, Champaign, Ill.; WEED, Rocky Mount, N. C.; WELL, Battle Creek, Mich.; WEOA, Evansville, Ind.; WGAL, Lancaster, Pa.; WGL, Fort Wayne, Ind.; WHBB, Selma, Ala.; WHBQ, Memphis, Tenn.; WHFC, Cicero, Ill.; WHLB, Virginia, Minn.; WIBM, Jackson, Mich.; WILM, Wilmington, Del.; WLEU, Erie, Pa.; WLLH, Lowell, Mass.; WMAS, Springfield, Mass.; WMBC, Detroit, Mich.; WMEX, Boston, Mass.; WMFD, Wilmington, N. C.; WNBF, Binghamton, N. Y.; WPAD, Paducah, Ky.; WRGA, Rome, Ga.; WSAU, Wausau, Wis.; WSVS, Buffalo, N. Y.; WWSW, Pittsburgh, Pa.

The Commission (by Case, Commissioner) took the following action on December 6, 1937:

APPLICATIONS DISMISSED

The following cases, heretofore set for hearing, were dismissed at request of applicants:

WGES—Oak Leaves Broadcasting Station, Inc., and WSBC, Inc., Chicago, Ill.—Authority to transfer control of corporation to WSBC, Inc.; **1360 kc.,** 500 watts, 500 watts LS, shares with WSBT, except Sunday, when station has 1 KW LS.

NEW—Hearst Radio, Inc., Washington, D. C.—Application for C. P.; **1310 kc.,** 100 watts, 250 watts LS, unlimited time.

The following applications, heretofore set for hearing, was retired to the files, inasmuch as the date for which the authority was requested has passed:

Chamber of Commerce, Eureka Springs, Ark.—Authority to transmit a 1 hour program Nov. 6, 1937, to Station XENT, Nuevo Laredo, Mexico, through the facilities of Southwestern Bell Telephone Co.

Delaware Channel Corporation.—Dismissed, at request of petitioner, the petition of Delaware Channel Corp. to reopen hearing in re application for authority to transfer control of station WTBO, The Associated Broadcasting Corp., Cumberland, Md., from Roger W. Clipp and Frank V. Becker, to the Delaware Channel Corp.

WMAZ—Southeastern Broadcasting Co., Inc., Macon, Ga.—Granted petition to intervene in the hearing on application of station WKEU, Griffin, Ga., to move to Macon, Ga., and change frequency from **1500** to **1310 kc.,** power from 100 watts daytime to 100 watts night, 250 watts LS, unlimited time.

NEW—The Rapids Broadcasting Co., Cedar Rapids, Ia.—Denied petition to extend the effective date of decision beyond December 15, 1937.

WMBG—Havens and Martin, Inc., Richmond, Va.—Granted petition to intervene in the hearing of the application of WRTD, the Times-Dispatch Publishing Co., Inc., for a C. P. to change frequency and power from **1500** to **1050 kc.,** and 100 watts to 500 watts, unlimited time.

NEW—George W. Taylor Co., Inc., Williamson, W. Va.—Denied petition for an order to submit interrogatories in connection with its application for a C. P. to establish a new station using frequency **1370 kc.,** 100 watts, daytime hours.

KGKO—Wichita Falls Broadcasting Co., Fort Worth, Tex.—Granted request for cancellation of oral argument in re Examiner's Report No. 1-485, scheduled for January 6, 1938.

WRTD—The Times-Dispatch Publishing Co., Richmond, Va.—Granted petition to intervene in the proceedings on the application of Havens and Martin, Inc. (WMBG), Docket 4846.

The Commission also took the following action:

MISCELLANEOUS

NEW—Virgil V. Evans, Gastonia, N. C.—Denied petition for rehearing of application for new station at Gastonia, N. C., to operate on **1420 kc.,** 100 watts, unlimited time. This application was denied by the Broadcast Division, effective date, September 28, 1937.

WCBA—B. Bryan Musselman, Allentown, Pa.; WSAN—WSAN, Inc., Allentown, Pa.—Denied joint petition of applicants to reconsider and grant their applications for renewal of licenses without a hearing.

WIBG—Seaboard Radio Broadcasting Corp., Glenside, Pa.—Granted petition in so far as it requests withdrawal of its Motion to Withdraw application in Docket No. 4362; denied petition in other respects; denied petition of WCFL to close record in Docket 4362 and the petitions of WCFL and KJR in opposition to petition to withdraw.

WMEX—Northern Corporation and WCOP—Mass. Broadcasting Corp.—Dismissed petition for rehearing with respect to the action of the Broadcast Division in denying its protest in the matter of transfer of control of Mass. Broadcasting Corp. (WCOP); and dismissed motion of Mass. Broadcasting Corp. to strike said petition for rehearing.

WKBB—Sanders Bros. Radio Station, E. Dubuque, Ill.—Denied petition for rehearing in re Docket No. 3967, in which case the Broadcast Division entered its final order, effective July

27, 1937, granting application of the Telegraph Herald Co. for a new station at Dubuque, Iowa.

NEW—Clarence C. Dill, Washington, D. C.—Denied petition for rehearing in re Docket No. 4079, involving denial of application for C. P. to erect a new station in Washington, D. C., to use **1390 kc.**, 1 KW, unlimited time, with directional antenna.

WMIN—Edward Hoffman, trading as WMIN Broadcasting Co., St. Paul, Minn.—Granted petition to reconsider and grant without hearing application for assignment of license to WMIN Broadcasting Co., a newly organized Minnesota corporation.

KSTP—National Battery Broadcasting Co., St. Paul, Minn.; WJSV—Columbia Broadcasting Co., Washington, D. C.—Granted petition to reopen hearing in re Docket 4756, application of KSTP to install new equipment and increase power to 50 kw, and Docket 4757, WJSV's application for the same.

NEW—Courier Post Publishing Co., Hannibal, Mo.—Denied petition of Courier Post Publishing Co. for a rehearing in re their application to erect a new station to operate on frequency **1310 kc.**, 100 watts, 250 watts LS, unlimited time, and dismissed petition of Hannibal Broadcasting Co. to participate in rehearing, and the opposition thereto of The Courier-Post Publishing Co.

NEW—Black River Valley Broadcast, Inc., Watertown, N. Y.—Dismissed petition to reconsider action in ordering a rehearing on the application of the petitioner.

WFLA—Florida West Coast Broadcasting Co., Inc., Clearwater, Fla.—Dismissed petition and supplemental petition of Florida West Coast Broadcasting Company, Inc., for rehearing in Docket 4425 wherein Commission granted authority to WIOD-WMBF, Miami, Fla., to change frequency; dismissed opposition of WIOD to petition for rehearing.

EXAMINERS' REPORTS RELEASED SINCE NOVEMBER 17

NEW—Ex. Rep. 1-523: United Theatres, Inc., San Juan, P. R.—Examiner Tyler Berry recommended grant of C. P. for new station to operate on **570 kc.**, 1 KW, unlimited time.

KQV—Ex. Rep. 1-524: KQV Broadcasting Co., Pittsburgh, Pa.—Examiner Melvin Dalberg recommended grant of application for change in time of operation from simultaneous, day, WSMK, shares hours night, to unlimited, increase in power from 500 watts to 1 KW with use of directional antenna at night.

WSMK—WSMK, Inc., Dayton, Ohio.—Examiner Dalberg recommended grant of application to increase power from 200 watts to 250 watts night, 500 W-LS, and change time of operation from simultaneous, day, KQV, specified hours night, to unlimited, with use of directional antenna at night.

WBZA—Ex. Rep. 1-525: Westinghouse Electric and Manufacturing Co., Springfield, Mass.—Examiner R. H. Hyde recommended denial of C. P. to change frequency from **990 kc.** to **550 kc.**, and from unlimited time, synchronized with WBZ, to unlimited.

WDEV—Chas. B. Adams, Administrator of the Estate of Harry C. Whitehill, Executor of the estate of Mary M. Whitehill, Waterbury, Vt.—Examiner Hyde recommended grant of renewal of license for station WDEV to operate on **550 kc.**, 500 watts, daytime.

WNBZ—Ex. Rep. 1-526: Smith and Mace, Saranac Lake, N. Y.—Examiner George H. Hill recommended grant of Voluntary Assignment of C. P. and license from Smith & Mace to Upstate Broadcasting Corp.

WROK—Ex. Rep. 1-527: Lloyd C. Thomas, Transferor and Rockford Consolidated Newspapers, Inc., Transferee, Rockford, Ill.—Examiner Melvin H. Dalberg recommended grant of authority to transfer control of WROK, Rockford Broadcasters, Inc., to Rockford Consolidated Newspapers, Inc.

NEW—Ex. Rep. 1-528: Nathan N. Bauer, Miami, Fla.—Examiner P. W. Seward recommended grant of C. P. for new station to operate on **1420 kc.**, 100 watts, unlimited time.

NEW—Ex. Rep. 1-529: Ellwood W. Lippincott, Inc., Bend, Ore.—Examiner Tyler Berry recommended grant of application for C. P. to operate on **1310 kc.**, 100 watts power, unlimited time, subject to selection of satisfactory transmitter site, provided the application of the Bend Bulletin is denied.

KOBH—Ex. Rep. 1-530: Black Hills Broadcast Co., Rapid City, S. Dak.—Examiner Robert L. Irwin recommended denial of authority to assign license of the Black Hills Broadcast Co., an unincorporated association, to Black Hills Broadcast Co., a corporation.

NEW—Ex. Rep. 1-531: Airfan Radio Corp., Ltd., San Diego, Cal.—Examiner Robert L. Irwin recommended dismissal with prejudice of application for C. P. to operate on **1420 kc**, 100 watts, unlimited.

NEW—Ex. Rep. 1-532: Southern Broadcasting Corp., New Orleans, La.—Examiner P. W. Seward recommended dismissal with prejudice, of application for C. P. to operate on **1200 kc**, 100 watts, 250 W-LS, unlimited time (facilities of WBNO and WJBW).

WBNO—The Coliseum Place Baptist Church, New Orleans, La.—Examiner Seward recommended denial of application for renewal of license of WBNO, and denial of C. P. to change frequency from **1200** to **1420 kc.**, increase power from 100 watts, to 100 watts, 250 W-LS, and time of operation from sharing with WJBW to unlimited.

NEW—Ex. Rep. 1-533: Keystone Broadcasting Co., New Castle, Pa.—Examiner Tyler Berry recommended grant of application for C. P. for new station to operate on **1250 kc**, 250 watts, daytime.

WRNL—Ex. Rep. 1-534: WLBG, Inc., Richmond, Va.—Examiner Melvin H. Dalberg recommended grant of C. P. authorizing increase in power from 500 watts, to 1 KW, employing directional antenna day and night, and increase in hours of operation from daytime to unlimited.

NEW—Ex. Rep. 1-535: Jules J. Rubens, Aurora, Ill.—Examiner Melvin H. Dalberg recommended denial of C. P. for new station to operate on **1040 kc**, 250 watts, daytime.

NEW—Ex. Rep. 1-536: Broward Broadcasting Co., Ft. Lauderdale, Fla.—Examiner P. W. Seward recommended dismissal with prejudice of application for C. P. for new station to operate on **1370 kc**, 100 watts, 250 W-LS, unlimited time.

WJBW—Ex. Rep. 1-537: Charles C. Carlson, New Orleans, La.—Examiner P. W. Seward recommended grant of application for renewal of license of station WJBW to operate on **1200 kc**, 100 watts; shares with WBNO.

NEW—Ex. Rep. 1-538: El Paso Broadcasting Co., El Paso, Tex.—Examiner John P. Bramhall recommended grant of application for new station to operate on **940 kc**, 1 KW, unlimited time, provided Dorrance D. Roderick abandon his application for a new station at El Paso.

NEW—Ex. Rep. 1-538: World Publishing Co., Tulsa, Okla.—Examiner Bramhall recommended grant of application for C. P. for new station to operate on **940 kc.**, 1 KW, 5 KW LS, unlimited time.

KGKL—KGKL, Inc., San Angelo, Tex.—Examiner Bramhall recommended denial of application of KGKL to change frequency from **1370** to **940 kc.**, power from 100 watts, 250 watts LS, to 1 KW, 5 KW LS.

NEW—The Tribune Company, Tampa, Fla.—Examiner Bramhall recommended grant of application for C. P. to operate on **940 kc.**, 1 KW, 5 KW LS, unlimited time.

NEW—Ex. Rep. 1-539: Mervel M. Valentine, Laredo, Tex.—Examiner Melvin H. Dalberg recommended grant of C. P. for new station to operate on **1500 kc.**, 100 watts, 250 watts LS, unlimited time.

NEW—Ex. Rep. 1-540: John S. Allen and G. W. Covington, Jr., Montgomery, Ala.—Examiner P. W. Seward recommended grant of C. P. for new station to operate on **1210 kc.**, 100 watts, daytime.

KQE—Ex. Rep. 1-541: Pacific Agricultural Foundation, Ltd., San Jose, Calif.—Examiner Tyler Berry recommended grant of C. P. to increase power from 1 KW to 1 KW night, 5 KW LS.

NEW—Ex. Rep. 1-542: Thos. F. Airth, Wythe Walker & Rex Schepp, d/b as Evanston Broadcasting Co., Evanston, Ill.—Examiner George H. Hill recommended denial of C. P. for a new station to operate on **1020 kc.**, 250 watts, daytime.

APPLICATIONS RECEIVED

First Zone

WRC—National Broadcasting Co., Inc., Washington, D. C.—Modi-
950 fication of construction permit (B1-P-1651) for a new transmitter and antenna, increase in power and move of transmitter, requesting extension of completion date from 1-4-38 to 3-4-38.

WGNY—Peter Goelet, Newburgh, N. Y.—Construction permit to
1210 make changes in equipment and increase power from 100 watts to 100 watts night, 250 watts day. Amended to change frequency from **1210 kc.** to **1220 kc.**, and requested power from 100 watts night, 250 watts day, to 250 watts, and hours of operation from share WBRB, WFAS and WGBB to daytime.

NEW—Orrin A. Senzel, Rochester, N. Y.—Construction permit for
1500 a new station to be operated on **1500 kc.,** 100 watts night, 250 watts day, unlimited time.

WBRY—American-Republican, Inc., Waterbury, Conn.—Construc-
1530 tion permit to install a new transmitter and increase power from 1 KW to 1 KW night, 5 KW day. Amended to make changes in requested equipment and change requested power from 1 KW night, 5 KW day, to 5 KW day and night.

W2XAX—Columbia Broadcasting System, New York, N. Y.—Modification of construction permit (B1-PVB-6) for new equipment and increase in power, requesting the frequencies **50000-56000 kc.** and delete **42000-56000, 60000-86000 kc.**

NEW—WDRC, Inc., Hartford, Conn (to be determined).—Construction permit for a new high frequency broadcast station (frequency modulated) to be operated on the frequencies **40300, 88500, 109000, 177000, 218000 kc.,** 1000 watts. Amended to delete frequencies **88500, 109000, 177000** and **218000 kc.**

NEW—WHDL, Inc., area of Olean, N. Y.—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.,** 25 watts.

W1XAL—World Wide Broadcasting Corp., Boston, Mass.—Construction permit to make changes in equipment and increase power from 20 KW to 50 KW.

Second Zone

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Modification
560 of construction permit (B2-P-1085) as modified for new equipment, vertical antenna, increase in power, and move of transmitter, requesting extension of completion date from 1-6-38 to 3-15-38.

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—License
570 to cover construction permit (B2-P-1412) as modified for move of transmitter and new vertical antenna.

WLW—The Crosley Radio Corporation, Cincinnati, Ohio.—Exten-
700 sion of special experimental authorization to operate with power of 500 KW day and 500 KW night, using directional antenna, for period 2-1-38 to 8-1-38.

WICA—C. A. Rowley, Ashtabula, Ohio.—License to cover con-
940 struction permit (B2-P-756) as modified for a new station.

WICA—C. A. Rowley, Ashtabula, Ohio.—Authority to determine
940 operating power by direct measurement of antenna.

WWVA—West Virginia Broadcasting Corp., Wheeling, W. Va.—
1140 Construction permit to change frequency from **1160 kc.** to **1140 kc.,** hours of operation from simultaneous day WOWO, share night WOWO, to unlimited time, and install directional antenna for night use, and move transmitter from Bell's Lane, 8½ miles northeast of Wheeling, West Liberty, W. Va., to 2½ miles east of St. Clairsville, Richland Township, Ohio. Amended to install a new transmitter, make changes in directional antenna for night use and increase power from 5 KW to 50 KW.

WMBG—Havens & Martin, Inc., Richmond, Va.—Construction
1350 permit to make changes in equipment and increase power from 500 watts to 1 KW. Amended to make further changes in equipment and change requested power from 1 KW to 1 KW night, 5 KW day, using directional antenna.

WBCM—Bay Broadcasting Co., Inc., Bay City, Mich.—Modifica-
1410 tion of license to change power from 500 watts night, 1 KW day, to 1 KW day and night.

W8XOY—Allen T. Simmons, Tallmadge, Ohio.—License to cover construction permit (B2-PHB-34) as modified for a new high frequency broadcast station.

W3XIR—WCAU Broadcasting Co., Philadelphia, Pa.—Modification of construction permit (B2-PHB-7) for a new high frequency broadcast station, requesting authority to install a new transmitter.

NEW—Michigan State College, area of East Lansing, Mich.—Construction permit for a new relay broadcast station to be operated on **39700, 39900, 40800, 41400 kc.,** 15 watts.

NEW—Michigan State College, area of East Lansing, Mich.—License to cover above.

NEW—Michigan State College, area of East Lansing, Mich.—Construction permit for a new relay broadcast station to be operated on **38900, 39100, 39300, 39500 kc.,** 15 watts.

NEW—Michigan State College, area of East Lansing, Mich.—License to cover above.

W8XKH—The Crosley Radio Corp., Mobile (Cincinnati, Ohio).—Modification of construction permit (B2-PRE-44) for a new relay broadcast station, requesting extension of completion date from 12-7-37 to 6-7-38.

W8XKI—The Crosley Radio Corp., Mobile (Cincinnati, Ohio).—Modification of construction permit (B2-PRE-43) for a new relay broadcast station, requesting extension of completion date from 12-7-37 to 6-7-38.

W3XAU—WCAU Broadcasting Co., near Newtown Square, Pa.—Modification of license to add the frequency **25725 kc.**

Third Zone

WPTF—WPTF Radio Co., Raleigh, N. C.—Extension of special
680 experimental authorization to operate with 5 KW power from sunset at KPO to 11 p. m., EST, using directional antenna after sunset, for period 2-1-38 to 8-1-38.

WWL—Loyola University, New Orleans, La.—Extension of special
850 experimental authorization to operate unlimited time for period 2-1-38 to 8-1-38.

WGST—Georgia School of Technology, Atlanta, Ga.—License to
890 cover construction permit (B3-P-1880) for auxiliary transmitter.

WTOC—Savannah Broadcasting Co., Inc., Savannah, Ga.—Modifi-
1200 cation of construction permit (B3-P-1764) as modified for a new transmitter and increase in power, requesting further changes in equipment.

NEW—McComb Broadcasting Corp., McComb, Miss.—Construc-
1200 tion permit for a new station to be operated on **1200 kc.,** 100 watts, daytime.

NEW—George B. Peeler, Taylor, Tex.—Construction permit for a
1310 new station to be operated on **1310 kc.,** 100 watts, daytime.

KONO—Eugene J. Roth, tr/as Mission Broadcasting Co., San
1370 Antonio, Tex.—Construction permit to make changes in transmitting equipment; install new vertical antenna; increase power from 100 watts to 100 watts night, 250 watts day; and move transmitter from Milan Bldg., Travis and Soledad Sts., San Antonio, Tex., to 317 Arden Grove, San Antonio, Tex.

NEW—John C. Head, Lawton, Okla.—Construction permit for a
1420 new station to be operated on **1420 kc.,** 100 watts, unlimited time.

W5XNA—Loyola University, Mobile (New Orleans, La.).—License to cover construction permit (B3-PRE-89) for a new relay broadcast station.

W5XNB—Loyola University, Mobile (vicinity New Orleans, La.).—License to cover construction permit (B3-PRE-90) for a new relay broadcast station.

WABG—Memphis Commercial Appeal Co., area Memphis, Tenn.—Construction permit to make changes in equipment and increase power from 35 watts to 50 watts.

NEW—Columbia Broadcasting System, Inc., area of Charlotte, N. C.—Construction permit for a new relay broadcast station to be operated on **1646, 2090, 2190, 2830 kc.,** 50 watts.

Fourth Zone

WIBW—Topeka Broadcasting Assn., Inc., Topeka, Kans.—Au-
580 thority to transfer control of corporation from Marco Morrow, Trustee for Capper Publications, to Capper Publications, Inc., 196 shares common stock.

KFAB—KFAB Broadcasting Co., Lincoln, Nebr.—Extension of
770 special experimental authorization to operate synchronously with WBBM from local sunset at Lincoln, Nebr., to midnight, CST, from 2-1-38 to 8-1-38.

WBBM—Columbia Broadcasting System, Inc., Chicago, Ill.—Ex-
770 tension of special experimental authorization to operate synchronously with KFAB from local sunset (KFAB local sunset) to midnight, CST, from 2-1-38 to 8-1-38.

WHO—Central Broadcasting Co., Des Moines, Iowa.—Extension
1000 of special experimental authorization to operate a facsimile station from 12 midnight to 6 a. m., CST, from 2-1-38 to 8-1-38.

WOWO—Westinghouse Radio Stations, Inc., Fort Wayne, Ind.—
1160 Construction permit to install a new transmitter; increase power from 10 KW to 50 KW; and change hours of operation from simultaneous day, share WWVA night, to unlimited time. Contingent on the granting of WWVA's application for change in frequency.

WDGY—George W. Young, Minneapolis, Minn.—License to cover
1180 construction permit (B4-P-1420) as modified for a new transmitter.

KCKN—The KCKN Broadcasting Co., Kansas City, Kans.—Au-
1310 thority to transfer control of corporation from Arthur Capper to Capper Publications, Inc., 95 shares common stock.

WROK—Rockford Broadcasters, Inc., Rockford, Ill.—Modification
1410 of license to change power from 500 watts night, 1 KW day, to 1 KW day and night.

KTRI—Sioux City Broadcasting Co., Sioux City, Iowa.—Modifi-
1420 cation of construction permit (B4-P-1249) for a new station, requesting changes in equipment, approval of studio and transmitter sites at 6th and Nebraska Sts., Commerce Building, Sioux City, Iowa. Amended to change geographic location.

NEW—Star-Times Publishing Co., St. Louis, Mo.—License to cover construction permit (B4-PFB-2) for a new facsimile broadcast station.

Fifth Zone

KXL—KXL Broadcasters, Portland, Ore.—Construction permit to
1110 install a new transmitter and directional antenna for day and night use, change frequency from **1420 kc.** to **1110 kc.,** power from 100 watts night, 250 watts day to 5 KW hours of operation from share with KBPS to unlimited time and move transmitter locally. Amended: To make changes in directional antenna.

KDNC—The Democrat-News Co., Inc., Lewistown, Mont.—Modi-
1200 fication of construction permit (B5-P-831) as modified, for extension of commencement and completion dates from 11-7-37 and 5-7-38 respectively to 1-1-39 and 6-1-39.

KLAH—Barney Hubbs, A. J. Crawford, Harold Miller, d/b as
1210 Carlsbad Broadcasting Co., Carlsbad, N. M.—Construction permit to make changes in equipment and increase power from 100 watts to 100 watts night, 250 watts day.

KYA—Hearst Radio, Inc., San Francisco, Calif.—License to cover
1230 construction permit (B5-P-1860) for auxiliary transmitter.

NEW—Mountain Top Trans Radio Corp., Denver, Colo.—Con-
1310 struction permit for a new station to be operated on **1370 kc.,** 100 watts night, 250 watts day, unlimited time. Amended: To change requested frequency from **1370** to **1310 kc.**

KIT—Carl E. Haymond, Yakima, Wash.—License to cover con-
1310 struction permit (B5-P-1115) as modified, for new transmitter, vertical antenna, change in frequency, increase in power and move of transmitter.

KVRS—Wyoming Broadcasting Co., Rock Springs, Wyo.—Modi-
1370 fication of construction permit (B5-P-1925) for a new station, requesting approval of vertical antenna and approval of transmitter site at Muir Ave. & Smith Street, Rock Springs, Wyoming, and move studio from 607 N. Front Street to Muir & Smith Streets, Rock Springs, Wyoming.

KICA—Western Broadcasters, Inc., Clovis, N. M.—Authority to
1370 transfer control of corporation from J. L. Nunn to Charles C. Alsup. 25 shares common stock.

W6XAO—Don Lee Broadcasting System, Los Angeles, Calif.—Construction permit to increase power of the visual transmitter from 150 watts to 1000 watts and make changes in equipment.

Alaskan Zone

KINY—Edwin A. Kraft, Juneau, Alaska.—Modification of con-
1310 struction permit (B-P-1176) for new equipment, new antenna, change in frequency and power requesting change in authorized equipment, approval of vertical antenna and approval of transmitter site at A-J Rock Dump, near Juneau, Alaska.

The National Association of Broadcasters
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Inter-American Radio Conference Reaches Final Agreement

Frequencies of Many Stations Would Be Shifted

The following is the text (unofficial) of the North American Regional Broadcasting Agreement signed at Havana, Cuba, December 13, 1937:

C.I.R./Doc. 56
Habana, December 10, 1937

NORTH AMERICAN REGIONAL BROADCASTING AGREEMENT

concluded among the following Governments:

Canada
Cuba
Dominican Republic
Haiti
Mexico
United States of America

The undersigned, plenipotentiaries of the Governments listed above, having met in conference at Habana, Cuba, have, in common agreement and subject to ratification, concluded the following Agreement.

I

PURPOSE AND SCOPE OF THIS AGREEMENT

1. *Purpose of Agreement.* The purpose of this Agreement is to regulate and establish principles covering the use of the standard broadcast band in the North American Region so that each country may make the most effective use thereof with the minimum technical interference between broadcast stations.

2. *North American Region.* The North American Region (hereinafter referred to as "Region") for the purpose of this Agreement shall be deemed to include and to consist of the following countries: Canada, Cuba, Dominican Republic, Haiti, Mexico, Newfoundland, and United States of America.

3. *Standard broadcast band.* The standard broadcast band shall be deemed to be the band of frequencies extending from 550 to 1600 kc, both inclusive, both 550 kc and 1600 kc being the carrier frequencies of broadcasting channels as hereinafter defined. The Governments agree, subject to the provisions of Article 7 of the General Radio Regulations annexed to the International Telecommunications Convention, Madrid, 1932, that this band of frequencies shall be allocated exclusively to broadcasting in the Region.

4. *Sovereign right to use channels.* The sovereign right of all countries, parties to this Agreement, to the use of every channel in the standard broadcast band is recognized. The Governments recognize, however, that until technical developments reach a state permitting the elimination of radio interference of international character, a regional arrangement between them is necessary in order to promote standardization and to minimize interference.

5. *Regional character of Agreement.* The Governments recognize that this Agreement, and each provision thereof, is a regional arrangement within the meaning of, and authorized by the International Telecommunications Convention and the General Radio Regulations annexed thereto.

II

TECHNICAL

A. DEFINITIONS

1. *Broadcast station.* A station the emissions of which are primarily intended to be received by the general public.

2. *Broadcast channels—550 to 1600 kc.* A broadcast channel is a band of frequencies ten (10) kc in width, with the carrier frequency at the center. Channels shall be designated by their assigned carrier frequencies. Carrier frequencies assigned to broadcast stations shall begin at 550 kc and be in successive steps of 10 kc. No inter-

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mediate frequency shall be assigned as the carrier frequency of any broadcast station.

3. *Service areas.*

(a) *Primary service area.* The primary service area of a broadcast station is the area in which the ground wave is not subject to objectionable interference or objectionable fading.

(b) *Secondary service area.* The secondary service area of a broadcast station is the area served by the sky wave and not subject to objectionable interference. The signal is subject to intermittent variations in intensity.

4. *Dominant stations.* A "dominant" station is a Class I station, as hereinafter defined, operating on a clear channel.

5. *Secondary station.* A "secondary" station is any station except a Class I station operating on a clear channel.

6. *Objectionable interference.* Objectionable interference is the degree of interference produced when, at a specified boundary or field intensity contour with respect to the desired station, the field intensity of an undesired station (or the root-mean-square value of field intensities of two or more stations on the same frequency) exceeds for ten (10) per cent or more of the time the values hereinafter set forth in this Agreement.

7. *Power.* The power of a radio transmitter is the power supplied to the antenna. The power in the antenna of a modulated-wave transmitter shall be expressed in two numbers, one indicating the power of the carrier frequency supplied to the antenna, and the other the actual maximum percentage of modulation.

8. *Spurious radiation.* A spurious radiation from a transmitter is any radiation outside the frequency band of emission normal for the type of transmission employed, including any harmonic modulation products, key clicks, parasitic oscillations and other transient effects.

9. *English, French and Spanish equivalents.* It is agreed that, as used in this Agreement, the French and Spanish words below set forth are respectively the equivalent of, and mean the same as, the English terms opposite which they appear:

English	*French*	*Spanish*
Clear channel	Frequence libre	Canal despejado
Objectionable interference	Brouillage nuisible	Interferencia objetable

B. CLASSES OF CHANNELS AND ALLOCATION THEREOF

1. *Three classes.* The 106 channels in the standard broadcast band are divided into three principal classes: clear, regional and local.

2. *Clear channel.* A clear channel is one on which the dominant station or stations render service over wide areas and which are cleared of objectionable interference, within their primary service areas and over all or a substantial portion of their secondary service areas.

3. *Regional channel.* A regional channel is one on which several stations may operate with powers not in excess of 5 kw. The primary service area of a station operating on any such channel may be limited, as a consequence of interference, to a given field intensity contour.

4. *Local channel.* A local channel is one on which several stations may operate with powers not in excess of 250 watts. The primary service area of a station operating on any such channel may be limited, as a consequence of interference, to a given field intensity contour.

5. *Number of channels of each class.* The number of channels of each class shall be as follows:

Clear channels	59
Regional channels	41
Local channels	6
	106

6. *Allocation of specific channels to each class.* The channels are allocated to the several classes as follows:

Clear channels. The following channels are designated as clear channels: 640, 650, 660, 670, 680, 690, 700, 710, 720, 730, 740, 750, 760, 770, 780, 800, 810, 820, 830, 840, 850, 860, 870, 880, 890, 900, 940, 990, 1000, 1010, 1020, 1030, 1040, 1050, 1060, 1070, 1080, 1090, 1100, 1110, 1120, 1130, 1140, 1160, 1170, 1180, 1190, 1200, 1210, 1220, 1500, 1510, 1520, 1530, 1540, 1550, 1560, 1570, and 1580.

Regional channels. The following channels are designated as regional channels: 550, 560, 570, 580, 590, 600, 610, 620, 630, 790, 910, 920, 930, 950, 960, 970, 980, 1150, 1250, 1260, 1270, 1280, 1290, 1300, 1310, 1320, 1330, 1350, 1360, 1370, 1380, 1390, 1410, 1420, 1430, 1440, 1460, 1470, 1480, 1590, 1600.

Local channels. The following channels are designated as local channels: 1230, 1240, 1340, 1400, 1450, and 1490 kc.

7. *Use of regional and local channels by countries.* All countries may use all regional and all local channels, subject to the power limitations and standards for prevention of objectionable interference set forth in this Agreement.

8. *Priority of use of clear channels by countries.*

(a) The clear channels are assigned for priority of use by Class I and II stations in the several countries in accordance with the table set forth in Appendix I.

(b) Each such channel shall be used by the country or countries to which it is thus assigned in a manner conforming to the best engineering practice with due regard to the service to be rendered by the dominant stations operating thereon, as set forth elsewhere in this Agreement. If, for one year within the term of this Agreement, a country fails to make any use of a clear channel assigned to it, the channel shall be considered open for use by the other countries, parties to this Agreement, pursuant to such arrangement as may be agreed upon by their respective administrations and without any necessity for revision of this Agreement.

(c) No country to which a clear channel has been thus assigned shall permit, or agree to permit, any other country to use such channel in a manner not in conformity with this Agreement without first giving sixty days[a] advance notice of its intention so to do to all other countries, parties to this Agreement. If during this period of sixty days[a] any other country shall present objections to such proposed use of the channel, the country to which the clear channel has been assigned shall not permit, or agree to permit, such proposed use until the difference presented by the objection has been amicably resolved.

(d) If within the period of this Agreement the country to which a clear channel has been assigned shall have made use of the channel but not in the manner above prescribed or not to the extent required by the provisions of this Agreement, such country shall be considered as having relinquished that portion of the rights which it has not used and at the expiration of this Agreement the other countries party thereto shall have the right, if they see fit, to withdraw the unused privileges from such country and to reassign them to any or all of the other interested countries.

C. CLASSES OF STATIONS AND USE OF THE SEVERAL CLASSES OF CHANNELS

1. *Classes of stations.* Broadcast stations are divided into four principal classes, to be designated Class I, Class II, Class III, and Class IV, respectively.

2. *Definitions of classes.* The four classes of broadcast stations are defined as follows:

Class I: A dominant station operating on a clear channel and designed to render primary and secondary service over an extended area and at relatively long distances. Class I stations are subdivided into two classes:

Class I-A: A Class I station which operates with power of 50 kw or more and which has its primary service area, within the limits of the country in which the station is located, free from objectionable interference from other stations on the same and adjacent channels, and its secondary service area, within the same limits, free from objectionable interference from stations on the same channel, in accordance with the engineering standards hereinafter set forth.

Class I-B: A Class I station which operates with power of not less than 10 kw or more than 50 kw and which has its primary service area free from objectionable interference from other stations on the same and adjacent channels and its secondary service area free from objectionable interference from stations on the same channel, in accordance with the engineering standards hereinafter set forth.

> (a) When two Class I-B stations on the same channel are separated by a distance of 2800 miles or more, neither station shall be required to install a directional antenna.
>
> (b) When two Class I-B stations on the same channel are separated by a distance of more than 1800 miles and less than 2800 miles, it will, in the absence of proof to the contrary, be assumed that each station is free of objectionable interference caused by the other and neither shall be required to install directional antennas or take other precautions to avoid such interference. In case the existence of objectionable interference is proved, the governments concerned will consult with each other regarding the desirability and practicality of installation of directional antennas or the taking of other precautions to eliminate the interference and will determine by special arrangement the measures, if any, to be taken.
>
> (c) When two Class I-B stations on the same channel are separated by a distance less than 1800 miles, it will, in the absence of proof to the contrary, be assumed that the installation of directional antennas or the taking of other precautions to avoid interference is necessary, and the governments concerned will consult with each other and will take such measures as may be agreed upon between them to the end that the objectionable interference may be reduced or eliminated.

Class II: A "secondary" station which operates on a clear channel and is designed to render service over a primary service area which, depending on geographical location and power used, may be relatively large, but which is limited by and subject to such interference as may be received from Class I stations. A station of this class shall operate with power of not less than 0.25 kw or more than 50 kw. Whenever necessary a Class II station shall use a directional antenna or other means to avoid interference, in accordance with the engineering standards hereinafter set forth, with Class I stations and with other Class II stations.

Class III: A station which operates on a regional channel and is designed to render service primarily to a metropolitan district and the rural area contained therein and contiguous thereto. Class III stations are subdivided into two classes:

---

[a] Calendar days.

Class III-A: A Class III station which operates with power not less than one kilowatt or more than five kilowatts and the service area of which is subject to interference in accordance with the engineering standards hereinafter set forth.

Class III-B: A Class III station which operates with a power not less than 0.5 kw or more than 1 kw night and 5 kw daytime and the service area of which is subject to interference in accord with the engineering standards hereinafter set forth.

Class IV: A station using a local channel and designed to render service primarily to a city or town and the suburban and rural areas contiguous thereto. The power of a station of this class shall not be less than 0.1 kw or more than 0.25 kw and its service area is subject to interference in accord with the engineering standards hereinafter set forth.

3. *Change of class.* If a station or stations in Class III-B located in any country can, through the use of directional antennas or otherwise, so reduce the interference caused or received by such station or stations to the field contour to which interference to stations in Class III-A is allowed, such station or stations shall automatically be classified and included in Class III-A and shall thereafter be so recognized and treated by the Administrations of all countries within the Region.

4. *Use of clear channels.*

(a) In principle and subject only to the exception hereinafter set forth, Class I stations shall be assigned only to clear channels.

(b) Class II stations may be assigned to clear channels only on condition that objectionable interference will not be caused to any Class I stations. Where any country has priority of use of a clear channel for any Class I-A station, no other country shall assign any Class II station to that channel for night time operation (from sunset to sunrise at the location of the Class II station) unless such Class II station is located not less than 650 miles from the nearest border of the country in which the Class I-A station is located; provided, however, that where an assignment for a Class II station is specifically stated in Appendix I, such assignment shall be deemed as authorized under the limitations therein set forth.

5. *Use of regional channels.*

(a) In general only Class III-A and Class III-B stations shall be assigned to regional channels.

(b) On condition that interference be not caused to any Class III-A or Class III-B station, and subject to such interference as may be received from Class III-A or Class III-B stations, Class IV stations may be assigned to regional channels.

(c) Because of their geographical location with respect to the North American continent, special consideration will be given to the use by Cuba, the Dominican Republic, Haiti and Newfoundland of stations of Classes I and II assigned to certain regional channels under certain conditions, with respect to power and precautions to avoid objectionable interference as set forth in Appendix VII.

6. *Use of local channels.* Only Class IV stations shall be assigned to local channels.

D. SERVICE AND INTERFERENCE

1. *Satisfactory signal.* It is recognized that, in the absence of interference from other stations and in regions where the natural electrical noise level is not abnormally high, a signal of 100 microvolts per meter constitutes a usable signal in rural and sparsely settled areas but that, because of the higher electrical noise levels in more thickly populated communities, greater field intensities (ranging as high as 25 millivolts or more in cities) are necessary to render satisfactory service. It is further recognized that it is not possible to accord protection to stations from objectionable interference over the entire areas over which their signals are or may be above the electrical noise level, particularly at night, and that it is necessary to specify boundaries or contours at or within which stations are protected from objectionable interference from other stations.

2. *Areas protected from objectionable interference.* The boundaries or contours at and within which the several classes of stations shall be protected from objectionable interference are as set forth in Appendix II. No station, however, need be protected from objectionable interference at any point outside the boundaries of the country in which such station is located.

With respect to the root-mean-square values of interfering field intensities referred to herein, it shall be understood to apply in determining the interference between existing stations and no station thereafter assigned the channel shall increase the root-mean-square value of the interfering field intensity above the maxima specified in the attached tables.

3. *Objectionable interference on the same channel.* Objectionable interference shall be deemed to exist to a station when, at the boundary or field intensity contour specified in Appendix II with respect to the class to which the station belongs, the field intensity of an interfering station (or the root-mean-square value of the field intensities of two or more interfering stations) operating on the same channel, exceeds for ten (10) percent or more of the time the value of the permissible interfering signal set forth opposite such class in Appendix II.

4. *Interference to dominant clear channel stations.* A station shall be considered as not capable of causing objectionable interference to a Class I clear channel station on the same frequency when it is separated from the domi-

nant clear channel station by a difference of 70 degrees or more of longitude.

5. *Objectionable interference on adjacent channels.* It is recognized, in principle, that objectionable interference may be caused to a desired station when, at or within the specified contours of a desired station, the field intensity of the ground wave of an undesired station operating on an adjacent channel (or the root-mean-square value of the field intensities of two or more such undesired stations operating on the same adjacent channel) exceeds a value determined by the following ratio:

Separation between channels	*Minimum permissible ratio of desired to undesired signals*
10 kc.	1 to 0.5
20 kc.	1 to 10
30 kc.	1 to 50

For convenient reference, the maximum permissible values of interfering signals on such adjacent channels at specified contours are set forth in Appendix III, Table I.

6. *Application of standards to existing stations.*

(a) For the purpose of estimating objectionable interference, all stations (other than those of Class II) shall be assumed to use the maximum power permitted to their respective classes. In this connection, the power of Class I-A stations shall be considered to be 50 kw or the actual power, if higher.

(b) After this agreement has been placed in operation a station thereafter assigned a channel already assigned to other stations shall not be considered as preventing existing stations from increasing their power to the maximum allowed their class, even though such power increase may limit the newly assigned station to a field intensity contour of higher value than that permitted its class.

7. *Frequency stability.* The operating frequency of each broadcast station shall be maintained to within 50 cycles of the assigned frequency until January 1, 1939, and thereafter the frequency of each new station or each station where a new transmitter is installed shall be maintained within 20 cycles of the assigned frequency, and after January 1, 1942, the frequency of all stations shall be maintained within 20 cycles of the assigned frequency.

8. *Spurious radiation.* The Governments shall endeavor to reduce and, if possible, eliminate spurious radiations from broadcast stations. Such radiations shall be reduced in all cases until they are not of sufficient intensity to cause interference outside the frequency band required for the type of emission employed. With respect to type A-3 emissions (radio-telephony) the transmitter should not be modulated in excess of its modulation capability to the extent that interfering spurious radiations occur, and, with respect to amplitude modulation, the operating percentage of modulation should not be less than seventy-five (75) percent on peaks of frequent recurrence. Means should be employed to insure that the transmitter is not modulated in excess of its modulation capability.

E. DETERMINATION OF PRESENCE OF OBJECTIONABLE INTERFERENCE.

1. *Antenna performance.* For the purpose of calculating the presence and the degree of objectionable interference, stations of the several classes shall be assumed to produce effective field, corrected for absorption, for one kilowatt of input power to the antenna, as follows:

Class of Station	*At One Mile*	*At One Kilometer*
I	225 mv/m	362 mv/m
II and III	175 mv/m	282 mv/m
IV	150 mv/m	241 mv/m

In case a directional antenna is employed, the interfering signal of a broadcasting station will vary in different directions. To determine the interference in any direction, in the absence of actual interference measurements, the horizontal and vertical field intensity patterns of the directional antenna must be calculated and by comparing the appropriate vectors in the horizontal or vertical pattern with that of a nondirectional with the same effective field, the interfering signal toward any other station can be expressed in terms of kilowatts. This rating in kilowatts shall be applied in the use of mileage separation tables or in computing distances from the propagation curves or tables.

2. *Power.* The power of a station shall, for the purposes of notifications required by this Agreement, be determined in one of the following manners:

(a) By taking the product of the square of the antenna current and the antenna resistance (antenna input power).

(b) By determination of the station's effective field intensity, corrected for absorption, by making sufficient field intensity measurements on at least eight radials as nearly equally spaced as practicable and by relating the field intensity thus determined to the effective field intensity of a station having the antenna efficiency stipulated above for its class.

3. *Methods of determining the presence of objectionable interference—General.* The existence or absence of objectionable interference from stations on the same or adjacent channels shall be determined by one of the following methods:

(a) By actual measurements contained in the method hereinafter prescribed;

or, with the mutual consent of the countries concerned:

(b) By reference to the propagation curves in Appendices IV and V, or

(c) By reference to the distance tables set forth in Appendix VI.

4. *Actual proof of existence or absence of objectionable interference.* The existence or absence of objectionable interference may be proved by field intensity measurements or recordings made with suitable apparatus, duly calibrated, by Government engineers or other engineers as may be mutually acceptable to the Governments concerned. Such field intensity measurements shall be made in the manner and for the periods of time mutually agreed upon by the Governments concerned.

The contracting Governments agree to facilitate the making of the measurements by requiring the stations involved to remain silent or operate in the manner deemed necessary, and at such times as not to interrupt regular schedules.

5. *Proof based on propagation curves and distance tables.*

(a) *Sky wave curves.* In computing the distance to the 50 percent skywave field intensity contour of a Class I station of a given power, and also in computing the 10 percent skywave field intensity of an alleged interfering station, of any class and given power, at a specified distance, use may be made of the appropriate graphs set forth in Appendix V, entitled "Average Sky Wave Field Intensity Corresponding to the Second Hour after Sunset in the Recording Station, 100 Millivolt per Meter at One Mile (161 at one kilometer)".

(b) *Ground wave curves.* The distance to any specified ground wave field intensity contour may be determined from appropriate ground wave curves plotted for the frequency under consideration and the conductivity and dielectric constant of the earth between the station and desired contour. The frequency and the conductivity of the earth must be considered in every case and where the distance is great due allowance must be made for loss due to curvature of the earth. A family of curves is necessary for this purpose. A graph for a conductivity of 10^{-13} is set forth in Appendix IV, entitled "Ground Wave Field vs. Distance for One Kilowatt Radiated From Short Antenna". Three frequencies in the standard broadcast band are given. For other frequencies and soil conditions (conductivity and dielectric constant) other curves are required. A conductivity of 10^{-13} is considered average and is used throughout in determining the ground wave value for computing the mileage separation tables.

(c) *Distance tables.* Table I shows the required day separation in miles between broadcast stations on the same channel. Table II gives the required distance in miles from the boundary of a country in which a Class I-A station is located for the daytime operation of a Class II station on the same channel in another country. Table III gives the required separation in miles between broadcast stations on adjacent channels during both daytime and nighttime. Table IV gives the required night separation in miles between broadcast stations operating on the same channel. The assumed conditions of operation are given in Appendix VI.

The tables are based upon the use of nondirectional antennas but, in case a directional antenna is employed at a particular station, it will be necessary to consider the radiation distribution of the directional antenna involved and to modify the mileage separation accordingly. The night separation tables for stations on the same frequency are computed from the skywave curve given in Appendix V. These curves are based on extensive measurements of the skywave produced by broadcasting stations and shall be considered as accurate in all cases unless proof to the contrary is available as set out in Section E 4. The mileage separation tables for the same channel during daytime and for adjacent channels day and night are computed from the groundwave curve in Appendix IV. Tables apply only in case the frequency is 1000 kc and the assumed soil conductivity and dielectric constant prevail. Since these values vary in every case the tables for daytime and adjacent channel separation cannot be used except as a general guide. In any case under consideration an estimate of the mileage separation required may be made from the operating frequency and known or assumed soil conditions. To determine the interference accurately, measurements must be made in accordance with Section E 4 on the frequency under consideration or on another frequency and from the curves the values may be determined for the desired frequency.

F. MISCELLANEOUS.

1. *Engineering standards.* The engineering standards set forth in this Agreement are subject to revision when justified by technical advances in the art, with the mutual consent of the Governments parties to this Agreement.

Attachments:

Appendix I—Priority of use of clear channels for Class I and II stations
" II—Protected service and interference
" III—Adjacent channel interference
" IV—Ground wave graphs
" V—Skywave graphs
" VI—Mileage separation tables
" VII—Engineering requirements for use of regional channels by Class II stations

III

NOTIFICATION AND EFFECT THEREOF

1. *Initial notification.*

Each Government shall, as soon as possible after ratification of this Agreement, and in any event not later than 180 days prior to the effective date thereof, transmit to the other Governments

(a) A complete list of all broadcast stations actually in operation in its country in the standard broadcast band both as of the date of the signing of this Agreement and as of the date of transmitting said list, showing with respect to each station its call signal, location, frequency, power, and antenna characteristics, together with all changes authorized to be made with respect to said stations on or before the effective date of this Agreement, and the classification claimed for each such station.

(b) A complete list of all changes authorized to be made with respect to said stations after the effective date of this Agreement, the dates on or before which such changes are to be consummated, and the classification claimed for each such station under this Agreement when the proposed change has been consummated.

(c) A complete list of all new broadcast stations authorized but not yet in operation, showing with respect to each such station its call signal, location, frequency, power and antenna characteristics, the date on or before which each such station shall commence operation, and the classification claimed for it under this Agreement.

(d) The Governments agree that prior to the effective date of this Agreement, they will, so far as possible, resolve all conflicts that may arise between them as a result of the foregoing initial listings, and that, notwithstanding some such conflicts may remain unresolved, they will cooperate to the end that there be no delay in putting the provisions of this Agreement into full force and effect on that date.

(e) In resolving conflicts in the use of clear channels, and in the listing of Class I and Class II stations, the provisions of this Agreement and particularly of Appendix I shall be controlling. In resolving conflicts in the use of regional and local channels, and in the listing of Class III and Class IV stations, priority of use shall be recognized in each country with respect to stations which at the time of signing of this Agreement are in actual operation, which in substance conform to the definitions of said classes as set forth in this Agreement, and with respect to which no substantial change is made or proposed; a change of frequency in order to conform to the designation of channels in this Agreement shall not be deemed a substantial change.

2. *Subsequent notifications.* After the effective date of this Agreement and throughout the period during which it shall remain in effect, each Government shall promptly notify the other Governments by registered letter of all further changes in existing broadcast stations and of all further new broadcast stations, together with similar information with regard to each such change or new station, and the proposed date on which each such change is to go into effect and on which each such new station is to actually commence operation.

3. *Effect of notification.* Each Government may, within 30 days of receiving notification of any proposed change in the assignment of an existing station or of the authorization of a new station in another country, notify the Government of the latter country of any objection it may have thereto under the terms of this Agreement.

4. *Conflict between notifications.* To be valid, notifications of changes in the assignments of existing stations, or of authorizations of new stations must be such that the assignments proposed therein are in accordance with this Agreement and are such as not to involve objectionable interference to existing stations in other countries, assigned and operating in accordance with this Agreement. As between two or more notifications of changes or authorizations of new stations proceeding from different countries, after the effective date of this Agreement, priority in the date of mailing of notification shall govern.

5. *Cessation of effect.*

(a) A notification of a proposed change in the assignment of an existing station or of an authorization of a new station shall cease to have any force and effect if, within one year of the date thereof such change shall not have been actually consummated or such new station shall not have actually commenced continuous operation.

(b) In special cases in which circumstances beyond the control of the Administration concerned have prevented the completion of the change or the construction of the new station, the term of the original notification may be extended for a period of six months.

6. *Bern Bureau.* The foregoing notifications shall be made independently of and in addition to those which, under current practice, are sent to the Bureau of the International Telecommunications Union.

IV

ARBITRATION

In case of disagreement between two or more contracting Governments concerning the execution of this Agreement the dispute, if it is not settled through diplomatic channels, shall be submitted to arbitration at the request of one of the Governments in disagreement. Unless the parties in disagreement agree to adopt a procedure already established by treaties concluded between them for the settlement of international disputes, the procedure shall be that provided for in Article 15 of the International Telecommunications Convention of Madrid, 1932.

V

RATIFICATION, EXECUTION AND DENUNCIATION

1. *Ratification.* To be valid this Agreement must be ratified by Canada, Cuba, Mexico and the United States of America.

If and when three of said four countries shall have ratified and the fourth shall, through unavoidable circumstances, have been unable to ratify but shall have signified to those countries that have ratified its readiness, pending ratification and as an administrative measure, to put the provisions of this Agreement (including the contents of Appendix I) into effect in whole or in part, then such country, together with those countries which shall have ratified, may, by administrative agreement between them, fix a definite date on which they shall give effect to such provisions, which date shall preferably be one year from the date of such administrative agreement.

The ratification must be deposited, as soon as possible, through diplomatic channels, in the archives of the Government of Cuba. This same Government shall, through diplomatic channels, notify the other signatory Governments of the ratifications as soon as they are received.

2. *Effect of ratification.* This Agreement shall be valid only as between such countries as shall have ratified it.

3. *Execution.* The contracting Governments undertake to apply the provisions of this Agreement, and to take the steps necessary to enforce said provisions upon the private operating agencies recognized or authorized by them to establish and operate broadcast stations within their respective countries.

4. *Denunciation.* Each contracting Government shall have the right to denounce this Agreement by a notification addressed, through diplomatic channels, to the Government of Cuba, and announced by that Government, through diplomatic channels, to all the other contracting Governments. This denunciation shall take effect at the expiration of the period of one year from the date on which the notification was received by the Government of Cuba. This effect shall apply only to the author of the denunciation. This Agreement shall remain in force for the other contracting Governments but only as between such Governments.

VI

EFFECTIVE DATE AND TERM OF THE AGREEMENT

1. Except for the provisions of Section 1 of Part III, Section 1 of Part V, and paragraph 3 of Table VI of Appendix I annexed hereto (which provisions shall go into effect immediately upon this Agreement becoming valid), this Agreement shall become effective one year after the date it shall have been ratified by the fourth of those Governments whose ratification is requisite to the validity of this Agreement. The Governments will cooperate to the end that, wherever possible, the provisions of this Agreement shall be carried out in advance of said effective date.

2. This Agreement shall remain in effect for a period of five years after said effective date.

VII

ADHERENCE

This Agreement shall be open to adherence in the name of Newfoundland.

In witness whereof the respective plenipotentiaries have signed the Agreement in triplicate, one copy in English, one in Spanish, and one copy in French, each of which shall remain deposited in the archives of the Government of Cuba and a copy of each of which shall be forwarded to each Government.

Done at Habana, Cuba, December 13, 1937.

APPENDIX I

Under the provisions of Section II of this Agreement each country may use all the 106 channels when technical conditions with respect to interference to established stations are such as to render such use practicable. However, priority of use on specified clear channels is recognized for the following number of Class I and II stations in each country.

TABLE I

Canada	14
Cuba	9*
Dominican Republic	1
Haiti	1
Mexico	15
Newfoundland	2*
United States	63

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* See Table V for special arrangements provided for Cuba and Newfoundland.

These stations and the conditions of their operation are as specified in Tables II, III, IV, V, VI, VII and VIII following herewith.

TABLE II

Class I-A Stations

(*Canada, Cuba, and Mexico*)

Frequency	*Location of Stations*
690	Quebec, Canada
730	Mexico, D. F.
740	Ontario, Canada
800	Sonora, Mexico
860	Ontario, Canada
900	Mexico, D. F.
990	Manitoba, Canada
1010	Alberta, Canada
1050	Nuevo Leon, Mexico
1220	Yucatan, Mexico
1540	Santa Clara, Cuba
1570	Nuevo Leon, Mexico
1580	Quebec, Canada

TABLE III

Class I–B Stations

Frequency	Location of Stations	Power Limitation (kw)	Requirements as to directional antennas
810	New York, U.S.A.	....	None
810	California, U.S.A.	....	To be determined
940	Quebec, Canada	5 kw. min. permissible	Determine from operation
940	Mexico, D.F.	....	Determine from operation
1000	Jalisco, Mexico	20	To be determined
1000	Washington, U. S. A.	....	To be determined
1000	Illinois, U. S. A.	....	To be determined
1010	Habana, Cuba	....	Determine from operation
1060	Mexico, D. F.	....	To be determined
1060	Pennsylvania, U. S. A.	....	To be determined
1070	Maritime Provinces, Canada	....	None
1070	California, U. S. A.	....	None
1080	Connecticut, U. S. A.	....	To be determined
1080	Texas, U. S. A.	....	To be determined
1090	Baja Calif., Mexico	....	To be determined
1090	Maryland, U. S. A.	....	To be determined
1090	Arkansas, U. S. A.	....	To be determined
1110	North Carolina, U. S. A.	....	To be determined
1110	Nebraska, U. S. A.	....	To be determined
1130	British Columbia, Canada	5 kw. min. permissible	None
1130	New York–New Jersey, U. S. A.	....	None
1140	Chihuahua, Mexico	....	To be determined
1140	Virginia, U. S. A.	....	To be determined
1170	Oregon, U. S. A.	....	To be determined
1170	Oklahoma, U. S. A.	....	To be determined
1170	West Virginia, U. S. A.	....	To be determined
1190	Sinaloa, Mexico	....	To be determined
1190	Indiana, U. S. A.	....	To be determined
1550	Ontario, Canada	....	Determine from operation
1550	Vera Cruz, Mexico	20	Determine from operation
1560	Habana, Cuba	....	....

TABLE IV

Class II Stations

Frequency	Location of Stations	Power Limitation (kw)	Requirements as to directional antennas
640	Newfoundland	....	None
690	Kansas-Oklahoma, U. S. A.	....	To be determined [a]
740	Calif., U. S. A.	....	To be determined [b]
800	Ontario, Canada	5	To be determined
810	Tamaulipas (Tampico), Mexico	50	To be determined
900	Quebec, Canada	5	To be determined
990	Tennessee, U. S. A.	....	To be determined [c]
1000	Oriente, Cuba	10	To be determined
1050	New York, U. S. A.	....	To be determined
1060	Alberta, Canada	10	To be determined
1070	Alabama, U. S. A.	....	To be determined
1080	Manitoba, Canada	15	To be determined
1080	Haiti	10	To be determined
1110	Mexico, D. F.	20	To be determined
1130	Louisiana, U. S. A.	....	To be determined
1170	Dominican Republic	10	To be determined
1190	Habana, Cuba	15	To be determined

[a] Permissible to increase field intensity above 25 uv/m (10% skywave) west of Minnesota on Canadian border.

[b] Same as [a] except west of North Dakota.

[c] Same as [a] except east of Minnesota. Also 650 miles from border requirement waived.

TABLE V

Class II Station on Regional Channels*
(Cuba and Newfoundland)

Frequency	Location of Stations	Maximum Power in kw.
560	Newfoundland	10
570	Santa Clara, Cuba	15
590	Habana, Cuba	15
630	Habana, Cuba	15
1270	Habana, Cuba	10

---

* These stations shall use directional antennas to prevent objectionable interference to the Class III stations on the channel in accordance with Appendix VII.

TABLE VI

Special Conditions Affecting the United States

The 24 Class I and II stations in the United States which use clear channels with other countries party to this Agreement are given in Tables III and IV.

The remaining 39 Class I and II stations of the United States will be assigned the following clear channels:

640 650 660 670 680 700 710 720 750
760 770 780 820 830 840 850 870 880
890 1020 1030 1040 1100 1120 1160 1180 1200
1210 1500 1510 1520 1530

It is recognized that the United States must make extensive adjustments in the assignments of its existing stations in order to make possible the carrying out of this Agreement, that these adjustments will require approximately a year, and that it is not possible for the United States at this time to specify on which of the said 32 channels it will have priority of use for Class I-A stations, Class I-B stations and Class II stations, respectively, nor the locations of such stations, power and other information with respect thereto. The United States may assign Class I-A stations to at least 25 of said channels. The United States agrees that ninety days before the effective date of this Agreement it will communicate this information to each of the other countries parties to this Agreement, and such information, when communicated, shall be considered part of this Agreement as if fully set forth herein.

Nothing stated in this Agreement shall be construed to preclude the United States of America from asserting, and enjoying recognition of, priority of use with reference to certain other Class II stations (not included in the 63 stations mentioned in Table I) which are now in actual operation in the band 640-1190 kcs. and which are known under the Regulations of the Federal Communications Commission as "limited time stations" and "daytime stations" (having hours of operation limited to sunset taken either at their respective locations or at the locations of the respective dominant stations on clear channels and in some cases including hours not actually used by said dominant stations) which stations may, so far as permitted by the terms of this Agreement and the engineering standards herein set forth, be given assignments substantially equivalent to those they now enjoy.

TABLE VII

Special Conditions regarding the use of 1010 kc. by Cuba and Canada

With regard to the use of the clear channel of 1010 kc. by a Class I-A station in Canada, and by a Class I-B station in Cuba, both countries mutually agree that the interfering signal shall not exceed for 10 per cent of the time or more the value of 50 microvolts per meter at the following points of measurement: in Cuba at any point east of the province of Camaguey, and in Canada at any point west of the province of Manitoba.

TABLE VIII

Special conditions affecting Canada

Nothing stated in this Agreement shall be construed to preclude Canada from asserting priority of use with reference to certain Class III and IV stations now in operation in Canada on existing clear and regional channels which through this Agreement will become of a class of channel which may not permit their use by Class III and IV stations.

APPENDIX II

TABLE I

Protected Service Contours and Permissible Interference Signals for Broadcast Stations

Class of station	Class of channel used	Permissible power	Boundary or signal intensity contour of area protected from objectionable interference [a]		Permissible interfering signal [b]	
			Day	Night	Day	Night [c]
I A	Clear	50 kw or more	Boundary of country in which station is located		5 UV/M	25 UV/M [d]
I B	Clear	10 kw to 50 kw	100 UV/M	500 UV/M (50% sky wave)	5 UV/M	25 UV/M
II	Clear [d]	0.25 kw to 50 kw	500 UV/M [e]	2500 UV/M [e] (Ground wave)	25 UV/M [e]	125 UV/M [e]
III A	Regional	1 kw to 5 kw	500 UV/M	2500 UV/M (Ground wave)	25 UV/M	125 UV/M
III B	Regional	0.5 kw to 1 kw night and 5 kw day	500 UV/M	4000 UV/M (Ground wave)	25 UV/M	200 UV/M
IV	Local	0.1 kw to 0.25 kw	500 UV/M	4000 UV/M (Ground wave)	25 UV/M	200 UV/M

[a] In accordance with other provisions in this Agreement this freedom of interference does not apply outside the boundaries of the country in which the station is located.

[b] From other stations on same channel only. For adjacent channels see Appendix III, Table I.

[c] Sky wave field intensity exceeded for 10% of the time.

[d] No Class II station shall be assigned to the same channel as a Class I A station for nighttime operation (from sunset to sunrise) less than 650 miles of the nearest border of the country in which the Class I A station is located.

[e] These values are with respect to interference from all stations except Class I, which stations may cause interference to a field intensity contour of higher value. However, it is recommended that Class II stations be so located that the interference received from Class I stations will not exceed these values. If the Class II stations are limited by Class I stations to higher values, then such values shall be the standard established with respect to interference from all other classes of stations.

APPENDIX III

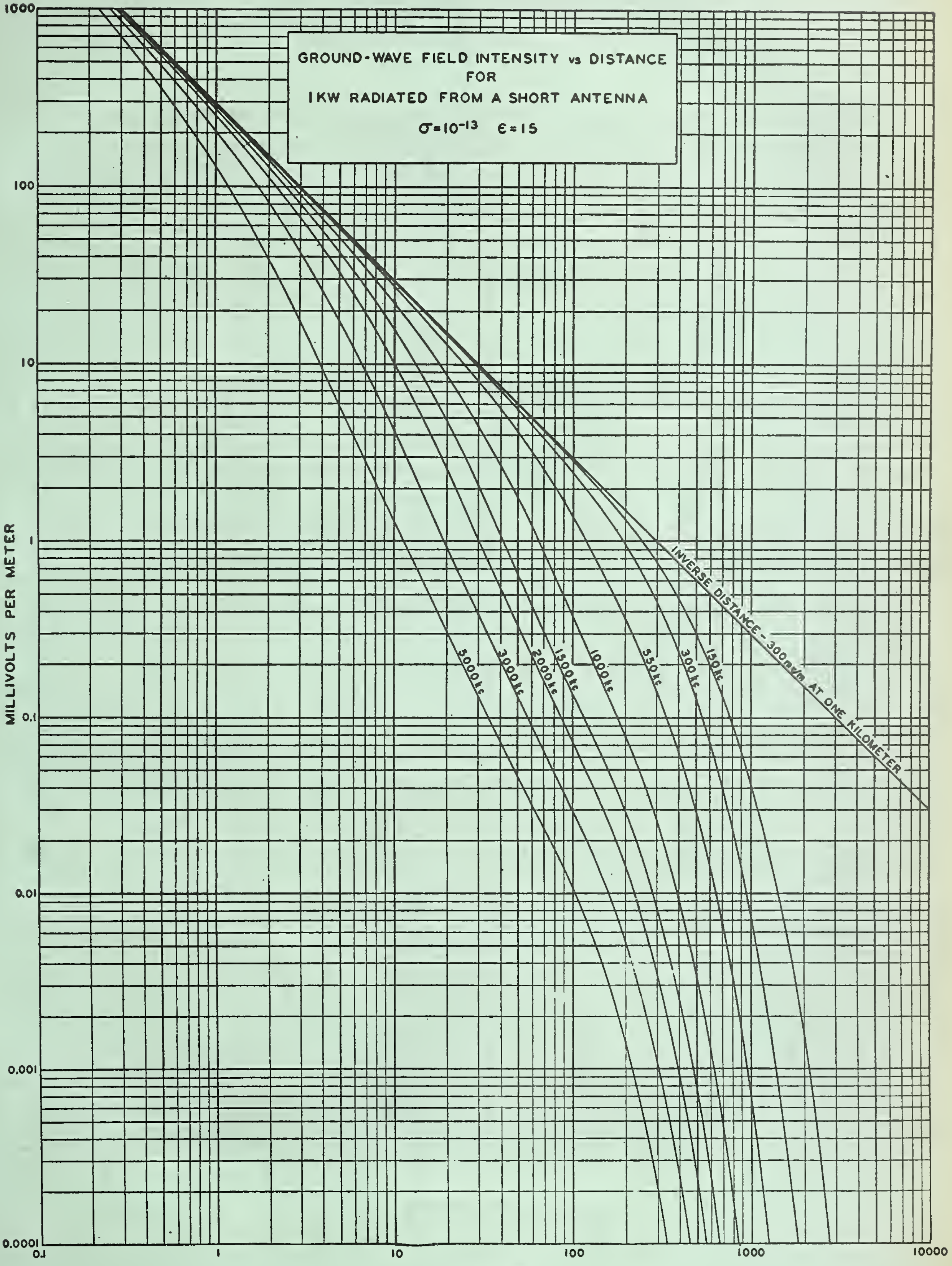
TABLE I

Adjacent Channel Interference

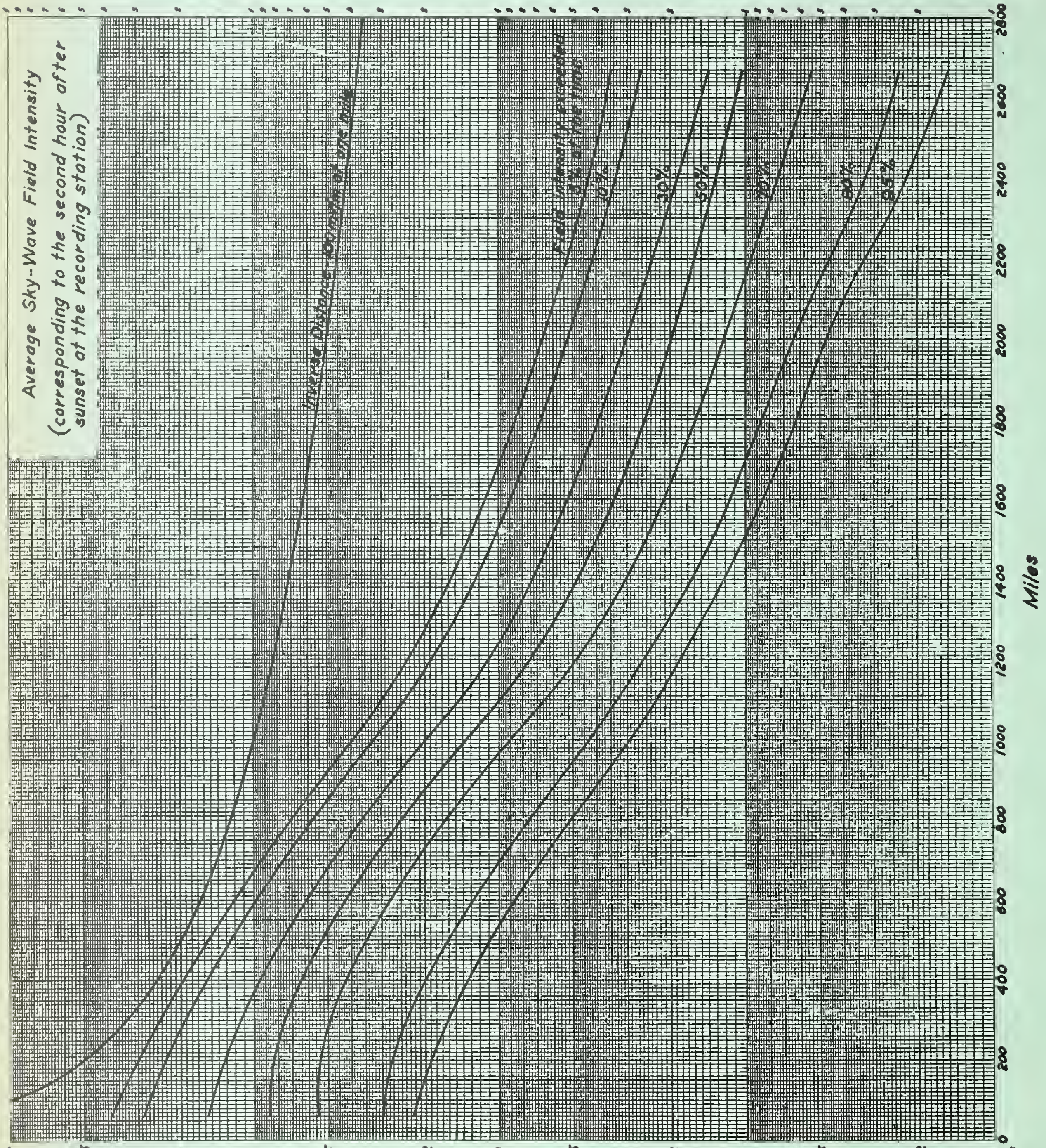
Channel separation between desired and undesired stations	*Maximum ground wave field intensity of undesired station*
10 kc.	0.25 mv/m
20 kc.	5.0 mv/m
30 kc.	25.0 mv/m

The undesired ground wave signal shall be measured at or within the 0.5 mv/m ground wave contour of the desired station. These values apply to all classes of stations both day and night and are based on ground waves only. No adjacent channel interference is considered on the basis of an interfering sky wave.

APPENDIX IV


GROUND-WAVE FIELD INTENSITY vs DISTANCE
FOR
1 KW RADIATED FROM A SHORT ANTENNA
$\sigma = 10^{-13}$ $\epsilon = 15$
MILLIVOLTS PER METER
1000
100
10
1
0.1
0.01
0.001
0.0001
KILOMETERS
0.1
1
10
100
1000
10000
5000kc
3000kc
2000kc
1500kc
1000kc
550kc
300kc
150kc
INVERSE DISTANCE - 300 mv/m AT ONE KILOMETER

APPENDIX V



Average Sky-Wave Field Intensity
(corresponding to the second hour after sunset at the recording station)
Inverse Distance 100 mv/m at one mile
Field intensity exceeded
5% of the time
10%
30%
50%
70%
90%
95%
1
0.5
0.2
0.1
0.05
0.02
0.01
0.005
0.002
0.001
0.0005
0.0002
0.0001
Millivolts per Meter
0
200
400
600
800
1000
1200
1400
1600
1800
2000
2200
2400
2600
2800
Miles

APPENDIX VI

Mileage Separation Tables

The required separations between broadcasting stations as tabulated below are based upon the following conditions:

1. The use of nondirectional antennas.
2. Antenna efficiencies (in mv/m at one mile for one kilowatt).
   Class I—225 mv/m.
   Class II and III—175 mv/m.
   Class IV—150 mv/m.
3. Frequency, 1000 kc.
4. Soil conductivity, $s = 10^{-13}$.
5. Soil dielectric constant, $e = 15$.
6. Groundwave transmission as shown on chart in Appendix IV.
7. Skywave transmission as shown on chart in Appendix V.
8. Protection to service areas as shown in Appendix II, Table I.
9. Ratio of desired to undesired signal:

Channel Separation	*Ratio of Desired to Undesired*
Same frequency	20:1
10 kc.	2:1
20 kc.	1:10
30 kc.	1:50

TABLE I

Required Day Separation in Miles Between Broadcast Stations on the Same Channel

Class and Power	Class IV		Classes II and III							Class I					
	100w	250w	0.25kw	0.5kw	1kw	5kw	10kw	25kw	50kw	10kw	25kw	50kw	100kw	250kw	500kw
Class IV															
100 w	143	165	172	192	213	265	285	310	335	390	417	437	462	486	513
250 w	165	173	180	200	221	273	293	318	343	415	442	462	487	511	538
Classes II and III															
0.25 kw	172	180	183	203	224	276	296	321	346	418	446	465	490	514	541
0.5 kw	192	200	203	210	231	283	303	328	353	446	473	493	518	542	569
1 kw	213	221	224	231	239	291	311	336	361	467	494	514	539	563	590
5 kw	265	273	276	283	291	313	333	358	383	520	547	567	592	616	643
10 kw	285	293	296	303	311	333	345	370	395	540	567	587	612	636	663
25 kw	310	318	321	328	336	358	370	389	414	565	592	612	637	661	688
50 kw	335	343	346	353	361	383	395	414	430	587	614	634	639	683	710
Class I															
10 kw	390	415	418	446	467	520	540	565	587	556	585	605	620	655	682
25 kw	417	442	446	473	494	547	567	592	614	585	612	632	657	682	709
50 kw	437	462	465	493	514	567	587	612	634	605	632	652	677	702	729
100 kw	462	487	490	518	539	592	612	637	659	628	657	677	697	727	754
250 kw	486	511	514	542	563	616	636	661	683	655	682	702	727	751	778
500 kw	513	538	541	569	590	643	663	688	710	682	709	729	754	778	805

TABLE II

Required Distance in Miles from the Boundary of a Country in which a Class I-A Station is Located for Daytime *Operation of a Class II on the Same Channel*

	Class II						
Power of Station	0.25 kw	0.5 kw	1 kw	5 kw	10 kw	25 kw	50 kw
Miles from boundary	237	261	282	335	355	380	402

TABLE III

Required Day and Night Separation in Miles Between Broadcast Stations on Adjacent Channels

Class & Power	Class IV						Classes II and III														
	0.1kw			0.25kw			0.25kw			0.5kw			1kw			5kw			10kw		
	10kc	20kc	30kc	10kc	20kc	30kc	10kc	20kc	30kc	10kc	20kc	30kc	10kc	20kc	30kc	10kc	20kc	30kc	10kc	20kc	30kc
Class IV																					
0.1 kw	73	37	32	82	45	40	86	47	42	94	55	50	105	63	58	133	84	79	149	98	93
0.25kw	82	45	40	90	48	41	94	50	43	102	58	51	113	66	59	141	87	80	157	101	94
Classes II & III																					
0.25kw	86	47	42	94	50	43	96	51	43	104	59	51	115	67	59	143	88	80	159	102	94
0.5 kw	94	55	50	102	58	51	104	59	51	112	62	52	123	70	60	151	91	81	167	105	95
1 kw	105	63	58	113	66	59	115	67	59	123	70	60	131	73	62	159	94	83	175	108	97
5 kw	133	84	79	141	87	80	143	88	80	151	91	81	159	94	83	180	104	87	196	118	101
10 kw	149	98	93	157	101	94	159	102	94	167	105	95	175	108	97	196	118	101	210	123	104
25 kw	172	115	110	180	118	111	182	119	111	190	122	112	198	125	114	219	135	118	233	140	121
50 kw	190	131	126	198	134	127	200	135	127	208	138	128	216	141	130	237	151	134	251	156	137
Class I																					
10 kw	162	107	102	170	110	103	172	111	103	180	114	104	188	117	106	209	127	110	223	132	113
25 kw	183	126	121	191	129	122	193	130	122	201	133	123	209	136	125	230	146	129	244	151	132
50 kw	203	144	139	211	147	140	213	148	140	221	151	141	229	154	143	250	164	147	264	169	150
500 kw	277	211	206	285	214	207	287	215	207	295	218	208	303	221	210	324	231	214	338	236	217

TABLE III (Continued)

Required Day and Night Separation in Miles Between Broadcast Stations on Adjacent Channels

Class & Power	Class II 25 kw			Class II 50 kw			Class I 10 kw			Class I 25 kw			Class I 50 kw			Class I 500 kw		
	10kc	20kc	30kc	10kc	20kc	30kc	10kc	20kc	30kc	10kc	20kc	30kc	10kc	20kc	30kc	10kc	20kc	30kc
Class IV																		
0.1 kw	172	115	110	190	131	126	162	107	102	183	126	121	203	144	139	277	211	206
0.25kw	180	118	111	198	134	127	170	110	103	191	129	122	211	147	140	285	214	207
Classes II & III																		
0.25kw	182	119	111	200	135	127	172	111	103	193	130	122	213	148	140	287	215	207
0.5 kw	190	122	112	208	138	128	180	114	104	201	133	123	221	151	141	295	218	208
1 kw	198	125	114	216	141	130	188	117	106	209	136	125	229	154	143	303	221	210
5 kw	219	135	118	237	151	134	209	127	110	230	146	129	250	164	147	324	231	214
10 kw	233	140	121	251	156	137	223	132	113	244	151	132	264	169	150	338	236	217
25 kw	250	149	125	268	165	141	242	145	123	261	160	136	281	178	154	355	245	221
50 kw	268	165	141	284	172	145	260	161	139	279	163	144	297	185	158	371	252	225
Class I																		
10 kw	242	145	123	260	161	139	232	137	115	253	156	134	273	174	152	347	241	219
25 kw	261	160	136	279	168	144	253	156	134	272	163	139	292	181	157	366	248	224
50 kw	281	178	154	297	185	158	273	174	152	292	181	157	310	190	161	384	257	227
500 kw	355	245	221	371	252	225	347	241	219	366	248	224	384	257	227	451	297	247

TABLE IV

Required Night Separation in Miles Between Broadcast Stations on the Same Channels

The following tables indicate the mileage protection each class must give all other classes.

Class I–A	Class I–A	Not required to protect Class II stations on same channel at night.

TABLE IV A

Class I–B	Class I–B	Must protect other Class I–B stations as shown below.

Class I–B	5 kw	10 kw	25 kw	50 kw
10 kw		2665	3010	3280
25 kw		3010	3243	3500
50 kw		3280	3500	3660

TABLE IV B

Class II—Must Protect Other Classes as Shown Below

Class II	Class II Stations .25kw	.5kw	1kw	5kw	10kw	25kw	50kw	Class I–B Stations 10kw	25kw	50kw	Class I–A Stations Distance from nearest border of country in which Class I–A Station is located
.25kw	451	602	732	1018	1136	1271	1529	1378	1610	1760	1038
.5 kw	602	606	736	1022	1140	1275	1533	1508	1735	1890	1180
1. kw	732	736	739	1025	1143	1280	1535	1658	1885	2040	1335
5. kw	1018	1022	1025	1039	1157	1292	1547	2165	2395	2550	1830
10. kw	1136	1140	1143	1157	1162	1298	1553	2450	2680	2830	2122
25. kw	1271	1275	1280	1292	1298	1310	1560	2880	3120	3260	2575
50. kw	1529	1533	1535	1547	1553	1560	1570	3090	3330	3480	2730

TABLE IV C

Class III–A[a] Must protect other classes as shown below.

Class III–A	Class III–A 1 kw	5 kw	Class III–B .5 kw	1 kw
1 kw	739	1025	550	553
5 kw	1025	1039	847	851

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[a] See Appendix VII for protection Class III stations should give Class II stations on regional channels.

TABLE IV D

Class III B[b]. Must protect other classes as shown below.

Class III B	Class III A 1 kw	5 kw	Class III B .5 kw	1 kw
.5 kw	735	1020	383	550
1. kw	739	1025	550	553

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[b] See note [a] page 7.

TABLE IV E

Class IV—Must protect other classes as shown below.

Class IV	Class III A 1 kw	5 kw	Class III B .5 kw	10 kw	Class IV
.1 kw	300	300	Daytime separation determines		Daytime separation determines
.25 kw	395	407			

TABLE IV F

Distance Class II Stations must be from Class IA and IB Stations to obtain recommended protection to Class II Station (2.5mv/m ground wave contour).

Class II ([a])	Class IA and IB Stations 10kw.	25kw.	50kw.	500kw.
.25 kw	1248	1462	1520	2767
.5 kw	1252	1470	1523	2771
1. kw	1256	1473	1528	2775
5. kw	1270	1484	1541	2789
10. kw	1275	1490	1546	2793
25. kw	1285	1498	1743	2803
50. kw	1293	1510	1750	2812

Note ([a]): Must use directional antenna to protect dominant station or stations with these separations.

TABLE IV G

Distance Class IV Stations must be from Class III-A and III-B Station to obtain recommended protection to Class IV Station (4.0 mv/m ground wave contour).

Class IV Power	Class III-A or III-B .5	1.0	5.0
.10	377	547	847
.25	381	551	851

APPENDIX VII

Engineering Requirements for the Use of Regional Channels by Class II Station under the Provisions of Section C 5 c

A Class II station assigned to a regional channel in accordance with Section C 5 c shall use a directional antenna or other means to limit the interfering signal within the protected service area of any Class III station on the channel to the value set forth in Appendix II, Table I. The interfering signal in case of projected operation shall be determined from the characteristics of the antenna and appropriate curve in Appendix V. In case of actual operation the interfering signal shall be determined by the method described in Section E 4.

Class III stations, operating on a channel to which a Class II station is assigned, should limit the interference to the Class II station in conformity with the provisions of Appendix II, Table I.

CUBA TO MOVE SWIFTLY TO EFFECTUATE BROADCAST AGREEMENT

Reliable information received from Havana indicates that Cuba will move swiftly to effectuate the provisions contained in the North American Regional Broadcasting agreement. It is expected that an order will be promulgated within 30 days making the allocations described in the agreement; and that the Order will become effective probably not later than April, 1938.

COURT OF APPEALS AFFIRMS F. C. C. DECISIONS

Five decisions of the Federal Communications Commission were upheld last week by the United States Court of Appeals for the District of Columbia. The major issues determined were that (1) the Commission is entitled to have complete and correct information furnished in the original application for license; (2) the Commission is required to furnish a brief factual statement of its reasons for granting or denying an application simultaneously with entering of the order; and (3) a radio station is not a public utility and therefore is not entitled to priority in the area over a new applicant for a station license.

1. The Commission granted to the Utah Broadcasting Company a license for a new station at Salt Lake City, denied two applications of the Great Western Broadcasting Association, Inc., for stations at Provo and Logan, Utah, and also denied the Intermountain Broadcasting Corporation a permit for a new station at Salt Lake City.

The Court said that the Communications Act of 1934 contemplates that the applicant shall establish those qualifications for a broadcasting license which would make its grant serve the public interest, and this presupposes a frank, candid, and honest disclosure of the facts as to its qualifications deemed by the Commission essential to enable the Commission to act within its powers. The Court observed that at the hearing it had been developed that the Intermountain and not the Great Western was the real party in interest in the applications for stations at Provo and Logan and that answers in the application to the contrary were misleading.

With regard to the application of Intermountain for a station at Salt Lake City and its opposition to the granting of the new station to the Utah Broadcasting Company, the Court said the objection of the Intermountain to the grant was based on the theory that Salt Lake City now enjoys all the broadcasting that the area is entitled to or needs. The Court states that such an objection might just as well be made by a stranger to the record, and that it could hardly be supposed that the interest of a stranger would support an appeal from an order granting a permit for a new station. The Court also said that had the Intermountain claimed that its financial or economic interests would be adversely affected by the grant the case would have been a different one for ". . . we are by no means in agreement with the contention frequently urged upon us that the evidence showing economic injury to an existing station is too vague and uncertain a subject to furnish proper grounds of contest. On the contrary we think it is a necessary part of the problem submitted to the Commission in the application for broadcasting facilities."

2. In the appeal of the Missouri Broadcasting Corporation from the grant by the Commission of a new station to the Star-Times Publishing Company at St. Louis and denial of the Missouri application for similar facilities, the Court affirmed the decision of the Federal Communications Commission. The Court held, however, that the Commission must state the reasons for its grant or denial of the license to advise the defeated party of the respects in which he failed to bring himself within the terms of the Act and to enable him to determine whether an appeal should or should not be taken. In the instant case the Court found that as the Missouri Broadcasting Corporation was apprised of the reasons for the Commission's decision during the consideration of its motion for rehearing "the failure of the Commission, therefore, to file any statement of the grounds of decision simultaneously with the order, was harmless error . . ."

3. The Pulitzer Publishing Company, operators of a time-sharing station in St. Louis and licensee since 1922, intervened in the hearing of the Star-Times Company for a new station in St. Louis. Pultizer has previously applied for unlimited hours of operation. Pulitzer appealed from the grant to the Star-Times on the principal ground that an established station as a public utility is entitled to priority of consideration over an application for the establishing of a new station and that a new utility should not be allowed to enter the field until an old established utility is given an opportunity to extend its service. The Court overruled this contention and affirmed the action of the Commission. The Court asserted that it had never said that a radio broadcasting station was a public utility in the sense that a railroad is a public utility. It further stated that the power of Congress has not yet been extended to authorize the fixing of rates or establishing rules requiring the licensee to serve alike the entire public in the use of its facilities; nor has Congress assumed the right

to limit the profits on the basis of its investment or otherwise. The Court also says that the licensee of a station chooses its own advertisers and its own programs and generally speaking the only requirement for a renewal of its license is that it has not failed to function and will not fail to function in the public interest. The Court held "that the Commission as a matter of positive duty is not required to give the owner of an existing station priority to enlarge or extend its facilities because alone of the primacy of its grant. Instead the test should be . . . the character and quality of service—having due regard in the distribution on this basis to the equities of existing stations. And to this we may add that the requirement goes no farther than . . . that where the effect of granting an application for a new license will be to destroy the ability of the holder of the old license to carry on in the public interest the application should be denied."

Attorneys in the above cases were: Paul M. Segal, George S. Smith and Harry P. Warner represented the Great Western Broadcasting Association, Inc., The Intermountain Broadcasting Corporation and the Pulitzer Publishing Company; H. H. Shinnick and James W. Gum represented the Utah Broadcasting Company; Louis G. Caldwell, Percy H. Russell, Jr., and Donald C. Beelar represented the Missouri Broadcasting Corporation; and Paul D. P. Spearman and Alan B. David represented the Star-Times Publishing Company. Hampson Gary, George B. Porter, Fanney Neyman, Andrew G. Healy, and Frank U. Fletcher represented the Commission.

BACON RADIO RESOLUTION

Representative Bacon, of New York, has introduced a resolution (H. Res. 365) to investigate radio in all of its phases. The resolution, which has been referred to the House Committee on Rules, is identical with the White resolution in the Senate which is now pending in that body.

POWER INCREASE RECOMMENDED FOR WMAZ

Broadcasting station WMAZ, Macon, Ga., applied to the Federal Communications Commission to increase its power from 1,000 watts to 1,000 watts and 5,000 watts LS. The station operates on 1180 kilocycles with limited time and asks no change except in power.

Examiner Melvin H. Dalberg in Report No. I-543 recommended that the application be granted. He states that "it is believed that a definite need has been shown for the type of additional daytime service which is sought to be rendered in the area proposed to be served." It is further stated by the Examiner that "the increase in power for daytime service sought herein would enable the applicant to render service of an improved nature to residents in the outlying areas from Macon, Ga., which appear to be dependent upon this station for programs designed specifically to meet their needs."

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair methods of competition in complaints issued against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3281. Alleging unfair competition in the sale of women's dresses, a complaint has been issued against **Jane Engel, Inc.,** Madison Ave. and 79th St., **New York,** a retailer, and **Kallman & Morris, Inc.,** 530 Seventh Ave., **New York,** a dress manufacturer.

Acting cooperatively, the respondent retailer and manufacturer are alleged to have advertised dresses made by the manufacturer and purchased by Jane Engel, Inc., for resale, in such manner as to serve as a representation that they were silk dresses. Such allegations were misleading, according to the complaint, because the dresses were made of material other than silk. The dresses so advertised were represented as Silk Jersey, bearing a label reading Original Kalmour Gown, which, according to the complaint, is a trade name of Kallman & Morris, Inc.

No. 3282. Misuse of the word "silk" in advertising women's undergarments is alleged in a complaint issued against **Joe Liebowitz,** 1007 Chandler Ave., **Linden, N. J.**

Labels bearing the words "100% Pure Silk" allegedly were attached by Liebowitz to certain garments manufactured and sold by him, when, according to the complaint, the products so designated were not made from pure silk but were predominatingly or to a substantial degree composed of weighting material which was not silk.

Stipulations

The Commission has entered into the following stipulations:

No. 01949. Institute for Physical Development, Inc., 49 East 21st St., New York, trading as Hercules Exercises, will discontinue advertising that its muscle-building training course will enable one to develop big muscles or a strong, husky body, unless such claim is clearly and directly limited to persons who would be benefited thereby, and that the course sells for half price or that the sale price is a special offer.

No. 01950. Reliable Laboratories, Inc., 311 West Tigeras Ave., Albuquerque, N. Mex., will cease advertising that Burneze is a specific cure for burns, stops pain caused by burns and insect bites, prevents infection, and causes most burns to heal without leaving a scar. The respondent corporation will desist from use of the word "Laboratories" as a part of its trade name until it actually owns or operates a laboratory.

No. 01951. Leto H. Smith, San Antonio, Tex., trading as Leto Remedy Company, agrees to stop representing that Leto's Pyorrhea Remedy is a competent treatment for pyorrhea, bleeding gums and trench mouth; that it is always guaranteed, and that reliable dentists often report the successful use of the preparation in treating their worst cases. The respondent will discontinue use of the word "pyorrhea" as part of the trade name for his product.

No. 01952. The Glessner Company, Findlay, Ohio, operating under the trade name of Sofskin Company, will stop advertising that its Sofskin Creme is recommended by 12,000 beauticians, unless this fact is established by competent evidence; that Sofskin will bring beauty to all hands and skin and covers more skin surface than any other hand cream or hand lotion, and is a competent treatment or effective remedy in treating rough or red hands.

No. 01953. H. H. Wulff, Davenport, Iowa, trading as The Tri-City Service, agrees to cease representing that the treatments described in his book "Why Your Feet Hurt" will cure all foot troubles, including fallen arches, bunions, and heel pains, and that it will inform the reader how to have capable, painless or tireless feet. The respondent also will refrain from advertising that his booklet "Hundreds of Best Markets for Your Photographs", will enable one to earn $10 to $50 a week.

No. 01954. T. E. Botkin, Piqua, Ohio, trading as Ar-Be Products Company, will stop representing that Vitamin Perles constitute a potent tonic and are recommended as a stimulant for weak glands or nerves; that five drops or any amount of the preparation each day is sufficient to prevent degeneration of certain glands; that Ar-Be Tablets stimulate the digestive organs or assist in normalizing the system, and that Vitamin E is widely used by doctors, in the treatment of cases of impaired vigor, sluggish glands and mental or physical fatigue.

No. 01955. International Secret Service Institute, 68 Hudson St., **Hoboken, N. J.,** under a stipulation entered into, will cease certain false and misleading representations in advertising and selling a correspondence course of instruction in secret service work and crime detection.

Representations to be discontinued are that the course will qualify a student for a position with the United States Secret Service, and that the respondent company operates the only institution offering a practical course of study in scientific crime detection and secret service work; that one studying the course cannot fail to graduate as a practical detective and secret service agent; that the instruction given includes a discussion of every problem likely to confront a detective, and that the course will qualify anyone for a position as a special agent of the Department of Justice or as a "G-man", or will make one eligible for examination by the United States Civil Service Commission.

No. 01956. Cosmo Carrano, New Haven, Conn., in the sale of D. M. C. Vegetable Pills, stipulates that he will discontinue representing directly or by reasonable implication that his preparation is an abortifacient. He will stop advertising that D. M. C. Pills will build up health and strength in muscles, enable one to know the joy of perfect health, and that the product is used or recommended by doctors and nurses and is prepared according to any United States Pharmacopoeia formula. The respondent trades as Oceanview Medical Products, Oceanview Specialty Company and D. M. C. Products.

No. 01957. Carter Drug Company, Carlisle, Pa., will cease advertising that its preparation designated Mustar-Spice is an adequate remedy in the treatment of colds and will stop a cold and allay fever; that it will prevent and relieve muscular aches or pains unless limited to superficial minor aches or pains, and that it is one of the most penetrating and effective home remedies for many common ailments.

No. 01958. Feminine Products, Inc., 53 Park Place, New York, selling a deodorant called Arrid, will stop representing that the preparation ends odor unless in direct connection with this claim it is clearly indicated that such effect as the product may have will be temporary. The respondent company agrees to cease asserting that the product cannot irritate the skin or cause itching.

No. 01959. A stipulation to discontinue certain misleading representations in advertising has been entered into by **L. H. Baer, L. Babineaux** and **David Babineaux, Rayne, La.,** operating under the firm names of **Louisiana Frog Company** and **American Frog Industries,** and engaged in the sale of breeder frogs.

The respondents agree to stop asserting that any article is free when the payment of money or the rendering of a service is required, or when the price of the article is included in the purchase price of other articles.

They stipulate also that they will cease advertising that any offer is limited to a definite period of time unless all offers to purchase under the terms of the offer received after the expiration thereof, are refused.

No. 01960. D. Del Vecchio, 1434 Florida Ave., N. E., Washington, D. C., trading as Peoples Hardware Stores, agrees to stop advertising that the respondent's paint products are sold at factory prices, or from factory to consumer, and to cease otherwise representing that such preparations are manufactured by him.

No. 01961. Health Research Foundation, Ann Arbor, Mich., agrees to discontinue asserting in advertising matter that use of Vimm Tablets prevents headache, colds, fever, anemia, skin eruptions and nervousness and promotes general health; that the preparation provides essentials in diet and promotes growth in children, and that it is the "startling new" food. The respondent company stipulates that it will refrain from using the words "Research Foundation" in its corporate or trade name until the scope of its activities shall justify the use of such words.

No. 01962. The Adlerika Company, 98 South Wabasha St., St. Paul, Minn., in the sale of a medicinal preparation designated Adlerika, will cease representing that use of the product is indicated in cases of chronic constipation and conquers all ordinary cases of constipation; that it removes from the system poisonous waste matter that causes gas, headache, nervousness and indigestion; that it will help in keeping women's skin lovely and free from blemishes, unless this claim is limited to blemishes or bad complexion caused by internal conditions, and that it may be taken regularly without any harmful effect, or that other similar products contain harmful drugs or ingredients.

No. 2102. J. W. Kellogg, 801 N. Sangamon St., Chicago, manufacturing and packaging a product for use as a bandage and selling it under either of the trade names Quick Bandages or Sealtex, stipulates that he will stop employing the word "sterilized" as descriptive of products which are not sterile, and will cease advertising such articles in a manner implying that they are sterilized and continue to remain sterile and free from bacteria after they have been packaged and while contained in their original package, when such is not a fact. Kellogg also agrees to discontinue representing that his bandage is of such porosity, except when stretched, as to permit enough air to penetrate it to cause sores to heal faster, when such is not a fact.

No. 2103. Von Allmen Preserving Company, Inc., 34th and Bank Sts., **Louisville, Ky.,** engaged in the manufacture and sale of preserves and pickles, has entered into a stipulation to discontinue misbranding apple butter.

The respondent company agrees to cease using on labels or in advertising matter the words "pure apple butter" to describe a product which contains less than 43 per cent of water soluble solids, and to stop employing the words "apple butter" alone or with "pure" so as to imply that the product is in fact apple butter, that is to say, a product which contains not less than 43 per cent water soluble solids, when such is not a fact.

No. 2104. United Laboratories, Inc., Euclid Ave. at Ivanhoe St., Cleveland, distributing plastic rock flooring, roofing material, water-proofing and damp-proofing materials, and paints and varnishes, stipulates that it will cease advertising to the effect that the respondent corporation is a group of laboratories organized and equipped to test, approve and certify every type of maintenance product that is produced; that it has a force of 300 men or employs a "board of consulting engineers" whose duty is to pass on various alleged tests; that tests have been made by, or that its personnel has been connected with, United Laboratories, Inc., over a long period of time, or that the respondent corporation is a maintenance research organization whose recommendations are unbiased, when such are not the facts.

The stipulation points out that the respondent corporation has maintained only one laboratory; that it has not been capable of performing the amount of testing allegedly done, and that its total force has been approximately 160 men, among whom has been one chemist, employed in the company's one laboratory. Many of the tests of products referred to were made by the companies from which the respondent corporation purchased, and such tests were signed by officers or employees of such companies who were named by the respondent corporation as members of its "board of consulting engineers", according to the stipulation.

No. 2105. Lacy Products Corporation, 15 Aberdeen St., **Chicago,** manufacturing and selling fudge warmers and hot cups, has entered into a stipulation to discontinue anonymously distributing incomplete copies of proceedings of the Commission, the effect of which is to create the impression that the Government is advising the trade with respect to alleged unlawful or unfair practices on the part of a competitor.

The competitor of Lacy Products Corporation referred to in the stipulation is Helmco, Inc., 844 West Jackson Boulevard, Chicago, formerly known as H. E. Lacy Manufacturing Company. The products sold by the two companies are designed for heating liquid mixtures of chocolate and other ingredients used in making candy and soda fountain drinks.

Cease and Desist Orders

The Commission has issued the following cease and desist orders:

No. 2554. Certain unfair methods of competition are prohibited in an order to cease and desist entered against **J. C. Hickson & Co.,** 207 East Flagler St., **Miami, Fla.,** grower and distributor of citrus fruit.

The order directs the respondent company to discontinue representing in advertisements, on labels or otherwise that certain citrus fruit it sells is produced in Florida's Indian River Valley and that it owns and operates a fruit grove or warehouse in that section, unless and until such are the facts. The company also is ordered to cease representing by figures placed on a container that the number of pieces of fruit in such container is greater than the number actually packed therein.

No. 3195. Confectioners Trading Corporation, 380 Throop Ave., **Brooklyn, N. Y.,** has been served with an order to cease and desist from certain unfair methods of competition in the sale of candy.

Among the practices prohibited are sale and distribution to dealers of candy so packed and assembled that sales to the public may be made by means of a lottery, gaming device or gift enterprise.

No. 3237. Two New York concerns, **Form Maid Coat Company, Inc.**, 545 Eighth Ave., manufacturer of women's cloth coats, and **Walter-Lewis & Co., Inc.**, 450 Seventh Ave., distributor of fabrics, have been ordered to cease and desist from misrepresenting the nature, character or quality of certain products they sell in interstate commerce.

The coats in question were manufactured by the Form Maid company from a fabric it purchased from Walter-Lewis & Co., Inc., which, according to the findings, supplied labels, bearing the words "Genuine Camel's Hair" and the picture of a camel, to be attached, and which were attached, to the finished garments. Findings are that the coats so labeled and the fabric from which they were made contained only a negligible amount of camel's hair or wool, the principal constituent parts of the fabric being rayon, wool and cotton warp.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following broadcast hearings are scheduled at the Commission for the week beginning Monday, December 20:

Monday, December 20

HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—Colonial Broadcasters, Inc., Savannah, Ga.—C. P., **1310 kc.**, 100 watts, unlimited time.

NEW—Seaboard Broadcasting Corp., Savannah, Ga.—C. P., **1310 kc.**, 100 watts, 250 watts LS, unlimited.

FURTHER HEARING BEFORE AN EXAMINER

(Broadcast)

NEW—First Baptist Church, Pontiac, Mich.—Authority to transmit programs to Station CKLW, Windsor, Ontario, Canada.

Tuesday, December 21

HEARING BEFORE AN EXAMINER

(Broadcast)

WKBZ—Karl L. Ashbacker, Muskegon, Mich.—Voluntary assignment of license to Ashbacker Radio Corp.; **1500 kc.**, 100 watts, 250 watts LS, unlimited.

Applications Granted

NEW—Indianapolis Power & Light Co., Mobile (area Marion County, Ind.).—Granted C. P. for new relay broadcast station, frequencies **1646, 2090, 2190** and **2830 kc.**, 40 watts.

NEW—Indianapolis Power & Light Co., Mobile (area Marion County, Ind.).—Granted C. P. for new relay broadcast station, frequencies **1646, 2090, 2190** and **2830 kc.**, 40 watts.

NEW—Topeka Broadcasting Assn., Inc., Mobile (area Topeka, Kans.).—Granted C. P. for new relay station, frequencies **31100, 34600, 37600** and **40600 kc.**, 10 watts. Also granted license covering same.

NEW—Topeka Broadcasting Assn., Inc., Mobile (area Topeka, Kans.).—Granted C. P. and license for new relay station, frequencies **39700, 39900, 40800** and **41400 kc.**, experimentally, 2 watts.

NEW—Topeka Broadcasting Assn., Inc., Mobile (area Topeka, Kans.).—Granted C. P. and license for new relay broadcast station, frequencies **38900, 39100, 39300** and **39500 kc.**, 10 watts.

NEW—Fountain of Youth Properties, Inc., Mobile (area St. Augustine, Fla.).—Granted C. P. for new relay station, frequencies **29700, 39900, 40800** and **41400 kc.**, on an experimental basis, 10 watts.

NEW—City of New York, Department of Plant and Structures, Mobile (area New York City).—Granted C. P. for new relay station, frequencies **300000, 450000, 600000** and **750000 kc.**, on an experimental basis, power 8.5 watts.

W9XSB—South Bend Tribune, Mobile (South Bend, Ind.).—Granted C. P. to make changes in equipment and increase power to 3.5 watts. Also granted license to cover same.

W3XGS (formerly assigned W3XGT)—Keystone Broadcasting Corp., Mobile (Harrisburg, Pa.).—Granted reinstatement of two applications for C. P.'s for new relay broadcast stations under call letters W3XGS and W3XGT; frequencies **31100, 34600, 37600** and **40600 kc.**, 50 watts.

W6XNL—Charleston Broadcasting Co., Mobile (Charleston, W. Va.).—Granted modification of C. P. to change equipment and reduce power to 2 watts in a relay broadcast station. Also granted license to cover C. P. as modified.

W2XAX—Columbia Broadcasting System, Inc., New York City.—Granted modification of C. P. to extend completion date from 12-16-37 to 6-16-38.

WEAN—The Yankee Network, Inc., Providence, R. I.—Granted modification of C. P. for installation of W.E. 355 E-1 equipment. Also granted license to cover C. P. and modifications thereof.

WGRM—P. K. Ewing, Grenada, Miss.—Granted license to cover C. P. and modifications thereof authorizing a new station to operate on **1210 kc.**, 100 watts, unlimited time.

WRNL—WLBG, Inc., Richmond, Va.—Granted license to cover C. P. and modifications thereof authorizing move of station from Petersburg, Va., to Richmond, and erect new transmitter; **880 kc.**, 500 watts, daytime only.

WDGY—George W. Young, Minneapolis, Minn.—Granted license to cover C. P. and modifications thereof authorizing a new transmitter.

KIT—Carl E. Haymond, Yakima, Wash.—Granted license to cover C. P. and modifications thereof authorizing new antenna; change in frequency from **1310 kc.** to **1250 kc.**; increase in power from 100 watts, 250 watts LS, to 250 watts night, 500 watts LS, unlimited time.

WOLS—O. Lee Stone, Florence, S. C.—Granted license to cover C. P. and modifications thereof authorizing new station to operate on **1200 kc.**, 100 watts, daytime only.

KELA—Central Broadcasting Corp., Centralia, Wash.—Granted license to cover C. P. and modifications thereof authorizing new station to operate on **1440 kc.**, 500 watts, unlimited time.

KAAC—Columbia Broadcasting System, Inc., Mobile, New York City.—Granted license to cover C. P. for relay broadcast station, frequencies **1646, 2090, 2190** and **2830 kc.**, 50 watts.

WBNT—WBNS, Inc., Columbus, Ohio.—Granted license to cover C. P. for relay broadcast station, frequencies **1646, 2090, 2190** and **2830 kc.**, 175 watts.

W9XXM-W9XXZ—Indianapolis Power & Light Co., Mobile, Indianapolis.—Granted license to cover C. P. for two relay broadcast stations, frequencies **31100, 34600, 37600** and **40600 kc.**, experimentally, 40 watts power.

W4XFJ—Miami Broadcasting Co., Miami, Fla., Mobile.—Granted license to cover C. P. for relay broadcast station, frequencies **31100, 34600, 37600, 40600 kc.**, on an experimental basis, 15 watts power.

W2XOY—General Electric Co., Albany, N. Y.—Granted license to cover C. P. for new high frequency broadcast station on an experimental basis, frequencies **31600, 35600, 38600** and **41000 kc.**, 150 watts.

W3XGN—Berks Broadcasting Co., Reading, Pa., Mobile.—Granted license to cover C. P. for new relay broadcast station, frequencies **31100, 34600, 37600** and **40600 kc.**, 1 watt power.

W3XHU—Pennsylvania Broadcasting Co., Philadelphia, Pa., Mobile.—Granted license to cover C. P. for new relay broadcast station, frequencies **31100, 34600, 37600** and **40600 kc.**, 10 watts power.

W9XXT—KCMO Broadcasting Co., Kansas City, Mo., Mobile.—Granted license to cover C. P. for relay broadcast station, frequencies **100000, 200000, 300000** and **500000 kc.**, on an experimental basis, 5 watts.

KFAM—The Times Publishing Co., St. Cloud, Minn.—Granted modification of C. P. approving transmitter and studio sites, installation of vertical radiator and changes in authorized equipment.

WTOL—The Community Broadcasting Co., Toledo, Ohio.—Granted modification of C. P. approving transmitter and studio sites, changes in authorized equipment, and installation of vertical radiator.

WNBM—National Broadcasting Co., Inc., New York City, Mobile. —Granted modification of license to use A1 and A2 emission in addition to A3 emission now authorized.

KVOS—The Ardmoreite Publishing Co., Inc., Ardmore, Okla.—Granted C. P. to install new equipment and increase day power to 250 watts.

Set for Hearing

NEW—Mollin Investment Co., Huntington Park, Calif.—C. P. to erect a new station to operate on **1160 kc.**, 100 watts, daytime only. Exact transmitter and studio sites to be determined with Commission's approval.

NEW—King-Trendle Broadcasting Co., Grand Rapids, Mich.—C. P. for a new station to operate on **1010 kc.**, 250 watts, unlimited time, exact site to be determined with Commission's approval.

WPRA—Puerto Rico Advertising Co., Mayaguez, P. R.—C. P. (amended) to request installation of new equipment; make changes in antenna; change frequency from **1370 kc.** to **780 kc.**; and increase power and time of operation from 100 watts night, 250 watts day, specified hours, to 1 KW night, 2½ KW day, unlimited time. Site to be approved.

WGCM—WGCM, Inc., Mississippi City, Miss.—C. P. to install a new vertical radiator and move station to Mobile, Ala., exact transmitter and studio sites to be determined with Commission's approval.

KRMC—Roberts-MacNab Co. (Arthur L. Roberts, R. B. MacNab, and A. J. Breitbach, Gen. Mgr.), Jamestown, N. Dak. —C. P. to move transmitter site locally; install new equipment; change frequency from **1370 kc.** to **900 kc.**; increase power from 100 watts night, 250 watts day, to 500 watts night, 1 KW day; exact transmitter site to be determined with Commission's approval.

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—C. P. to make changes in directional antenna system for night-time operation and increase night power from 1 to 5 KW.

WRBL—WRBL Radio Station, Inc., Columbus, Ga.—Modification of C. P. (already in hearing docket) amended to request move of transmitter site 1¼ miles; make changes in authorized equipment; install directional antenna system for nighttime operation; change frequency from **1200 kc.** to **1330 kc.**; and increase power from 100 watts night, 250 watts day, to 1 KW, unlimited time.

Miscellaneous

NEW—Dr. William States Jacobs, Houston, Tex.—Denied applicant's petition for enlargement of time for oral argument from one-half hour to one and one-half hours in re application now scheduled for oral argument on January 20, 1938, involving C. P. for new station to use **1220 kc.**, 1 KW, unlimited time.

NEW—Summit Radio Corp., Akron, Ohio.—Upon request of exceptors, dismissed exceptions filed by the Summit County Industrial Council and the Local Unions of United Rubber Workers of America to Ex. Rept. No. 1-476, which involves an application of Summit Radio Corp. for C. P. to erect a new station to use **1530 kc.**, 1 KW, unlimited time.

Renewal of Licenses

The following stations were granted renewal of licenses for the regular period:

KAWM, Gallup, N. Mex.; KEUB, Price, Utah; KGAR, Tucson, Ariz.; KNOW, Austin, Tex.; WBLK, Clarksburg, W. Va.; WCNW, Brooklyn, N. Y.; WKBZ, Muskegon, Mich.; WSYB, Rutland, Vt.

WBCM—Bay Broadcasting Co., Inc., Bay City, Mich.—Granted renewal of license for the period ending May 1, 1938.

KHUB—Anna Atkinson, Executrix, Watsonville, Calif.—Granted renewal of license for the period ending June 1, 1938.

WBBL—Grace Covenant Presbyterian Church, Richmond, Va.—Granted renewal of license for the period ending June 1, 1938.

WFTC—Jonas Weiland, Kinston, N. C.—Granted renewal of license for the period ending June 1, 1938.

The following applications for renewal of experimental relay broadcast station licenses were granted for the period ending December 1, 1938:

W9XPY, American Broadcasting Corp. of Ky.; W9XPZ, American Broadcasting Corp. of Ky.; W4XES, C. G. Hill, Geo. D. Walker, Susan H. Walker; W9XJI, KLZ Broadcasting Co.; W6XB, Salt River Valley Broadcasting Co.; W1XLV, The WATR Co., Inc.; W9XPT and W9XPX, Woodmen of the World Life Ins. Society; W3XEW, WTAR Radio Corp.

W1XLU—The Travelers Broadcasting Service Corp., Mobile.—Granted renewal of experimental relay broadcast station license for the period ending December 1, 1938.

APPLICATIONS RECEIVED

First Zone

WTIC—The Travelers Broadcasting Service Corp., Hartford,
1040 Conn.—Extension of special experimental authorization to change frequency from **1060 kc.** to **1040 kc.**, hours of operation from share WBAL to simultaneous operation with KRLD (unlimited), for period 2-1-38 to 8-1-38.

WBAL—The WBAL Broadcasting Co., Baltimore, Md.—Extension
1060 of special experimental authorization to operate simultaneously with KTHS on **1060 kc.** from 6 a. m. to local sunset at Hot Springs, Ark., operate from local sunset at Hot Springs, Ark., to 9 p. m., EST, on **1060 kc.**, and synchronously with WJZ on **760 kc.**, with 2½ KW power, using directional antenna, from 9 p. m., EST, for period 2-1-38 to 8-1-38.

WSAL—Frank M. Stearns, Salisbury, Md.—License to cover con-
1200 struction permit (B1-P-1613) as modified for a new station.

WATR—The WATR Co., Inc., Waterbury, Conn.—Construction
1290 permit to move transmitter from 47 Grand Street, Waterbury, Conn., to 71 Grand Street, Waterbury, Conn.

WBRK—Harold Thomas, Pittsfield, Mass.—Modification of con-
1310 struction permit (B1-P-1275) for a new station, requesting changes in authorized equipment, approval of vertical antenna, approval of transmitter site at East and Newell Streets, Pittsfield, Mass. Amended to give studio site as 8 Bank Row, Pittsfield, Mass., and make changes in requested equipment.

WNBC—State Broadcasting Corp., New Britain, Conn.—Modifi-
1380 cation of construction permit (B2-P-1055) requesting changes in directional antenna and approval of transmitter site at Cedar Street, Newington, Conn. Amended to make changes in directional antenna for day and night use.

WQDM—E. J. Regan and F. Arthur Bostwick, d/b as Regan &
1390 Bostwick, St. Albans, Vt.—Voluntary assignment of license from E. J. Regan and F. Arthur Bostwick, d/b as Regan & Bostwick, to F. Arthur Bostwick.

W1XMX—The Yankee Network, Inc., Quincy, Mass.—License to cover construction permit (B1-PHB-48) for move of facsimile broadcast station from Quincy, Mass., to Sargents Purchase, N. H.

Second Zone

KYW—Westinghouse Electric & Manufacturing Co., Philadelphia,
1020 Pa.—Construction permit to install a new transmitter, make changes in directional antenna for day and night use, and increase power from 10 KW to 50 KW.

WLVA—Lynchburg Broadcasting Corp., Lynchburg, Va.—Con-
1390 struction permit to change frequency from **1200 kc.** to **1390 kc.**; make changes in equipment; increase power from 100 watts night, 250 watts day, to 500 watts; install directional antenna for night use and move transmitter from near Lynchburg, Va., to U. S. Highway 29, near Lynchburg, Va. Amended to make changes in equipment and directional antenna; change requested power from 500 watts to 1 KW; change transmitter site to River Road, near Lynchburg, Va., and studio to Allied Arts Bldg., Lynchburg, Va.

NEW—Reading Broadcasting Co., area of Reading, Pa.—Construction permit for a new experimental relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 100 watts.

Third Zone

WCOC—Mississippi Broadcasting Co., Inc., Meridian, Miss.—
880 Modification of construction permit (B3-P-1434) as modified to extend completion date from 1-10-38 to 3-10-38.

WRBL—WRBL Radio Station, Inc., Columbus, Ga.—Modifica-
1200 tion of license to change name from WRBL Radio Station, Inc., to The Columbus Broadcasting Co., Inc.

WPAX—H. Wimpy, Thomasville, Ga.—Construction permit to
1210 make changes in equipment, change power from 100 watts to 100 watts night, 250 watts day, and change hours of operation from daytime to unlimited time.

KRBA—Red Lands Broadcasting Assn. (Ben T. Wilson, Pres.),
1310 Lufkin, Tex.—Modification of construction permit (B3-P-1341) to make changes in authorized equipment; for ap-

proval of vertical antenna; approval of transmitter site at ½ mile north on Highway 35, Lufkin, Tex., and change studio from Angolina Hotel, S. First St. and Shepherd, Lufkin, Tex., to ½ mile north on Highway 35, Lufkin, Tex.

NEW—Jonas Weiland, Goldsboro, N. C.—Construction permit for
1500 a new station to be operated on **1500 kc.,** 100 watts, daytime.

NEW—Virgil V. Evans, d/b as The Voice of South Carolina,
2012 Spartanburg, S. C.—Construction permit for a new facsimile station to be operated on **2012 kc.,** 250 watts.

W5XD—A. H. Belo Corporation, Grapevine, Tex.—License to cover construction permit (B3-PHB-27) for a new high frequency broadcast station.

NEW—Columbia Broadcasting System, Inc., area of Charlotte, N. C.—License to cover construction permit (B3-PRY-78) for a new relay broadcast station.

W4XBW—WDOD Broadcasting Corp., Chattanooga, Tenn.—Modification of license to operate transmitter by remote control.

Fourth Zone

KFEQ—KFEQ, Inc., St. Joseph, Mo.—Modification of construc-
680 tion permit (B4-P-1690) as modified for new vertical antenna and move of transmitter, requesting extension of completion date from 1-9-38 to 3-9-38.

WJBL—Commodore Broadcasting, Inc., Decatur, Ill.—License to
1200 cover construction permit (B4-P-1859) for new vertical antenna and move of transmitter.

KVOX—KVOX Broadcasting Co., Moorhead, Minn.—License to
1310 cover construction permit (B4-P-324) as modified, for a new station.

KSCJ—Perkins Brothers Co. (The Sioux City Journal), Sioux
1330 City, Iowa.—Authority to determine operating power by direct measurement of antenna.

WGRC—North Side Broadcasting Corp., New Albany, Ind.—In-
1370 voluntary transfer of control of corporation from Arthur L. Harris to Charles Lee Harris, 900 shares common stock.

WCC—Tri-City Broadcasting Co., Davenport, Iowa.—Construc-
1390 tion permit to make changes in vertical antenna; change frequency from **1370 kc.** to **1390 kc.,** and change power from 100 watts night, 250 watts day, to 250 watts day and night.

NEW—Banks of Wabash, Inc., area of Vigo County, Ind.—Construction permit for a new relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.,** 35 watts.

Fifth Zone

KHQ—Louis Wasmer, Inc., Spokane, Wash.—Authority to deter-
590 mine operating power by direct measurement of antenna.

KTFI—Radio Broadcasting Corp., Twin Falls, Idaho.—Extension
1240 of special experimental authorization to operate with power of 1 KW night for period from 1-1-38 to 3-1-38, pending completion of tower.

KGGC—Golden Gate Broadcasting Co. (Robert J. Craig), San
1420 Francisco, Calif.—Modification of construction permit (B5-P-1725) for new antenna and move of transmitter, requesting extension of commencement and completion dates from 6-27-37 and 12-27-37, respectively, to 12-27-37 and 6-27-38.

KRKO—Lee E. Mudgett, Everett, Wash.—Construction permit to
1420 change frequency from **1370 kc.** to **1420 kc.;** install a new transmitter and vertical antenna; increase power from 50 watts to 100 watts night, 250 watts day; change hours of operation from share KEEN to unlimited time; and move transmitter from 2814 Rucker Avenue, Everett, Wash., to site to be determined, Everett, Wash.

The National Association of Broadcasters

NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ **WASHINGTON, D. C.**

JAMES W. BALDWIN, Managing Director

NAB REPORTS ★ ★ ★ ★ ★

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WISHING YOU
A MERRY CHRISTMAS
AND
A HAPPY NEW YEAR

The NAB Staff

NOTICE TO ALL MEMBERS:

The National Association of Broadcasters is now prepared to make electrical transcriptions of speeches by Senators and Congressmen for its members.

This service is available only to members of the Association and recordings will be made only upon the request of a member station and at the member's expense. Members will be billed as follows:

For each 16 inch disc—$2.70 plus postage.
For each 10 inch disc—$1.60 plus postage.

(The above prices apply whether the discs are recorded either on one side or both sides, and are subject to change without notice.)

Recordings will be made at the Association's offices, 960 National Press Building, between the hours of 9 a. m. and 6 p. m., and by appointment. If a member desires his Senator or Congressman to make a recording for him, that fact should be communicated to this office and the Senator or Congressman should be advised to make an appointment either through the Managing Director or Leonard D. Callahan or Everett E. Revercomb of the staff, by calling National 8470.

It is requested you acknowledge the receipt of this notice and advise us of the name of the officer of your station who is authorized to order recordings to be made.

JAMES W. BALDWIN, Managing Director.

JETT APPOINTED CHIEF ENGINEER

The Federal Communications Commission has announced the appointment of Lieutenant Ewell K. Jett as its Chief Engineer, effective January 1, 1938, as the successor to Commander T. A. M. Craven who was appointed Commissioner August 23.

Lieutenant Ewell K. Jett has been Acting Chief Engineer since August, when he was named to succeed Commissioner T. A. M. Craven, the former Chief Engineer of the Commission.

Lieutenant Jett was born in Baltimore and is 44 years old. He entered the U. S. Naval Service in June 1911. Prior to the World War he served as a telegraph operator, and as a radioman on board the battleships *Utah* and *Michigan* and the destroyer *Parker*. From 1914 to 1916 he served at the Arlington Radio Station and at the Navy's first radio remote control station in the State, War and Navy Building, Washington, D. C.

From 1917 to 1919 he served as Radio Officer on board Vice Admiral Gleaves flagship *Seattle* of the Cruiser and Transport Force, and as Radio Officer of the battleship *Georgia*.

He was permanently commissioned an ensign in the Navy in 1919 at which time and continuing until 1922 he served as Radio Officer and Officer-in-Charge of the Navy Department Transatlantic Radio Control Station. During a part of this time all transatlantic communication traffic, both government and commercial, was handled

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through the Transatlantic Control Station utilizing the transmitters of Arlington, Annapolis, Navy Yard, Washington, Tuckerton, N. J., New Brunswick, N. J., and Sayville, N. Y.

In 1922 he served as Radio Officer of the battleship *Texas* of the Pacific Battle Fleet; and from 1923 to 1926 as aide on the staff of Admirals Chase and Marvell and as Radio Officer of the Fleet Base Force.

After completing four years of sea duty he was again transferred to the Navy Department in Washington where he served under the Director of Naval Communications as Officer-in-Charge of the Registered Publication Section, and as Assistant Navy Department Communication Officer and Officer-in-Charge, Radio Central.

In 1929 Lieutenant Jett was "loaned" to the Engineering Department of the Federal Radio Commission and later, upon being retired from the Navy, he was appointed a senior radio engineer in direct charge of the Commission's engineering work concerning radio services other than broadcasting. He was appointed Assistant Chief Engineer in 1931 in which capacity he has continuously served until the present date. Since the creation of the Federal Communications Commission in 1934 he has had direct charge of engineering matters relating to telegraph, submarine cable, and radio services under the jurisdiction of the former Telegraph Division of the Commission.

Lieutenant Jett was a member of the American Delegation to the North and Central American Radio Conference, Mexico City, 1933; North American Regional Radio Conference, Havana, March 1937; the International Radio Consulting Committee (C. C. I. R.) Bucharest, May-June, 1937; and the recently concluded Inter-American Radio Conference, Havana, Cuba. In August of this year he represented the Commission at the Governor's Conference in Juneau, Alaska. President Roosevelt recently named him a delegate to the International Telecommunications Conference which is scheduled to convene at Cairo, Egypt, on February 1, 1938.

Lieutenant Jett was Chairman of the Washington Section of the Institute of Radio Engineers in 1935. His home is in Chevy Chase, Maryland.

CAIRO RADIO CONFERENCE DELEGATES NAMED. CRAVEN ALSO WILL GO TO CAIRO.

Senator Wallace H. White, Jr., of Maine, will head the American delegation to the Cairo, Egypt, International Radio Conference to convene February 1, according to official announcement made by the State Department. The statement in full is as follows:

The President has approved the appointment of the following official delegation to attend the International Radio Conference and the International Telegraph and Telephone Conference, which are to be convened at Cairo, Egypt, February 1, 1938, and are to continue concurrently, for the purpose of revising the general and additional radio regulations, the telegraph regulations and the telephone regulations annexed to the International Telecommunications Convention signed at Madrid in 1932:

Delegates:

The Honorable Wallace H. White, Jr.,
United States Senate, *Chairman;*
Captain Stanford C. Hooper, United States Navy;
E. K. Jett, Acting Chief Engineer,
Federal Communications Commission;
Francis Colt de Wolf,
Treaty Division, Department of State.

Technical Advisers:

War Department:

Lieutenant Colonel David M. Crawford,
Signal Corps;

Navy Department:

Commander Joseph R. Redman;

Treasury Department:

Commander J. F. Farley,
Chief Communications Officer,
United States Coast Guard;

Department of Commerce:

L. H. Simson,
Communications Specialist,
Radio Development Section;

Federal Communications Commission:

E. M. Webster,
Acting Assistant Chief Engineer;
Gerald C. Gross,
Chief, International Section;
Marion H. Woodward,
Senior Telegraph Engineer;
William G. Butts,
Chief, Tariff Section;

Secretary General of Delegation:

Joseph C. Satterthwaite,
Second Secretary, America Legation,
Baghdad.

Secretary of Delegation:

Arthur L. Richards,
American Vice Consul,
Cairo.

Although there has been no official announcement there is a very definite report in unusually reliable circles that Commissioner T. A. M. Craven will also attend the Cairo conference as a delegate. The other members of the delegation will leave the country on January 4th but it is said Commissioner Craven will not leave until early in February.

COMMISSIONER CRAVEN DISCUSSES HAVANA CONFERENCE

Commissioner T. A. M. Craven of the Federal Communications Commission, who has just returned from Havana, Cuba, where he represented the United States in the capacity of Chairman of its delegation to the Inter-American Radio Conference, has issued the following statement:

"The accomplishments of the Inter-American Radio Conference in Havana have greater significance in the interest of the public of the United States than is generally realized or than originally contemplated.

"This was the first conference of its kind ever held on this continent. However, there was successfully concluded a series of agreements concerning the application of radio to Inter-American communications including aviation, police, broadcasting, fixed services, shipping, and other services for which radio is useful.

"Of great significance is the fact that for the first time in history a decision was made to undertake cooperative action with respect to the radio needs of the Americas, because at this Inter-American Conference at Havana it was agreed that the nations of America would collaborate as an effective whole in asserting their common interest in a world-wide international radio conference."

Commissioner Craven stated that this augurs well for future Pan Americanism and creates good will of such practical nature as to be of great benefit to the people of the United States and the other American countries including industry, labor, and cultural interests. It is considered that as a result of this action the future American market available to the United States, as well as to the other American nations has been enhanced and that practical steps have been taken to curtail the inroads being established in this market by competitive nations from other continents. This is brought about in two ways; first, by the establishment of practical collaboration between the Americas and second, by so establishing communications as to make their use effective between the American nations. Since lines of communication are an essential auxiliary to trade it should appear to every thoughtful man that the Inter-American Conference at Havana is of significant importance to the people of the United States.

Among the provisions made at Havana was the establishment of ways and means for exchanging information between the Americas as well as for the betterment of mutual understanding through the exchange of cultural information.

Facilities were made available for the exchange of news among the American nations in a manner which will enable counter action against the detrimental effects of progaganda poured into South America from Europe.

Commissioner Craven stated: "The most controversial matter discussed at Havana was North American broadcasting. After a month and a half of strenuous negotiations, agreement was reached whereby the public of the United States can be assured of better broadcasting reception in the future by reason of the elimination of interference caused by high powered radio stations located in neighboring countries. Had agreement not been reached in this matter, both Pan Americanism and the rendering of good radio broadcasting service within the United States would have been endangered. Without such an agreement the technical conditions on our broadcasting channels would become chaotic by reason of the necessity of other nations to use our channels regardless of interference. Thus an industry was in danger. The fact that agreement was reached is considered an outstanding achievement because it is the first time this has been possible after several other attempts in the past few years.

"The price paid by the United States for this improved service and the prevention of chaotic radio conditions is remarkably small because not one of its 700 broadcasting stations is seriously affected. Before entering the Conference, fears had been expressed that in order to secure agreement the United States might have to surrender the use of several of the channels it now enjoys, thus eliminating scores of radio stations. However, the United States delegation has been particularly successful in negotiating an agreement without sacrificing any radio station in the United States.

"The actual price paid by the United States for the vast improvement expected in the technical phases of radio broadcasting within the United States is the shifting of the frequency assignments of our stations a few kilocycles or a few channels from their present assignment and in some instances the utilization of a directional antenna. The latter is a device developed recently to reduce interference. While this shifting will be a material inconvenience the effect thereof can be overcome in a relatively short period."

Commissioner Craven further stated: "In this day of unrest throughout the world, it is considered that the results accomplished at Havana augur well for the interest of the public in all the nations of the Americas because it is the first practical example of effective collaboration among these nations in coordinating their radio rights in a world of turbulence and disagreement."

BROADCAST ENGINEERING CONFERENCE

Arrangements have been completed for the Broadcast Engineering Conference to be held February 7-18 which is being sponsored by the Department of Electrical Engineering of the Ohio State University, Columbus, Ohio.

It is the announced purpose of the conference to bring together leaders in the industry and practicing engineers from all parts of the United States and Canada in a discussion of some of the important technical problems. The program includes three topics a day.

Among the speakers will be: Harold H. Beverage, R. C. A. Communications, Inc.; George H. Brown, consulting radio engineer; John F. Byrne, Collins Radio Company; John H. Dellinger, National Bureau of Standards; William H. Doherty, Bell Telephone Laboratories; William L. Everitt, Ohio State University; Herbert M. Hucke, United Airlines Transport Corporation; George M. Nixon, National Broadcasting Company; Harold L. Oleson, Western Electrical Instrument Corporation; Peter C. Sandretto, United Airlines Transport Corporation; and Arthur E. Thiessen, General Radio Company.

FCC ASKS MAE WEST DATA FROM NBC

Frank R. McNinch, chairman of the Federal Communications Commission under date of December 18, sent a letter to Lenox R. Lohr, president of the National Broadcasting Company requesting certain information on a recent program which featured Mae West. The chairman says:

"The Federal Communications Commission has received many letters protesting against the Mae West skit, 'Adam and Eve,' sponsored by Chase & Sanborn, which was broadcast over your network last Sunday night, December 12.

"There is marked uniformity of thought in the letters of protest, which variously characterize the skit as 'profane,' 'obscene,' 'indecent,' 'vulgar,' 'filthy,' 'dirty,' 'sexy' and 'insulting to the American public.' These letters bear no evidence of having been written by cranks or prudes but by responsible and intelligent citizens.

"Section 326 of the Federal Communications Act of 1934 clearly precludes this Commission's exercising any power of censorship over radio broadcasts. That same section, however, provides that no person shall utter any obscene, indecent or profane language by means of radio communication and this Commission is charged by law with the enforcement of that as well as other provisions of the Act. Every person holding a radio station license has the legal as well as moral duty and obligation to protect the public from offensive broadcasts.

"If those who have protested to the Commission concerning this broadcast are substantially correct in their appraisal of it, I have no hesitancy in saying that the licensees of the stations over which it was broadcast have been derelict in the discharge of their duty. However, I want to make it clear that the Commission has not prejudged this matter but will reserve its judgment until all of the facts are before it.

"In order that the Commission may determine the facts with respect to this skit, you are hereby directed to furnish it as promptly as possible with the following:

"1. A copy and exact transcript of the Adam and Eve feature.

"2. The electrical transcription or reproduction of this skit.

"3. A copy of the contract between Chase & Sanborn and the National Broadcasting Company, covering this broadcast.

"4. The names and locations of the stations which reproduced the program feature."

RECOMMENDS VOLUNTARY ASSIGNMENT

The Magnolia Petroleum Company, owner, and the Sabine Broadcasting Company, licensee of station KFDM, Beaumont, Texas, applied to the Federal Communications Commission for voluntary assignment of license to the Beaumont Broadcasting Corporation.

Examiner Tyler Berry in Report No. I-565 recommended that the application be granted. He states that "the proposed assignee is legally, financially and otherwise qualified to own and operate a radio broadcast station; and proposes to employ an adequate staff of technically qualified persons to operate the station." The Examiner states also that the granting of the application would be in the public interest.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair competition in complaints issued against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3283. Use of certain unfair methods of competition, in violation of Section 5 of the Federal Trade Commission Act, is alleged in a complaint issued against **Lawrence A. Huffman** and **Plant Energy, Inc.,** 71 Sixth St., **Logansport, Ind.,** engaged in the manufacture and sale of compounds for use in stimulating the growth of legume and non-legume plants. Huffman, who is president of Plant Energy, Inc., traded as Plant N-R-G Company prior to July 1936.

The complaint alleges that the respondents advertise their No. 2 Legume Inoculation as containing living bacteria which, when mixed with the plant seed of legumes, promote a growth of nodules that add vitality to and stimulate the root system, producing a thriftier growth and an increase in the yield of the plant. According to the complaint, the compound does not contain living bacteria which promote the growth of nodules on the roots of legumes and which stimulate the growth and yield of the plant, either when mixed with the seed or when placed in the soil.

No. 3284. Allegedly misrepresenting the therapeutic value of a medicinal preparation designated as Floracubes, **Eugene H. Hunter** and **Rae Lamarr Hunter,** trading as **The Floracube Company, Inc.,** 2133 Sunset Boulevard, **Los Angeles,** are named respondents in a complaint.

In circulars and other advertising matter, the respondents, according to the complaint, represent that their preparation is a competent and an effective remedy for the cure of constipation, colitis, digestive disorders, rheumatism and arthritis; heart, liver and kidney troubles, and all common and annoying diseases, and that the product will eliminate the cause of such ailments.

Cease and Desist Orders

The Commission has issued the following cease and desist orders:

No. 2602. Englander Spring Bed Company, Inc., Stewart and Johnson Avenues, **Brooklyn,** has been ordered to cease and desist from fictitious price marking in connection with the sale of mattresses.

Findings are that the respondent company advertised certain mattresses as having regular retail prices of $39.50 or $29.75, depending upon their quality, and offered them for sale through retailers at $22.50 and $19.75, respectively. According to the findings, the higher prices advertised are not the customary and regular retail prices, but are wholly fictitious, bear no relation to the true retail prices, and the regular and customary prices are $22.50 or $19.75.

No. 2687. C. W. Beggs Sons & Co., 1741 North Western Ave., **Chicago,** has been ordered to cease and desist from certain unfair methods of competition in connection with the sale of Marcelle cosmetics, which are advertised as being non-allergic.

The order prohibits the respondent corporation from representing that its preparations, including the formulas therefor, have been accepted or approved by the American Medical Association, or have passed rigorous requirements established by such association as to purity of ingredients or therapeutic claims.

No. 2690. Worthall, Ltd., 160 Fifth Avenue, **New York,** cosmetics distributor, has been served with an order directing it to cease and desist from certain misleading representations in the sale of its products.

The order prohibits representation, through use of the term "Drury Lane English Lavender" or any other words as a brand name for its toilet preparations and cosmetics, or through any other means, that its products are of English manufacture or origin, or are imported from England.

No. 3063. Representations that they grow or propagate nursery stock sold by them are to be discontinued by **Earl E. May** and the **Earl E. May Seed Company, Shenandoah, Iowa,** under an order to cease and desist. May is the principal stockholder and directs the activities of the company.

The order also directs the respondents to cease representing that they own, operate or control lands, farms or property in or on which nursery stock is grown for sale, unless and until such is a fact.

In their 1937 catalogue, according to the findings, the respondents embodied many changes intended to correct the objectionable advertising matter contained in their 1936 catalogue.

Stipulations

The Commission has entered into the following stipulations:

No. 01963. Reynolds Corporation, 19 Rector St., **New York,** dealer in an insulation device consisting of aluminum foil mounted on Kraft paper, has entered into a stipulation to discontinue certain misleading representations in the sale of its product.

Among the representations to be discontinued are that radiation is responsible for 70 per cent of the heat loss from houses, or any other percentage, unless supported by competent authority, and that Reynolds Metallation will stop the passage of heat of any type in any amount or percentage, except such type and amount or percentage as has been established by competent factual evidence. Under the stipulation, Reynolds Metallation will not be advertised as impervious to the passage of heat or as resistant to fire, unless the latter assertion is limited to types found by competent scientific tests to be substantially fire resistant under normal conditions of use.

No. 01964. Under a stipulation entered into **R. D. Burchard, Jr.,** P. O. Box 2670, **Cleveland,** trading as **Radio Metal Locating Company,** agrees to discontinue certain misleading representations in the sale of Radio Metal Locator, a device designated for use in locating metals and hidden treasures.

Burchard stipulates that he will no longer represent his product as being capable of distinguishing between metals such as gold and silver. He also stipulates that he will not advertise that his "bonded notary public money back guarantee" is a bonded guarantee or a notary public guarantee, and admits that such guarantee is not as advertised but merely guarantees to replace a deficient device or machine with another like device or machine.

No. 01965. Associated Distributors, Inc., 111 West Monroe St., Chicago, agrees to discontinue representing that its skin cream, called Essence of Life Face Cream, contains a newly found substance, is capable of nourishing the skin or resupplying vital elements, or is a substitute for a proper diet. According to the stipulation, the results achieved by use of the preparation will not be advertised as miraculous.

No. 01966. Herb Juice-Penol Company, Inc., Danville, Va., trading as Pow-O-Lin Laboratories, stipulates that its product, Pow-O-Lin, will not be advertised as being capable of relieving biliousness, nervousness, indigestion, and countless ills due to constipation, unless these assertions are limited to temporary relief from constipation. Penol Emulsion will not be represented as being so thoroughly emulsified that it remains in this state even after it enters the body, the Miller's Herb Extract and Laxative Compound, also known as Miller's Herb Juice, will not be advertised as being capable of clearing the body of poisonous wastes brought on by constipation, unless this assertion is limited to temporary relief of that ailment.

No. 01967. R. M. Allport, 9204 Superior Ave., Cleveland, trading as Armall Agency and Armall Laboratories, agrees that in the sale of Armall Ointment, it will not advertise this product as giving quick or sure relief in the treatment of psoriasis, eczema, ringworm, and similar ailments; and will cease representing that Armall Ointment will correct scalp diseases, penetrate the skin or scalp, and that it contains glandular extracts from sheep, or stimulants and tissue-building agents. The respondent agrees to stop using the word "laboratory" in his trade name or otherwise indicating that he maintains a laboratory.

No. 01968. Joseph Personeni, Inc., New York City, distributor of Ferro-China Bisleri, a medicinal preparation, agrees to stop advertising that use of the product will renovate, nourish or increase the blood supply, condition the stomach, or rebuild the body or system, and to cease making certain other similar allegations.

No. 01969. Florence J. Sprafka, trading as Ashland Dental Laboratories, Chicago, Ill., stipulates that she will cease advertising the artificial dentures she sells as being perfect in fit, comfort or quality, and will discontinue the representation that a person can always take accurate impressions of his own gums, in his own home, or that satisfactory dentures can always be made from such impressions.

No. 01970. Samuel Kosofsky, 135 West 42nd St., New York, operating as Lakro Company, in the sale of Undrus Liquid, formerly designated Wundrus Water, will cease asserting that this preparation will recolor hair or restore the color of gray hair, or that the product is a color restorer. The respondent admits that the product will not restore color to gray hair, and that it is not a color restorer.

No. 01971. M. Hatzenbeuhler, trading as Lorenz Truss and Electric Works, Chicago, Ill., in the sale of an article designated Electric Suspensory, will discontinue the assertion that use of this article preserves health or improves strength, and that it is valuable in the treatment of run-down condition, weak nerves, rheumatism, or poor circulation. The respondent also agrees to stop employing the word Doctor as part of the trade name of his product or in any other manner implying that a doctor has been or is active in developing it.

No. 2106. Ralph Corn, Inc., 32 East 31st St., **New York,** engaged in the sale of women's undergarments, has entered into a stipulation to discontinue certain misrepresentations concerning its merchandise.

The respondent corporation agrees to cease using in advertising matter the word "satin" or the words "pure dye," either alone or in conjunction with each other, as descriptive of garments not composed of silk. If the garments are composed in substantial part of silk and the words "satin" or "pure dye" or "pure dye satin" are used to describe their silk content, then such words shall be accompanied by other words in type equally as conspicuous so as to indicate clearly that the garments are not composed wholly of silk but are made in part of other materials.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

Because of the holiday season there will be no broadcast hearings at the Commission during the week beginning Monday, December 27.

The Commission has taken the following action:

APPLICATIONS GRANTED

KALE—KALE, Inc., Portland, Ore.—Granted C. P. for changes in composite equipment and increase in power from 500 watts to 1 KW.

NEW—C. M. Jansky, Jr., and Stuart L. Bailey, d/b as Jansky and Bailey, Washington, D. C.—Granted C. P. for new high frequency broadcast station, frequency **40300 kc.,** power 1000 watts, emission A3 and Special, maximum band of emission **15000 kc.** for amplitude modulation and **200 kc.** for frequency modulation, in accordance with Rules 986 and 1053(b).

NEW—South Bend Tribune, South Bend, Ind.—Granted C. P. for new high frequency broadcast station, frequency **26050 kc.,** power 100 watts, emission A3.

WSAI—The Crosley Radio Corp., Cincinnati, Ohio.—Granted modification of license to increase day power from 2½ KW to 5 KW.

NEW—WHDL, Inc., Mobile (area of Olean, N. Y.).—Granted C. P. for a new relay broadcast station, frequencies **1622, 2058, 2150** and **2790 kc.,** power 25 watts, emission A3.

NEW—Michigan State College, Mobile (area of Lansing, Mich.).—Granted C. P. for a new high frequency experimental relay broadcast station. Frequencies **39700, 39900, 40800** and **41400 kc.,** power 15 watts, emission A3. Also granted license to cover above C. P.

WABG—Memphis Commercial Appeal Company, Mobile.—Granted C. P. to make changes in equipment and increase power from 35 watts to 50 watts.

WTOC—Savannah Broadcasting Co., Inc., Savannah, Ga.—Granted modification of C. P. as modified for further changes in equipment.

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—Granted modification of C. P., as modified, to extend completion date from 1-6-38 to 3-15-38.

KNX—Columbia Broadcasting System, Inc., Los Angeles, Calif.—Granted modification of C. P. to install new equipment.

KYA—Hearst Radio, Inc., San Francisco, Calif.—Granted license to cover C. P. for auxiliary transmitter, frequency **1230 kc.,** power 1 KW, for emergency purposes only.

W5XNA—Loyola University, Mobile.—License to cover C. P. for a new experimental relay broadcast station, frequencies **31100, 34600, 37600, 40600 kc.,** power 7 watts, emission A3, unlimited time.

W5XNB—Loyola University, Mobile.—License to cover C. P. for a new experimental relay broadcast station, frequencies **31100, 34500, 37600, 40500 kc.,** power 2 watts, emission A3.

W6XUC—Intermountain Broadcasting Corporation, Mobile.—License to cover C. P. for a new experimental high frequency relay broadcast station, frequencies **150000, 200000, 250000** and **300000 kc.,** power 0.5 watt, emission A3.

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—License to cover C. P. as modified, frequency **570 kc.,** power 500 watts, specified hours.

Stanley Reid and Charles Witnell Boegel, Jr., d/b as The Rapids Broadcasting Co., Cedar Rapids, Iowa.—Granted in part petition for extension of effective date of decision denying application for new broadcast station to operate on **1310 kc.,** 100 watts, unlimited time. The effective date of decision was extended from December 15, 1937, until the publication of the Statement of Facts.

Carl Latenser, Atchison, Kans. (Docket No. 4689).—Granted order authorizing taking of depositions, December 31, 1937, in re application for new station at Atchison, to use **1420 kc.,** 100 watts, daytime. To be heard before an examiner, January 10, 1938.

The Commission granted special temporary authorization to Burlington Daily News, Inc. (WCAX), Burlington, Vermont, to operate from 7 p. m. to 8 p. m., EST, January 1 to January 31, 1938, in order to broadcast sponsored sports review; also from 8 p. m. to 10:30 p. m., EST, January 4, 6, 11, 1938, in order to broadcast sponsored Vermont University and High Schools sponsored basketball games.

NEW (Docket No. 4909)—W. A. Patterson, Chattanooga, Tenn.—Granted authority to take depositions on the Mezzanine Floor of the Read House Hotel, Chattanooga, Tenn., beginning at 10 o'clock on January 10, 1938, in re application for new broadcast station, frequency **1120 kc.,** power 500 watts, 1 KW LS, unlimited time.

WPAX—H. Wimpy, Thomasville, Ga.—Granted special temporary authorization to operate unlimited time for the period beginning December 22, 1937, and ending in no event later than December 25, 1937, in order to aid local charities.

WNYC—City of New York, Dept. of Plant and Structures, New York, N. Y.—Granted special temporary authorization to operate from 9:30 p. m. to 10:30 p. m., EST, Wednesday, December 22, 1937, in order to broadcast addresses by the Hon. F. H. LaGuardia, Mayor of the city of New York, and Hon. Lewis J. Valentine, Police Commissioner, and others at Police Graduation Exercises.

WWJ—The Evening News Assn., Detroit, Mich.—Granted extension of special temporary authorization to operate for the period beginning December 30, 1937, and ending in no event later than January 28, 1938, with an increase in night power to 5 KW in order to overcome interference.

KAND—Navarro Broadcasting Assn., Corsicana, Tex.—Granted special temporary authorization to operate from local sunset (December sunset, 5:30 p. m.) to 12 midnight, CST, December 23 and 31, 1937, in order to broadcast special programs.

WSVA—Shenandoah Valley Broadcasting Corp., Harrisonburg, Va.—Granted special temporary authorization to operate from 12 midnight December 24, 1937, to 1:30 a. m., EST, December 25, 1937, using power of 250 watts, in order to broadcast religious service from local Catholic Church.

WKBN—WKBN Broadcasting Corp., Youngstown, Ohio.—Granted special temporary authorization to operate from 1 p. m. to 12 midnight, EST, December 25, 1937, and from 1 p. m. to 12 midnight, EST, January 1, 1938, in order to broadcast holiday and devotional programs (provided WOSU remains silent).

WRNL—WLBG, Inc., Richmond, Va.—Granted special temporary authorization to operate from 6 p. m. to 7 p. m., EST, December 24, 1937, in order to broadcast the Richmond Community Tree Celebration held in the State Capitol Grounds; and from 12 midnight to 1:30 a. m., EST, December 25, 1937, in order to broadcast midnight Christmas Mass from St. Peters Catholic Church at Richmond.

ORAL ARGUMENTS GRANTED

Oral arguments were granted in the following cases, on dates specified to be heard in the Commission's offices in Washington, D. C.:

Ex. Rept. I-341, Dallas Broadcasting Co., Dallas, Texas, February 10, 1938; Ex. Rept. I-390, Richard S. Gozzaldi, d/b as The Oak Cliff-Dallas County Broadcasting Company, Dallas, Texas, February 10, 1938; A. L. Chilton, Dallas, Texas, February 10, 1938; Ex. Rept. I-520, Centennial Broadcasting Corporation, Dallas, Texas, February 10, 1938; Ex. Rept. I-499, Wescoast Broadcasting Company (KPQ), Wenatchee, Washington, February 10, 1938; Ex. Rept. I-505, The Colonial Network, Inc., Providence, R. I., January 27, 1938; Ex. Rept. I-507, Central California Broadcasters, Inc. (KRE), Berkeley, California, February 11, 1938; Ex. Rept. I-439, Chase S. Osborn, Jr., Fresno, California, February 11, 1938; Ex. Rept. I-509, The Louisville Times Company, Louisville, Kentucky, February 17, 1938; S. O. Ward and P. C. Ward (Louisville Broadcasting Company), Louisville, Kentucky, February 17, 1938; Ex. Rept. I-510, Southwest Broadcasting Company, Prescott, Arizona, February 17, 1938; W. P. Stuart, Prescott, Arizona, February 17, 1938; Ex. Rept. 512, Harry Schwartz, Tulsa, Okla., February 17, 1938; Ex. Rept. I-513, Clark Standiford, L. S. Coburn and A. C. Sidner, Fremont, Nebraska, February 17, 1938; Ex. Rept. I-517, Standard Life Insurance Company of the South, Jackson, Miss., February 18, 1938; Ex. Rept. I-518, Arthur Lucas, Savannah, Georgia, February 18, 1938; Ex. Rept. I-521, The Birmingham News Company, Birmingham, Ala., February 24, 1938; Ex. Rept. I-522, Radio Station WFNC (partnership of C. Frank Walker and Waldo W. Primm), Fayetteville, N. C., February 24, 1938; Capitol Broadcasting Co., Inc., Raleigh, N. C., February 24, 1938; Ex. Rept. I-524, KQV Broadcasting Co. (KQV), Pittsburgh, Pa., February 24, 1938; WSMK, Inc. (WSMK), Dayton, Ohio, February 24, 1938; Ex. Rept. I-525, Westinghouse Electric & Manufacturing Co. (WBZA), Springfield, Mass., February 24, 1938; Charles B. Adams, Administrator of the Estate of Harry C. Whitehill, Executor of the Estate of Mary M. Whitehill (WDEV), Waterbury, Vermont, February 24, 1938; Ex. Rept. I-526, Earl J. Smith and William Mace, d/b as Smith and Mace, Saranac Lake, N. Y., January 14, 1938; Ex. Rept. I-435, West Texas Broadcasting Co., Wichita Falls, Texas, Wichita Broadcasting Co., Wichita Falls, Texas, Faith Broadcasting Co., Inc., Wichita Falls, Texas, C. C. Baxter (KFPL), Dublin, Texas, WFTX, Inc. (KFPL), Wichita Falls, Texas, February 25, 1938.

SPECIAL AUTHORIZATIONS

WPRP—Julio M. Conesa, Ponce, P. R.—Granted special temporary authority to operate daily, except Sundays, from 4 p. m. to 6 p. m., AST, from December 18, 1937, to January 15, 1938, in order to broadcast programs of the Puerto Rico Irrigation and Power Service.

KFNF—KFNF, Inc., Shenandoah, Iowa.—Granted special temporary authority to remain silent after 1 p. m., CST, December 25, 1937, in order that staff may spend remainder of day at home with their families.

WFLA—Florida West Coast Broadcasting Co., Inc., Clearwater, Fla.—Granted extension special temporary authority to close Clearwater studios for the period beginning January 1, 1938, and ending in no event later than January 31, 1938, and use Tampa studios, pending action on application for modification for license (B3-ML-494) for this authority.

WHDF—Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authority to operate from 8 a. m. to 10:30 a. m., CST, and from 12:30 to 3:30 p. m., CST, December 25, 1937, in order to broadcast Christmas programs.

KSRD—The Press Democrat Publishing Co., Santa Rosa, Calif.—Granted special temporary authority to operate from 11:30 p. m., PST, December 24, 1937, to 1:30 a. m., PST, December 25, 1937, for the purpose of broadcasting the Special Christmas Services of the First Episcopal Church of Santa Rosa.

KFYR—Meyer Broadcasting Co., Bismarck, N. Dak.—Granted special temporary authority to operate RCA Type 250-G transmitter, using 250 watts, for the period beginning December 26, 1937, and ending in no event later than December 30, 1937 (instead of from December 10, 1937, ending December 19, 1937, as granted November 29, 1937), pending moving of regular equipment, provided station is held responsible to strict compliance to all pertinent rules.

WKBV—Knox Radio Corp., Richmond, Ind.—Granted special temporary authority to operate from 9:45 a. m. to 10 a. m., CST, January 3, 5, 7, 10, 12, 14, 17, 19, 21, 24, 26, 28, 31, 1938, in order to broadcast Earlham College Chapel Service.

APPLICATIONS DESIGNATED FOR HEARING

NEW—Howard W. Davis and W. W. McAllister, d/b as Walmac Company, San Antonio, Tex.—C. P. for new high frequency broadcast station, frequencies **31600, 35600, 38600, 41000 kc.,** power 50 watts, emission A3.

KMAC—W. W. McAllister, San Antonio, Tex.—Voluntary assignment of license to W. W. McAllister and Howard W. Davis, a partnership doing business as the Walmac Company; **1370 kc.,** 100 watts night, 250 watts day, share with KONO.

KMAC—W. W. McAllister, San Antonio, Tex.—Renewal of license (license granted on temporary basis pending action on application).

MISCELLANEOUS

Columbia Radio Co., Inc., Columbia, S. C.—Denied petition to reopen the record of the hearing on the applications of Columbia Radio Company, Inc. (Docket 4162) and the Carolina Advertising Corporation (Docket No. 4274) for authority to establish new broadcast stations at Columbia, S. C.

Scripps-Howard Radio, Inc. (formerly Continental Radio Co.), Cincinnati, Ohio.—Dismissed petition for re-hearing upon the applications of the Continental Radio Co. (Docket No. 3301) and the Community Broadcasting Co. (Docket No. 2667). These applications were for new radio stations at Toledo, Ohio, to operate on **1200 kc.,** 100 watts, daytime. Denied petition asking investigation of the status of the Community Broadcasting Company.

WJEJ—Hagerstown Broadcasting Co., Hagerstown, Md.—Granted special temporary authority to operate unlimited time the night of December 24, 1937, using power of 50 watts, for the purpose of broadcasting various programs of public interest about town.

KFDY—South Dakota State College, Brookings, S. Dak.—Granted special temporary authorization to remain silent December 25, 1937, and January 1, 1938, in order to observe Christmas holidays and New Years.

WSYB—Philip Weiss, trading as Weiss Music Co., Rutland, Vt.—Granted special temporary authorization to operate from 9 p. m. to 11 p. m., EST, December 21 and 28, 1937, January 1, 7, 8, 14, 15, 1938, in order to broadcast local High School basketball games.

Piedmont Broadcasting Corp., Salisbury, N. C.—Granted an additional order to take depositions in re application for new station at Salisbury, N. C., to use **1500 kc.,** 100 watts night, 250 watts LS (Docket No. 4913).

NEW—George H. Payne, San Jose, Calif.—Granted request for continuance for approximately 60 days of hearing on application for new station at San Jose, Calif., to operate on **1440 kc.,** 500 watts, unlimited time (Docket No. 4276), until after decision in Dockets 4366 and 4411. Docket 4366 involves the application of Chase Osborne for a new station at Fresno, Calif., to use **1440 kc.,** and Docket 4411 is the application of Central California Broadcasters, Inc., for the use of **1440 kc.** by station KRE at Berkeley, Calif.

Burl Vance Hedrick, Salisbury, N. C.—Granted petition to intervene in proceedings on the application of Piedmont Broadcasting Corp., Docket No. 4913, for new station at Salisbury, N. C., to use **1500 kc.,** 100 watts night, 250 watts LS, unlimited time.

KLZ Broadcasting Co., Denver, Colo.—Granted petition to intervene in proceedings on the application of Scripps-Howard Radio, Inc., Docket No. 4559, for new station at Denver, Colo., to use **630 kc.,** 1 KW, 5 KW LS, unlimited time.

Volney G. Mathison, Wilmington, Calif.—Granted permission to take depositions in re application for ship radio telephone station on barge "Tango", Docket 4889. The depositions are to be taken before a Notary Public at the field offices of this Commission at 1105 Rivers-Strong Bldg., Los Angeles, Calif., beginning 10 a. m., December 27, 1937. Applicant advised that it will not be necessary that an attorney present the depositions to the Examiner for consideration. However, the depositions are to be subject to the Rules and Regulations of the Commission.

APPLICATIONS RECEIVED

First Zone

WMAS—WMAS, Inc., Springfield, Mass.—License to cover con-
1420 struction permit (B1-P-1870) for a new transmitter and antenna and move of transmitter.

WSYB—Philip Weiss, tr/as Philip Weiss Music Co., Rutland, Vt.—
1500 Construction permit to install a new vertical antenna, change hours of operation from specified hours to unlimited time and move transmitter from 80 West Street, Rutland, Vermont to Creek Road, Rutland, Vermont.

NEW—General Electric Co., Albany, N. Y.—Construction permit for a new television broadcast station to be operated on **44000-50000 kc.,** Video power 10000 watts, Aural power 3000 watts. Amended: Re: Geographic site.

NEW—General Electric Co., Bridgeport, Conn.—Construction permit for a new television broadcast station to be operated on **44000-50000 kc.,** Video power 10000 watts, Aural power 3000 watts. Amended: To change transmitter site from near Connecticut Highway No. 59, Easton, Connecticut to 1285 Boston Avenue, Bridgeport, Conn., delete frequencies **44000-50000 kc.,** and add frequencies **66000-72000 kc.**

NEW—General Electric Co., Schenectady, N. Y.—Construction permit for a new television broadcast station to be operated on **44000-50000 kc.,** 40 watts, Video transmission only. Amended: To delete frequencies **44000-50000 kc.,** and add **156000-162000 kc.**

Second Zone

WHAS—The Louisville Times Co., Louisville, Ky.—Modification
820 of construction permit (B2-P-1126) as modified, for new vertical antenna and move of transmitter, requesting extension of completion date from 1-5-38 to 2-5-38.

NEW—WAVE, Inc., Louisville, Ky.—Construction permit for a
880 new station to be operated on **880 kc.,** 500 watts, unlimited time. To use directional antenna day and night. Amended: To change geographic location.

NEW—Fredericksburg Broadcasting Corp., Fredericksburg, Va.—
1200 Construction permit for a new station to be operated on **1200 kc.,** 250 watts, daytime.

WHK—Radio Air Service Corp., Cleveland, Ohio.—Special experi-
1390 mental authorization to operate a facsimile station from 1:00 a.m. to 6:00 a.m. using 1 KW power.

NEW—King-Trendle Broadcasting Corp., Pontiac, Mich.—Con-
1440 struction permit for a new station to be operated on **1440 kc.,** 250 watts, unlimited time. Amended: To change transmitter site to site to be determined, Pontiac, Michigan, and install vertial antenna instead of directional antenna.

W3XEX—WTAR Radio Corp., Norfolk, Va.—Modification of construction permit (B2-PHB-41) for equipment changes and move of transmitter, requesting change in frequencies from **31600, 35600, 38600, 41000 kc.** to **26050 kc.,** and extend commencement and completion dates.

W8XNT—Radio Air Service Corp., Cleveland, Ohio.—License to cover construction permit (B2-PHB-23) for a new high frequency broadcast station.

W8XCQ—Monongahela Valley Broadcasting Co., area of W. Va. (Mobile).—License to operate relay transmitter.

Third Zone

WAPI—Alabama Polytechnic Institute, University of Alabama,
1020 Alabama College (Board of Control of Radio Station WAPI), Birmingham, Ala.—Special experimental authorization to operate on the frequency **1020 kc.** with unlimited hours of operation and install directional antenna for night use, for the period of six months. Amended: To make changes in directional antenna.

KOCA—Oil Capital Broadcasting Assn. (James G. Ulmer, Presi-
1210 dent), Kilgore, Texas.—Voluntary assignment of license from Oil Capital Broadcasting Assn. (James G. Ulmer, President), to Oil Capitol Broadcasting Association.

KOCA—Oil Capital Broadcasting Assn., James G. Ulmer, Presi-
1210 dent, Kilgore, Texas.—Authority to make changes in automatic frequency control equipment.

NEW—WKY Radiophone Co., Oklahoma City, Okla.—Construction permit for a new relay broadcast station to be operated on **1622, 2058, 2150, 2790 kc.,** 40 watts.

NEW—Augusta Broadcasting Co., area of Augusta, Ga.—Construction permit for a new relay broadcast station to be operated on **13100, 34600, 37600, 40600 kc.,** 2 watts.

Fourth Zone

WIND—Johnson-Kennedy Radio Corp., Gary, Ind.—Special ex-
560 perimental authorization to operate a facsimile station from midnight to 6 a.m., CST, using 1 KW power, maximum frequency of modulation not to exceed 10,000 cycles, for the period 3-1-38 to 9-1-38.

WTAD—Illinois Broadcasting Corp., Quincy, Ill.—Construction
900 permit to change hours of operation from daytime to unlimited time using 1 KW power, install directional antenna for night use and move transmitter from N. 24th St., Quincy, Illinois to 3 mi. S.W. of Quincy, Illinois. Amended: To make changes in directional antenna.

WAAF—Drovers Journal Publishing Co., Chicago, Ill.—Authority
920 to transfer control of corporation from Corn Belt Publishers, Inc., to individual stockholders of Corn Belt Publishers, Inc., 2000 shares common stock.

WEMP—Milwaukee Broadcasting Co., Milwaukee, Wisc.—Modi-
1310 fication of license to change hours of operation from daytime to unlimited time using 100 watts power.

W9XTA—K. E. Schonert, d/b as Schonert Radio Service, Harrisburg, Ill.—Modification of construction permit (B4-PHB-1) for a new high frequency broadcast station, requesting changes in equipment, to delete frequencies **31600, 35600, 38600, 41000 kc.,** and request **25800 kc.,** change power from 100 watts to 500 watts and extend completion date.

W9XAL—First National Television Inc., Kansas City, Mo.—Modification of construction permit (B4-PVB-7) to move transmitter, requesting extension of completion date from 1-11-38 to 4-11-38.

Fifth Zone

KTW—First Presbyterian Church of Seattle, Washington, Seattle,
1220 Wash.—Authority to determine operating power by direct measurement of antenna.

KMED—Mrs. W. J. Virgin, Medford, Ore.—Construction permit
1320 to increase power from 250 watts to 1 KW, and install new transmitter. Amended: To change frequency from **1410 kc.** to **1320 kc.**

KRKO—Lee E. Mudgett, Everett, Wash.—Construction permit to
1400 change frequency from **1370 kc.** to **1400 kc.,** install a new transmitter and vertical antenna, increase power from 50 watts to 250 watts, change hours of operation from share-KEEN to unlimited time, and move transmitter from 2814 Rucker Avenue, Everett, Washington, to site to be determined, Everett, Washington.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS ★ ★ ★ ★ ★ Vol. 5 - - No. 51
DEC. 31, 1937
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NOTICE TO MEMBERS

The Sixteenth Annual Convention of the National Association of Broadcasters will be held at the Willard Hotel, Washington, D. C., February 14, 15 and 16, 1938.

Decision on this matter was made this week by a majority vote of the members of the Board of Directors.

Information concerning Hotel accommodations, and arrangements for speakers will be forwarded to the members at an early date.

JAMES W. BALDWIN,
Managing Director.

SPENCE NAMED CONVENTION CHAIRMAN

President Elmer today announced the appointment of Edwin Spence of WBAL, Baltimore, as Chairman of the Convention Committee.

DOLPH HEADS LOCAL CONVENTION COMMITTEE

President Elmer today announced the appointment of the following persons to serve on the Local Convention Committee for the Sixteenth Annual Convention of the NAB to be held at the Willard Hotel in Washington, D. C., on February 14, 15 and 16, 1938:

William B. Dolph, WOL, Washington, D. C., Chairman
Harry C. Butcher, WJSV, Washington, D. C.
Frank M. Russell, WRC, Washington, D. C.,

FCC CONSIDERING CHASE AND SANBORN SKIT

Chairman Frank R. McNinch has announced that the Federal Communications Commission has received in response to its request a letter from Lenox R. Lohr, President of the National Broadcasting Company, Inc., transmitting an exact copy of the transcript of the Adam and Eve feature; the electrical transcription of the skit, a copy of the contract between Chase and Sanborn (sponsors of the program) and the National Broadcasting Company covering this broadcast, and a list of the stations over which this feature was broadcast.

The Commission will give further consideration to this matter after considering the script and the electrical transcription.

FCC HELD ARBITRARY AND CAPRICIOUS IN HEITMEYER CASE

The United States Court of Appeals for the District of Columbia this week reversed the decision of the Federal Communications Commission on the application of Paul R. Heitmeyer for a new station at Cheyenne, Wyoming, on the ground that the action of the Commission denying the application was arbitrary and capricious. It is believed that this marks the first time since the enactment of the Federal Communications Act of 1934 that a decision of the Commission has been overruled on the ground that its action was arbitrary and capricious. The text of the opinion follows:

UNITED STATES COURT OF APPEALS FOR THE DISTRICT OF COLUMBIA

No. 6762

Paul R. Heitmeyer, appellant
v.
Federal Communications Commission

Appeal from the Federal Communications Commission

Decided December 27, 1937

James W. Gum and *Clarence C. Dill,* both of Washington, D. C., for appellant.

Hampson Gary, George B. Porter, Fanney Neyman, and *Ralph L. Walker,* all of Washington, D. C., for appellee.

Before ROBB, GRONER and MILLER, JJ., and WHEAT, District Judge.

MILLER, J.: This is an appeal under Section 402(b)(1) of the Communications Act of 1934 [1] from a decision of the Federal Communications Commission denying the appellant's application for a permit to construct a new radio broadcasting station at Cheyenne, Wyoming.

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[1] Act of June 19, 1934, c. 652, 48 Stat. 1064, 1093; 47 U. S. C. A., § 402(b)(1).

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(Reprint from last issue)

NOTICE TO ALL MEMBERS:

The National Association of Broadcasters is now prepared to make electrical transcriptions of speeches by Senators and Congressmen for its members.

This service is available only to members of the Association and recordings will be made only upon the request of a member station and at the member's expense. Members will be billed as follows:

For each 16 inch disc—$2.70 plus postage.
For each 10 inch disc—$1.60 plus postage.

(The above prices apply whether the discs are recorded either on one side or both sides, and are subject to change without notice.)

Recordings will be made at the Association's offices, 960 National Press Building, between the hours of 9 a. m. and 6 p. m., and by appointment. If a member desires his Senator or Congressman to make a recording for him, that fact should be communicated to this office and the Senator or Congressman should be advised to make an appointment either through the Managing Director or Leonard D. Callahan or Everett E. Revercomb of the staff, by calling National 8470.

It is requested you acknowledge the receipt of this notice and advise us of the name of the officer of your station who is authorized to order recordings to be made.

JAMES W. BALDWIN,
Managing Director.

The record shows that the Examiner who heard the case made findings of fact and arrived at conclusions therefrom to the effect that:

> The applicant is legally, technically, financially and otherwise qualified to construct and operate the proposed station. A need for additional service such as proposed by the applicant does exist in the area proposed to be served, and this application may be granted within the purview of Section 307 of the Communications Act of 1934 and the Regulations of the Commission with regard to quota, particularly Rule 6(f).
>
> The record is silent as to any possible interference with other applications that may be pending from the same state or zone.
>
> The site at which the applicant proposes to construct and operate the station will conform to the Rules and Regulations of the Commission.
>
> The granting of this application would serve public interest, convenience and necessity.

The Examiner, therefore, recommended that the application of Heitmeyer, the appellant herein, be granted. At the same time he recommended denial of the application of the Wyoming Radio Educational Association, which he had theretofore consolidated for hearing with the appellant's application.

Approximately four months later, on May 1, 1936, the Commission entered its final order denying the application; making no findings and assigning no reasons therefor, but stating that it would "issue and publish at a subsequent date an opinion setting forth a statement of the facts appearing of record and the grounds for the decision [t]herein reached." On June 12, 1936, the Commission's decision was entered denying the applications of appellant Heitmeyer and that of the Wyoming Radio Educational Association. The latter applicant has not appealed from the decision of the Commission and is not concerned herein.

Section 402(c) of the Communications Act provides that within thirty days after the filing of an appeal "the Commission shall file with the court the originals or certified copies of all papers and evidence presented to it upon the application involved, and also a like copy of its decision thereon, and shall *within thirty days thereafter file a full statement in writing of the facts and grounds for its decision as found and given by it, . . .*"[Italics supplied].

The language of the section quoted is ambiguous. The phrase, "within thirty days thereafter", indicates the intention of Congress that in case of appeal the Commission shall have additional time, totaling sixty days from the filing of the appeal, within which to prepare and file "a full statement in writing of the facts and grounds for its decision. . . ." The language immediately following, "as found and given by it", is susceptible of the interpretation that findings of fact should have been prepared prior to, or simultaneously with the entry of its decision. Such an interpretation, however, would defeat the very purpose of Congress in allowing the additional thirty days—unless we are prepared to hold that the "full statement in writing of the facts" means something more than findings of fact. Such a holding would be without meaning because on appeal this court will have before it the full record of the evidence. A statement greater in detail than findings, and less in detail than the record itself, would serve no useful purpose. In order to reconcile the two quoted phrases, therefore, and to secure harmony and consistency in the requirements of the statute, it is necessary to interpret the language, "found and given by it", as requiring the Commission to publish something less than findings of fact previous to or coincident with the entry of the decision. This can be accomplished by requiring it to file with its decision the grounds therefor and "a brief factual statement of the reasons" relied upon. As we said in *Missouri Broadcasting Corporation* v. *Federal Communications Commission*, (No. 6869, decided December 6, 1937) — F. (2d) —, — App. D. C. —:

> The exact language is—file a full statement in writing of the facts and grounds for its decision *as found and given by it.* The six words we have emphasized imply, we think, that the grounds of decision and a brief factual statement of the reasons

therefor have been previously given, that is, previously to the filing of the full statement, *i. e.,* findings of fact, in this court.

The reasoning brings us to the further definite conclusion that Congress intended the "full statement in writing of the facts . . . found . . . by it," which the Commission is required to file within sixty days after the filing of the appeal, to be of the same general form and character as findings of fact well known to trial courts. The words are properly susceptible of no other meaning. Moreover, there is no reason to suppose that Congress intended to establish a different rule of procedure, in this respect, for the Communications Commission than for other similar governmental boards and commissions which are engaged in quasi-judicial determinations. *Beaumont, S. L. & W. Ry.* v. *United States,* 282 U. S. 74, 86; see also, *Virginian Ry.* v. *United States,* 272 U. S. 658, 674. This conclusion is borne out also by the language of Section 402(e), which limits review of decisions of the Commission to questions of law and then provides that "*findings of fact* by the Commission, if supported by substantial evidence, shall be conclusive unless it shall clearly appear that the findings are arbitrary or capricious." [Italics supplied]

The questions which we must decide then, are: (1) Did the Commission make findings of fact? (2) If so, were they supported by substantial evidence? (3) Were they arbitrary or capricious? (4) Do they support the conclusions of law reached by the Commission in its decision?

We find nothing in the record, or its index, which bears the title "Findings of Fact." We do find a "Statement of Facts and Grounds for Decision." For convenience this "Statement" is set out—in so far as it is pertinent to this appeal—as follows:

> *Statement of Facts and Grounds for Decision*
>
> * * * *
>
> This proceeding arose upon the applications of Paul R. Heitmeyer for a construction permit to erect a new broadcast station at Cheyenne, Wyoming, to operate on the frequency of 1210 kc, with power of 100 watts, 250 watts local sunset, unlimited hours of operation; and of Wyoming Radio Educational Association for a construction permit to erect a new broadcast station at Cheyenne, Wyoming, to operate on the frequency of 630 kc, with power of 500 watts, 1 kw local sunset, unlimited hours of operation.
>
> The Commission was unable to determine from an examination of the applications that the granting thereof would serve public interest, convenience and necessity, and designated the same for public hearing, pursuant to Section 309(a) of the Communications Act of 1934, before an examiner appointed by the Commission. Notice of time and place of hearing was given the applicant and other interested parties. Pursuant to said notice, the application was heard before an examiner on October 30, 1935. . . .
>
> Cheyenne, Wyoming, is the capital of the State, and is situated near the southeast corner thereof. The population is 17,361 (census of 1930), and Fort Warren, an Army post situated just outside the city, has an estimated population of 4,000. There are approximately 275 retail stores in the city, which did an estimated total volume of business of approximately seven million dollars in 1933. A number of jobbing establishments are located in the city, and railroad shops employ a considerable number of men. The surrounding territory is devoted principally to stock raising, and in some sections farming is engaged in.
>
> *With Respect to the Application of Paul R. Heitmeyer*
>
> Paul R. Heitmeyer, applicant herein, testified that he is an American citizen by birth, and is therefore legally qualified to be a licensee. It appears that he has been actively engaged in various capacities in radio broadcasting for about fifteen years, and he is at present employed as Manager for Broadcast Station KLO at Ogden, Utah. The Commission is of the opinion that the applicant is technically qualified.
>
> *With respect to the financial qualifications of the applicant, he testified in the hearing on October 29, 1935, in the matter of his application for the Salt Lake City, Utah, station, the record of which was by stipulation incorporated into this record, that he estimated his financial worth to be $2500.00. However, on July 15, 1935, he filed a sworn statement, as a part of this application, showing assets of $7,271, with liabilities of $474. Mr. Heitmeyer testified that a deposit had been placed to his credit by Mr. A. L. Glasman, who, it appears, is publisher of the Ogden Standard Examiner, and who also owned the controlling interest in Interstate Broadcasting Corporation, licensee of Station KLO at Ogden, Utah. The deposit was made by Mr. Glasman as a loan to Mr. Heitmeyer for the construction and operation of two broadcast stations, namely, the proposed station applied for herein, and another station at Salt Lake City, Utah. (Docket 2980.)*
>
> *The record discloses further that the applicant intends, in the event this application, and the one for a construction permit for the station at Salt Lake City, Utah, are granted, to form a corporation for each station and request the consent of the Commis-*

sion to assign the licenses of said stations to the corporations. Under the terms of the agreement between Mr. Glasman and Mr. Heitmeyer by which the loan was made, Mr. Heitmeyer agreed to pay 6% interest on the principal, and to repay the loan within five years. However, in the event the loan is not paid under those terms, Mr. Heitmeyer is obligated to assign to Mr. Glasman 48% of the stock of the proposed licensee corporations. It also appears that the estimated cost of constructing the proposed station is $8,890, and the estimated monthly operating expenses are $1,525. The record is silent as to the estimated monthly revenue expected from the proposed station. Mr. Heitmeyer testified that he intends to reside in Salt Lake City, Utah, and leave the management of the requested station in Cheyenne to an employee and that he will visit the station ten or twelve days per month. He further testified that he had interviewed various residents of Cheyenne and found the sentiment favorable to having a radio station in that city, except that the publishers of the two newspapers very definitely objected to the proposed station.

Upon the record before us, it is clear that the applicant personally is not financially able to construct and operate the proposed station, and that he intends to construct and operate the same, if permitted so to do, entirely on money which he has borrowed, without security, unless it be considered that the requirements for the formation of a new corporation, to whom assignment will be requested, and distribution of 49% of the stock to Mr. Glasman, is security for the loan. If it be so considered, then it is clear that the applicant has failed to show that he is financially qualified to construct and maintain a station of the kind and class applied for, since the loan is conditioned upon approval by the Commission of two applications when filed for assignment of license, which would in effect be a prejudging of those applications, which are not now before the Commission. Manifestly, the Commission is without power under the Communications Act of 1934 to act upon applications not presently before them, nor is it within the spirit of the Act to grant an application when it is apparent that the financial structure is dependent, not upon the applicant, but upon some future unpredictable happening. If it be considered that this stock is not security for the loan, then it is apparent that the applicant has made no sufficient showing of financial responsibility, since the physical equipment of this station may become subject to lien, foreclosure, and seizure by the lender, as a matter of law, in the event the loan is not repaid within the five year period. On the record before us, the applicant must pay back $20,000, with interest at 6%, in five years, or something over $4,000 per year. The Commission is of the opinion, and so found, that the applicant has not made such a showing of his financial responsibility as would justify the Commission in granting the application applied for.

* * * *

The applicants, Paul R. Heitmeyer and Wyoming Radio Educational Association, both introduced considerable testimony relative to the need for a broadcast station in Cheyenne; the talent available there; and other matters, all of which has been carefully considered by the Commission, but as the showing made by both applicants precludes a grant of either application in any event, it is deemed unnecessary to discuss in detail such showing herein.

After careful consideration of the applications, the evidence adduced at the hearings, the Examiner's Report and the exceptions thereto, and the oral argument, the Commission was of the opinion, and so found, that the public interest, convenience and necessity would not be served by granting the applications. Accordingly, on May 1, 1936, the Commission entered its final order denying the applications of Paul R. Heitmeyer and Wyoming Radio Educational Association, effective at 3 A. M., E. S. T., September 29, 1936. The effective date of this order was later advanced to June 12, 1936. [Italics supplied]

When we analyze this "Statement" we find, first, a history of the case; then a finding concerning Cheyenne, Wyoming, and surrounding territory; then a narrative recital of testimony given by appellant Heitmeyer, and *his* conclusion that he is legally qualified; then a tentative finding—"it appears that"—concerning Heitmeyer's past and present experience, followed by the Commission's conclusion that he is technically qualified; then three paragraphs concerning Heitmeyer's financial qualifications; then a paragraph in which the Commission states that it is unnecessary to discuss in detail the testimony relative to the need for a broadcasting station in Cheyenne and the talent available there, because "the showing made by both applicants precludes a grant of either application in any event." Finally, there is a paragraph in which the Commission sets out its conclusion that the public interest, convenience and necessity would not be served by granting the applications.

It is to be noted, at this point, that the Commission has narrowed the case down to one question, *i. e.*, Was the applicant financially qualified? Our inquiries, therefore, are similarly narrowed to a consideration of the three italicized paragraphs of the "Statement". Upon them the Commission's decision must stand or fall. Do they contain findings of fact, and, if so, are such findings supported by substantial evidence? Generally speaking the three paragraphs consist of a more or less indiscriminate commingling of arguments, speculations, statements of fact, narrative recitals of testimony and conclusions of law. Taken as a whole, they cannot be said to constitute findings of fact such as are contemplated by the statute. Necessarily, therefore, they provide a highly unsatisfactory basis for appeal and thus defeat the purpose of the statute; which is to inform the parties and this court of the reasons for the Commission's action, with that high degree of certainty which may properly be expected from a group of administrative experts such as constitute the Communications Commission. *Boss, et al.* v. *Hardee,* (No. 6849, decided September 20, 1937) —— F. (2d) ——, —— App. D. C. ——, 65 W. L. R. 1031.

It is possible to segregate some sentences in these three italicized paragraphs which, standing alone, and perhaps taken out of context, may be regarded as findings. It is possible, also, to spell out tentative or qualified findings from other sentences. Thus, the first sentence of the first italicized paragraph relates that Heitmeyer estimated his financial worth to be $2500. The next sentence states that, *however,* he filed a sworn statement showing assets of $7271, with liabilities of $474. The implication seems to be that there is a conflict in his testimony. Such a result cannot fairly be reached from the record. *San Diego Land & Town Co.* v. *Jasper,* 189 U. S. 439, 442. The $2500 about which Heitmeyer testified consisted of money in bank, an automobile, home furnishings and personal effects. In addition he owned $4000 worth of shares—fully paid for—in the corporation which operated Station KLO in Ogden, Utah. Moreover, the evidence at the hearing disclosed that the liabilities of $474 had been fully paid at that time. There was no conflict on this point and, if the two sentences referred to constitute a finding, the only part of it which is supported by the evidence is that Heitmeyer showed assets of $7271. The last two sentences in the first italicized paragraph are supported by the evidence and the testimony there referred to could properly have been formulated into a finding.

The first three sentences in the second italicized paragraph, standing alone, constitute a finding which is supported by substantial evidence. The next sentence, relating to the cost of constructing and operating the proposed station, is supported by the evidence. A careful reading of the record shows that the next sentence, "The record is silent as to the estimated monthly revenue expected from the proposed station", is wholly unsupported by the record. Indeed, the Commission, in its brief, in reviewing the testimony of the witness Haller, quoted therefrom as follows: "A number of the Cheyenne merchants agreed to use time on the proposed station." The brief then states that "on the basis of such a survey the witness estimated that the merchants with whom he talked 'would probably spend within the neighborhood of $2,100 a montth.' " In view of the fact that the Examiner made a correct finding upon the point—among other well prepared findings—the Commission's finding cannot be regarded as other than arbitrary and capricious. While the Commission is not bound by the findings of the Examiner, it is itself charged with the responsibility of making findings. *Radio Commission* v. *Nelson Bros. Co.,* 289 U. S. 266, 285; *St. Joseph Stock Yards Co.* v. *United States,* 298 U. S. 38, 53. In this case it would have profited from a more careful consideration of those which the Examiner prepared.

The last two sentences in the second italicized paragraph are supported by substantial evidence so far as they go, and could properly have been formulated into a finding of fact. The vice of the first sentence, however, is its incompleteness, which gives a shading of meaning not supported by the evidence. The evidence upon this point showed—and a finding might properly have been made accordingly—that Heitmeyer is the supervising director and manager of Station KLO at Ogden, Utah. His salary therefor is $300 per month and will continue, even though he secures the Cheyenne station and devotes approximately ten to twelve days a month to that station, as he expects to do. He has a contract with Mr. Glasman, the controlling stockholder in KLO, so providing and permitting him to engage in any other radio activities, provided he continues to keep KLO financially successful. If and when the permit and license are granted for the Cheyenne station he will have a resident manager for that station working under his direction.

The third of the three italicized paragraphs contains one sentence which, standing alone, constitutes a finding, as follows: "On the record before us, the applicant must pay back $20,000, with interest at 6%, in five years, or something over $4,000 per year." This statement, except for the last six words, is supported by the evidence and is covered in part in the preceding paragraph. The last six words constitute a conclusion which is supported by no evidence whatever. There is nothing in the record to prove that Heitmeyer was *required* to pay anything, principal or interest, before the expiration of five years.

Otherwise, the third paragraph is devoid of anything resembling findings except (1) the first sentence, which is so involved with, and dependent upon, a question of law as to be in substance and effect a decision of the latter (*Kansas City So. Ry.* v. *Albers Comm. Co.,* 223 U. S. 573, 591); and (2) the last sentence, which states the bald conclusion: "The Commission is of the opinion, and so found, that the applicant has not made such a showing of this financial responsibility as would justify the Commission in granting the application applied for." General statements of this kind, following the language of the statute, are not sufficient to constitute findings of fact such as are contemplated by the statute. *Florida* v. *United States,* 282 U. S. 194, 213. The language used indicates that this was intended to be the "brief factual statement of the reasons" for the decision contemplated by the statute, given previously to the filing of the findings of fact. See *Missouri Broadcasting Corporation* v. *Federal Communications Commission, supra.* It serves that purpose very well, but does not constitute a finding of fact.

Assuming, for the purposes of this case only, that the three italicized paragraphs constitute findings, we conclude, in answer to our second and third questions, that some of them are supported by substantial evidence, some are not, and some are arbitrary and capricious. Our final question, then, is whether those findings which are supported by substantial evidence, themselves support the conclusions of law and the decision of the Commission. Otherwise stated, the final question is whether those findings support the conclusion that the applicant was not financially qualified to construct and operate the proposed station.

The argument set forth in the third italicized paragraph shows that the Commission decided the case upon the finding contained in the first three sentences of the second italicized paragraph. This is the only valid finding which could support the decision. It is first contended by the Commission that the appellant "intends to construct and operate the same [station] . . . *entirely on money* which he has borrowed. . . . " The finding does not support that contention. It shows instead that appellant had some assets in addition to the borrowed money. Moreover, there is nothing in any of the valid findings which negatives the intent of the applicant to apply revenue from the station toward cost of operation. However, it does clearly appear that he had *insufficient* money to construct the station without that which he borrowed.

It is next contended by the Commission, as one of two alternative propositions, that appellant has failed to show his financial qualification, because (1) the loan is intended to be secured by the distribution to Glasman of 49% of the stock of a proposed corporation; (2) the value of the corporate stock depends on the granting of permission for transfer of the station license to the corporation; (3) this involves in effect the prejudging by the Commission of two applications not yet before it; (4) hence the security for the loan is conditioned on a judgment of the Commission which it is powerless to make. If this contention means that the policy of the Commission is to refuse an application—in all other respects satisfactory—merely because an applicant honestly contemplates the formation of a corporation—in the event his application is granted—to which he will transfer the permit and license, with the consent of the Commission, it would seem to verge closely upon arbitrary and capricious action. It would seem to be a rather idle and expensive gesture to require the formation of a corporation for such a purpose before the securing of a construction permit, when a refusal to grant the permit would automatically abort the whole occasion and purpose of the corporation. It would seem on its face to be a rather severe restriction upon business enterprise and an unnecessary limitation upon the availability of radio service in a particular community. Moreover, it would seem to be a particularly arbitrary and futile procedure in a case such as this, where the applicant fully and fairly revealed his plans. Ordinarily, there would be nothing to prevent an applicant from securing a construction permit and a station license; thereafter forming a corporation; and then requesting permission to make the assignment. Should a penalty be placed upon one who has the foresight to plan his project in advance and reveal its full details? If the applicant is confident that he can make such a showing as to secure the Commission's approval of a subsequent transfer, should the Commission object? In fact, should not the Commission invite just such a revelation of plans so that it can have that contingency in mind when passing on the application for a construction permit, rather than drive the applicant to conceal his plans until after the construction permit has been granted? However, we are not required to decide this question because the first alternative contention of the Commission is not supported by the findings. So far as relevant to this point they read as follows:

> . . . Mr. Heitmeyer agreed to pay 6% interest on the principal, and to repay the loan within five years. *However, in the event the loan is not paid under those terms,* Mr. Heitmeyer is obligated to assign to Mr. Glasman 49% of the stock of the proposed licensee corporation(s). [Italics supplied]

It is obvious from the language used in the finding that the assignment of corporate stock by way of security was not contemplated unless and until Heitmeyer had made default in his obligation to repay the loan *within five years.* Heitmeyer insisted throughout his testimony that such was the intention of Glasman and himself, and the Commission found accordingly.

It is apparent that the Commission recognized the invalidity of the above contention because it went on to state a second alternative as follows: The appellant intends to use such borrowed money without giving security therefor; hence he has failed to show sufficient financial responsibility "since the physical equipment of this station may become subject to lien, foreclosure, and seizure by the lender, as a matter of law, in the event the loan is not repaid within the five year period." Assuming that the loan should not be repaid at the end of five years it may well be that foreclosure and seizure might result. Does this possibility support the contention that appellant has thus failed to show his financial qualification? The question, otherwise stated, is whether an application such as Heitmeyer's may be properly denied because the applicant proposes to use borrowed money for the purpose of construction and operation, unless the money borrowed is covered by sufficient collateral or other security to insure the station against lien, foreclosure, and seizure for a longer period than five years. Can such a standard be upheld?

In answering this question we look first for some measure of financial qualification to guide us. We are referred to no rule or regulation of the Commission suggesting such a rigid standard. On such an important question we think the public is entitled to have the statute implemented by a regulation setting out clearly and concisely just what the Commission regards as a minimum standard of financial ability. Evidently Congress had the same intent because the statute provides that all "applications shall set forth such facts as the Commission *by regulation may prescribe* as to . . . *financial, technical, and other qualifications*" of the applicant. [§ 308(b)] [Italics supplied]

In the absence of such a guide, the appellant suggests that we look to the practice of the Commission in previous cases as set forth in his brief, although not revealed in the record. We are asked to do this on the theory that the Commission "has not refused to grant construction permits for new stations to those who are qualified and experienced in the operation and management of radio stations simply because they did not have abundant personal finances without borrowing to construct and carry on the operation of the proposed stations." Whether or not the Commission has in the past granted licenses under similar circumstances is immaterial. It is fully authorized to increase, by regulation, the requirements previously imposed if the public interest requires. [§ 303(f)] However, in the absence of a regulation, a common sense view of prevalent business methods would seem to justify the use of such borrowed funds for the purpose, unless some circumstance, special to the radio broadcasting industry, distinguishes it from others.

It is true, as suggested in argument, that Congress has imposed heavy obligations upon the Commission to discover and prevent any alien, criminal, or other improper control of radio broadcasting stations, and to guarantee so far as possible an independent, wholesome policy in management and operation. See Sections 303, 308(b), 310(a), 311, 313. To the same general end the Act gives to the Commission control of assignments and transfers of construction permits [§ 319(b)]; station licenses [309(b)(2)]; and of all rights thereunder, whether such assignments or transfers be voluntary or involuntary, direct or indirect [§ 310(b)].

It is well known that one of the most powerful and effective methods of control of any business, organization, or institution, and one of the most potent causes of involuntary assignment of its interests, is the control of its finances. By establishing a high enough standard of financial qualification, the Commission can eliminate many of the hazards of such control, direct or indirect in character. It is in the public interest that it should not be impeded in a reasonable exercise of its discretion. The public interest in this respect far outweighs the private interest of any individual applicant. *Reading Broadcasting Co.* v. *Federal Radio Commission,* 48 F. (2d) 458, 60 App. D. C. 89. Perhaps under some circumstances the Commission might be justified in insisting upon the complete financial independence of an applicant.

In any event, the burden is and should be upon the applicant to satisfy the Commission, not only that he has financial ability to construct and operate a station, but financial ability to construct and operate it free of control, direct or indirect, by any person within the classes proscribed by the statute. *Beebe* v. *Federal Radio Commission,* 61 F. (2d) 914, 61 App. D. C. 273. See *Campbell* v. *Galeno Chemical Co.,* 281 U. S. 599, 609.

If, then, it appears from the application, or upon the hearing, that the applicant's financial condition is such that there is a probability that he may lose control of the station or that there may be either a voluntary or an involuntary transfer of his rights in relation thereto, a situation may arise in which the Commission will be called upon to enforce the provisions of the sections to which reference has just been made. *Sproul* v. *Federal Radio Commission,* 54 F. (2d) 444, 60 App. D. C. 333. Under such circumstances it may be wiser from an administrative point of view to avoid such a contingency by insisting upon the removal of the probability before a permit is granted. If so, it is not our place to question the wisdom of the provisions, or to determine whether the Commission's administrative determination was the wisest under the circumstances. *Radio Commission* v. *Nelson Bros.* Co., 289 U. S. 266, 277.

In support of the position taken by the Commission in this case, it can be argued that neither in his original application nor in his financial statement did Heitmeyer reveal his relationship to Glasman. Moreover, it was disclosed at the hearing that Heitmeyer was an employee of Glasman and that he expected to maintain that relationship if and when he should operate the proposed station at Cheyenne. This all lends color to the suggestion made on cross-examination that Heitmeyer was the personal representative of Glasman, or that Glasman was an undisclosed partner and that, in his application and his financial statement, Heitmeyer deliberately avoided revealing Glasman's possible interest in the proposed station.

However, the Commission made no such findings, nor any findings which would support such conclusions. Moreover, the rejection of the application is not placed on any such ground. Again, even if these facts had been found they would not have shown lack of financial qualification *per se,* but merely possible danger of improper control, *if* the lender happened to be within one of the classes proscribed by Congress.

No matter how good that reason may be generally for excessive caution on the part of the Commission, it loses its force in this case because the lender of the money was himself the owner of a controlling interest in a licensee corporation, and had presumably satisfied all of the exacting requirements of the Commission. If he was acceptable as a licensee, how could it be argued that the applicant who borrowed from him would, as a result thereof, be directly or indirectly controlled by anyone—person, government, or corporation—within the proscription? If such reasoning weighed in the rejection of the application, then the Commission based its decision upon facts and circumstances which do not appear in its findings, and which should not have been considered. *Interstate Commerce Commission* v. *Northern Pacific Ry.,* 216 U. S. 538, 544-45.

Therefore, in the absence of a showing that the applicant failed to comply with any regulation setting minimum standards of financial qualification; in view of the fact that the source of the applicant's money and his relationship to the lender were fully revealed at the hearing; and in view of the fact that the lender was himself a licensee of the Commission, the argument which we have assumed in support of the Commission's decision falls of its own weight. If the loan was *bona fide,* and there is no finding and no evidence to the contrary, it would seem to stand in the same position as any other legitimate plan of financing.

The question then is whether the regulation imposed—by implication at least—in this case was a reasonable one. The Commission argues that the money which the applicant had in bank was unsecured by collateral and hence the lender might satisfy the obligation by taking over the station. What then would be considered safe? Collateral securing a loan might fail, as much of it did during the recent depression; money in bank, belonging entirely to an applicant might be lost by reason of a bank failure; cash in hand or in a safety deposit box might be stolen. We cannot require the impossible in attempting to guarantee safety. The people of the State of Wyoming and of its capital, Cheyenne, are entitled to radio facilities if there be an applicant available and ready to supply them who can satisfy usual and ordinary standards of business safety. In this period of economic uncertainty financing reasonably assured five years in advance would seem to constitute much more than the average of business security. If the standard of financial responsibility required by the Commission in this case were imposed upon the country generally, business would cease. Under the circumstances, can it be said that the action of the Commission was anything but arbitrary, if not capricious? We think not; especially as its own findings were insufficient to support its conclusions of law and the decision based thereon. *Florida* v. *United States,* 282 U. S. 194, 212-15.

The discretion which the Commission is directed to exercise is not absolute. The purpose of the statute is to secure to the people of the several states and communities a fair, efficient and equitable distribution of radio service. The Commission is directed by the statute to apply this standard in considering applications for licenses "when and insofar as there is demand for the same" [§ 307(b)]; and, "if public convenience, interest, or necessity will be served thereby, subject to the limitations of this Act, shall grant to any applicant therefor a station license . . ." [§ 307(a)].

Proper administration of the law by governmental agencies such as the Communications Commission requiries careful observance of the procedures established by Congress. For the protection of the people generally, to say nothing of the agencies themselves, convenience of administration cannot be permitted to justify noncompliance with the law, or the substitution of fiat for adjudication. *Interstate Commerce Commission* v. *Northern Pacific Ry., supra; American Sumatra Tobacco Co.* v. *Securities and Exchange Commission,* (No. 6776, decided September 30, 1937) — F. (2d) —, — App. D. C. —.

The decision, therefore, will be reversed and the case remanded to the Commission with instructions to proceed with the application in conformity with this opinion. This does not mean that it is directed to issue a permit to the appellant. It is not the function of this court "to revise the action of the Commission from an administrative standpoint and to make an administrative judgment . . . the Commission in its further action is to respect and follow the . . . determination of the questions of law" by this court. *Radio Commission* v. *Nelson Bros.,* 289 U. S. 266, 276, 278.

Reversed and remanded.

FEDERAL TRADE COMMISSION ACTION

Complaints

The Federal Trade Commission has alleged unfair methods of competition in complaints issued against the following firms. The respondents will be given an opportunity to show cause why cease and desist orders should not be issued against them.

No. 3285. Alleging unfair competition through the use of misleading representations concerning their business, a complaint has been issued against **Albert L.** and **Leonard Hilkemeyer,** operating the **Dixie Hatcheries** at 2401 Second Ave., **North Birmingham, Ala.,** also trading under the name **Jefferson Farms.**

Although Leonard Hilkemeyer formerly conducted under the name Jefferson Farms a baby chick hatchery at Jefferson Farms near Birmingham, he ceased all operation of such business about June, 1936, according to the complaint. Since that time, it is alleged, the respondents have continued to use the name Jefferson Farms in certain advertisements relating to the business of Dixie Hatcheries. The result allegedly has been to create the impression among buyers that Dixie Hatcheries and Jefferson Farms were separate and competing businesses, when in fact there was only one business involved, namely, that conducted under the name Dixie Hatcheries.

No. 3286. A complaint alleging unfair competition in the sale of hosiery has been issued against **Alfred Boehm,** 5-7 White St., **New York,** trading as **Lynx Knitting Company.**

Although purchasing his stock from various manufacturers, Boehm, through the use of the word "Knitting" in his trade name, allegedly advertises his business as that of a manufacturer, when in fact, according to the complaint, he does not own or control factories in which the hosiery he sells is made.

Selling his products chiefly through house-to-house canvassers, the respondent, as an inducement to persons to become his distributors, is alleged to have advertised in "Agents Wanted" columns of magazines to the effect that the hosiery he sells is proof against spots, splashes, and snagging; that it is composed entirely of silk, and that he furnishes his distributors with free sample outfits. The complaint alleges that Boehm hosiery products are not spot, splash or snag-proof; are composed in part of materials other than silk, and that he does not furnish free sample outfits to canvassers, but that they are paid for by the canvassers in cash and by services rendered.

No. 3287. Misleading use of the words "satin" and "Pure Dye" in the advertisement of fabrics sold to garment manufacturers is alleged in a complaint issued against **Excello Fabrics, Inc.,** 118 Madison Ave., **New York.**

Advertising matter inserted in newspapers and trade publications and used on labels and placards furnished by the respondent company allegedly contained representations of the respondent company's "Crysglo" fabrics as "Pure Dye", "Satin", and "Pure Dye Satin." Such designations are alleged to have served as representations that the fabrics and the garments made therefrom were silk. According to the complaint, these assertions were misleading because the products referred to were not composed of silk but of materials other than silk.

Stipulations

The Commission has entered into the following stipulations:

No. 01972. Dayton Laboratories, Inc., trading as Surete Laboratories, 1442 Springfield St., Dayton, Ohio, will cease advertising that its product designated Surete is an effective contraceptive and will stop using the word "laboratories" as part of its trade name until it owns and operates a laboratory wherein research and scientific tests are conducted by a competent scientist.

No. 01973. Comet Welder Co., Halifax St., Cincinnati, distributor of Comet Welder, a soldering tool, stipulates that it will discontinue advertising that its product embodies a new scientific principle of welding; that it is a genuine electric arc welder, or an arc welder of any kind; that it produces a white-hot flame, or 7,000 degrees of instant intense heat, and is capable of fusing broken parts permanently stronger than ever. In its stipulation, the respondent company admits that its article is a soldering and brazing tool and will not weld metals.

No. 01974. Etta Campbell and Frances M. Heinzelmann, trading as Heinzlemann Company, 313 East 12th St., Kansas City, Mo., agree to discontinue representing that Dr. Heinzelmann's Remedy, also known as Blood Disease Formula, can be used by the sufferer at home with beneficial results regardless of the cause of the ailment or the length of time it has existed. The respondents, who admitted that there is no blood disease for which their preparation could be considered a satisfactory remedy, will cease using the words "Blood Disease Formula" to designate the product.

No. 01975. The Kellogg Company, Battle Creek, Mich., will stop advertising that its cereal food designated Kellogg's All-Bran regulates, cleanses or has any other direct effect upon the system; that it is a competent treatment for pimples and wrinkles or for any symptom or condition unless such assertion has been justified by competent scientific evidence, and that it ends constipation. The company also will discontinue representing that any article is given free to a purchaser when, in fact, the price thereof is included in that of another article which must be purchased before one is qualified to receive the gift.

No. 01976. James F. Jordan, trading as Jordan Laboratories, R. R. 3, Ithaca, N. Y., will stop advertising that Dr. Jordan's Blood Alterative provides a competent remedy or treatment for high blood pressure, causes pain and suffering to disappear, and is especially prepared to aid in gradually changing the blood pressure to normal so that no violent reaction of the heart or other organs may occur. The respondent agrees to stop using the word "laboratory" in his trade name until he actually maintains such a place, and will cease using the word "doctor" or the abbreviation "Dr." in connection with his name in advertising his preparation.

No. 01977. Harry Seligman, trading as Harry Treats Company, 1242 South St., Philadelphia, will discontinue representing that his product Rx 1739 is a competent treatment for diseases of the kidneys or bladder and that his Special "D" Herbal Tonic is an effective remedy for sores, eczema, or nervous excitement. He also will desist from advertising that he conducts a medical clinic.

No. 01978. Carnation Company, 118 Olive St., St. Louis, is engaged in selling a cleaning preparation, medicinal products and cosmetics. Among the representations it will discontinue in advertising its preparations are that Klenjoy Tablets will remove all stains and lengthen the life of clothes; that Carnation Cough Syrup is a competent treatment for colds, irritations of the throat or coughs, unless limited to coughs due to colds; that Bick's Salve is competent in the treatment of colds, bronchitis, tonsilitis, rheumatic and neuralgia pains, or burns; that either Carnaco Vegetable Oil Soap or Sanisalva Salve is an effective remedy for skin irritations; that Cutivel Cold Cream banishes blackheads or wrinkles or brings about a complete transformation of the skin; that Dixlax Tablets will prevent constipation; that Lanabalm relieves gout, rheumatism, neuralgia or lumbago; that in all cases Bick's Aspirin will not upset the stomach or that its use will leave no harmful effects; that Carnation Dental Cream will keep the gums healthy and prevent acid mouth, and that Carnation Hair Vigor will stimulate hair growth and prevent dandruff.

No. 01979. D. Rogers Stewart, trading as **Stewart School,** 3555 Aberdeen Ave., **Alton, Ill.,** selling a correspondence course in sign painting and lettering, has entered into a stipulation to discontinue representing that any article is given free to a purchaser of his course unless such article is furnished without the payment of money or the rendering of any service.

The respondent also will cease making unmodified representations of earnings in excess of the average earnings achieved under normal business conditions by purchasers of his course.

No. 01980. Estate Stove Co., Hamilton, Ohio, in the sale of a heating stove called Estate Heatrola, agrees to abandon certain advertising representations comparing its products to those of competitors unless there is clearly explained the type of appliance with which comparison is made and unless such claims have been justified by competent, reliable tests. Among such allegations are that Estate Heatrola will cut fuel costs by any stated amount or percentage and will not consume half as much coal as other heaters. The respondent company will also cease asserting that unless a stove is an Estate Heatrola it will be "half-heating, fuel-eating," and that this product is the one home heater that pays for itself.

No. 01981. Laco Products, Inc., 4201 Philadelphia Ave., Baltimore, will desist from representing that either Laco Olive Oil or Laco Shampoo feeds the scalp; that Laco restores life to hair or overcomes dry and lifeless hair; that it is made from pure olive oil, and that Laco Shampoo contains only olive oil, soda and water.

No. 01982. L. A. Cocklin, 117 Union St., Griswold, Iowa, trading as Laco Oil Burner Co., in the sale of his oil burners, agrees to stop asserting that they get every atom of heat from the oil used and will produce any definite amount of heat, unless this is limited in reference to actual results proven by scientific tests. The respondent will also discontinue the representation that he makes the only really big stoves or the biggest stove on the market, unless such allegation is qualified as to the type for which this allegation would be a fact.

No. 01983. The H-A Relief, Inc., 12 Sherman Ave., Mansfield, Ohio, will discontinue representing that H-A Relief Tablets constitute a competent treatment for asthma or common head cold, and an effective remedy for hay fever or rose cold unless specifically limited to a mild palliative effect.

No. 01984. Otto F. Hempel, 720 White Building, Buffalo, N. Y., trading as The Perno Co. and as The Bee-Cell Co., in the sale of the Bee Cell Supporter, advertised for use in treating certain diseases of women, stipulates that he will cease advertising that the product is effective in treating womb trouble, unless this assertion is limited to refer only to uncomplicated prolapsus.

Nos. 01985-01986. Consolidated Drug Trade Products, Inc., 544 South Wells St., Chicago, selling Calocide, agrees to stop asserting that it is a competent treatment or effective remedy for burning, aching or sore feet and similar ailments, unless the representation is limited to the relief of cases caused or aggravated by conditions for which a mild astringent would constitute an effective treatment. This company also entered into a stipulation to the effect that it will cease representing McCoy's Cod Liver Oil Extract Tablets as being capable of helping one who is run down, lacks resistance, or is constantly subject to colds, or that it will enable one to gain in weight and strength, except when such representations are properly qualified. According to the stipulation, the claims are to be specifically limited to cases in which the conditions are due to or aggravated by a vitamin deficiency which would be supplied by the administration of the tablets in accordance with directions.

No. 2107. Perey Manufacturing Co., Inc., 101 Park Ave., New York, under the trade name Perey Turnstile Co., manufactures fare and admission collection equipment, such as turnstiles, electric fare boxes and roto-gates. It agrees to cease the use in advertisements of tabulations of alleged initial cost comparisons of its "Superstiles" with the electric fare box equipment of competitors when such tabulations contain representations the effect of which is to mislead purchasers into believing the initial cost of such competitive equipment is much in excess of or other than what is actually the fact. The respondent company also stipulates that it will cease employing advertising matter which conveys the impression that the equipment of modern buses, when employing electric fare box apparatus, is such as to necessitate the installation, with its attendant cost, of oversize batteries, special wiring and special generators. The respondent corporation will also discontinue using advertising representations the effect of which is to imply that the use of electric fare boxes sold by competitors will entail expenditure of $200 to cover the cost of battery replacement over two years, the recharging of batteries and replacement of parts; or that insurance is decreased or savings effected on insurance by use of the Superstile rather than the electric fare box equipment of competitors, when such are not the facts.

No. 2108. Whitewater Brewing Company, Whitewater, Wis., and Alex Weingart, in the sale of Badger beer, agrees to cease using on labels or in advertising matter the words "The Pride of Wisconsin" or the word "Wisconsin", alone or in connection with the picture of a map of that State so as to imply that the beer so advertised is brewed in Wisconsin, when such is not a fact. According to the stipulation, Whitewater Brewing Company, which maintains a branch office in Chicago, purchased the beer designated Badger from a Chicago brewer and resold it.

No. 2109. Joseph Love, Inc., 1333 Broadway, New York, in advertising its Princess Elizabeth dresses, agrees to cease using in connection with the name "Princess Elizabeth", representations, pictorial or otherwise, and insignia identifying the name with the present British Heir Apparent, the effect of which may tend to lead purchasers to believe that the dresses are of English make or origin or have received the endorsement of a member of the British Royal Family, when such is not a fact. On tags attached to the dresses, according to the stipulation, appeared the words "Authentic Princess Elizabeth Dresses Created by Love" together with pictures of English scenes and insignia and of a girl seated upon a throne, although the dresses so advertised were neither made in England nor endorsed by a member of the British Royal Family.

No. 2114. Rossman-Weaver Company, Elizabethville, Pa., trading as Blair Shirt Company, will stop the use on labels attached to shirts it sells of the word "Non-Wilt" so as to imply that the collars are of fused construction or that, because of such implied non-wilt or fused construction, they will retain soft collar comfort and starched neatness and will not curl or wrinkle, when such are not the facts. The company, which has a sales office at 1180 Broadway, New York, will discontinue employing the words "Full Shrunk" or words of similar meaning to describe shirts which have not been pre-shrunk as that term is generally understood by the trade and purchasing public.

Cease and Desist Orders

The Commission has issued the following cease and desist orders:

No. 2576. Pennsylvania Whiskey Distributing Corporation, 135 Johnson St., **Brooklyn, N. Y.,** has been ordered to cease and desist from representing that it is a distiller of whiskey, gin and other spirituous beverages, when such is not a fact.

Under the order, the respondent corporation is prohibited from representing, through use of the abbreviation "Dist." in its corporate name, on labels, or otherwise, that it is a distiller of spirituous beverages, that it manufactures such products through the process of distillation, or that it owns or operates a distillery, unless it actually does own or operate such a place.

No. 3103. Prohibiting certain unfair methods of competition in the sale of maps, an order to cease and desist has been issued against **Lawton V.** and **Henry F. Crocker,** of **Chester, Vt.,** trading as **The National Survey Co.,** and **The National Survey.**

The order directs these respondents to stop representing through use of the word "Official", alone or in connection with the words "National" or "National Survey" printed on their maps, or in any other manner, that such maps are "Official" publications of or are authorized by Federal or State authorities, unless such maps are in fact official publications of and have been authorized by such authorities.

No. 3236. Prohibiting certain unfair methods of competition in the sale of furs, an order to cease and desist has been issued against **Fox-Weis Company,** 1130 Chestnut St., **Philadelphia,** a distributor of furs and fur coats.

In the sale of garments made from dyed muskrat or dyed coney (rabbit) fur, the respondent company, under the order, is directed to cease describing such articles in any other way than by the use of the correct name of the fur as the last word of the description thereof. Findings are that coney and muskrat furs resembling seal were in certain instances advertised as seals without qualification of any kind. In other advertisements, the phrases "dyed coney" or "dyed muskrat" appeared in small type and separated from the seal designations.

FEDERAL COMMUNICATIONS COMMISSION ACTION

Hearing Calendar

The following hearings in broadcast cases are scheduled before the Commission for the week beginning Monday, January 3.

Thursday, January 6

ORAL ARGUMENT BEFORE THE COMMISSION

Examiner's Report No. I-490:

NEW—Warren B. Worcester, San Diego, Calif.—C. P., **1400 kc.,** 250 watts, 1 KW LS, unlimited time. *Other participants:* WIRE, Indianapolis, Ind.; KTUL, Tulsa, Okla.; KDON, Monterey, Calif.; KECA, Los Angeles, Calif.; KGB, San Diego, Calif.; Smith, Keller & Cole, San Diego, Calif.; Radiotel Corp., San Diego, Calif.

Examiner's Report No. I-493:

NEW—Philadelphia Radio Broadcasting Co., Philadelphia, Pa.—C. P., **1570 kc.,** 1 KW, unlimited time.

NEW—Abraham Plotkin, Chicago, Ill.—C. P., **1570 kc.,** 1 KW, unlimited time. *Other participants:* WFIL, Philadelphia, Pa.; WDAS, Philadelphia, Pa.; WIBG, Glenside, Pa.; WIP, Philadelphia, Pa.; The Journal Co. (Milwaukee Journal), Milwaukee, Wis.; Mid-Atlantic Corp., Washington, D. C.; Trenton Times, Trenton, N. J.

Friday, January 7

ORAL ARGUMENT BEFORE THE COMMISSION

Examiner's Report No. I-399 (Re-argument):

KSFO—The Associated Broadcasters, Inc., San Francisco, Calif.—Voluntary assignment of license to Columbia Broadcasting System of California; **560 kc.,** 1 KW, unlimited time. *Other participants:* None.

HEARING BEFORE AN EXAMINER

(Broadcast)

WFIL—WFIL Broadcasting Co., Philadelphia, Pa.—C. P., **560 kc.,** 1 KW, 5 KW LS, unlimited time. Present assignment: **560 kc.,** 500 watts, 1 KW LS, unlimited time (C. P., 1 KW, 1 KW LS, and S.A. 1 KW night). *Other participants:* WMCA, New York, N. Y.; WGR, Buffalo, N. Y.; WIND, Gary, Ind.; WSYR-WSYU, Syracuse, N. Y.; WBZA, Boston, Mass.; WQAM, Miami, Fla.; Pottsville News & Radio Corp., Pottsville, Pa.

NEW—Tri-City Broadcasting Co., Inc., Schenectady, N. Y.—C. P., **950 kc.,** 1 KW, 1 KW LS, unlimited time. *Other participants:* WABY, Albany, N. Y. (Intervenor); WOKO, Albany, N. Y. (Intervenor); WRC, Washington, D. C.; WELI, New Haven, Conn.; KMBC, Kansas City, Mo.; WBZ, Boston, Mass.; WBZA, Boston, Mass.; WCSH, Portland, Maine; WAAT, Jersey City, N. J.; WHAL, Saginaw, Mich.; Lawrence K. Miller, Pittsfield, Mass.; Troy Broadcasting Co., Inc., Troy, N. Y.; Citizens Broadcasting Corp., Schenectady, N. Y. (Intervenor).

WLBL—State of Wisconsin, Department of Agriculture and Markets, Stevens Point, Wis.—Modification of license, **900 kc.,** 1 KW, 5 KW LS, specified hours 6 a. m. to 10 p. m., CST. Present assignment: **900 kc.,** 5 KW, daytime. *Other participants:* WSJS, Winston-Salem, N. C.; WBEN, Buffalo, N. Y.; WTAD, Quincy, Ill.; WJAX, Jacksonville, Fla.; WKY, Oklahoma City, Okla.

WILL—University of Illinois, Urbana, Ill.—C. P., **580 kc.,** 5 KW, daytime. Present assignment: **580 kc.,** 1 KW, daytime. *Other participants:* WDBO, Orlando, Fla.; WIND, Gary, Ind.; WTAG, Worcester, Mass.; WCHS, Charleston, W. Va.; Wm. F. Huffman, Wisconsin Rapids, Wis.

During the past week the Commission has announced the following tentative dates for broadcast hearings. They are subject to change at any time.

January 14

ORAL ARGUMENT BEFORE THE COMMISSION

Examiner's Report No. I-526:

Earl J. Smith and William Mace, d/b as Smith & Mace, Saranac, New York.—Voluntary assignment of license to Upstate Broadcasting Corp.; **1290 kc.,** 100 watts, daytime.

January 24

ORAL ARGUMENT BEFORE THE COMMISSION

Examiner's Report No. I-395 (Re-argument):

NEW—The Journal Co. (The Milwaukee Journal), Milwaukee, Wis.—C. P., **1570 kc.,** 1 KW, unlimited time.

NEW—Mid-Atlantic Corporation, Washington, D. C.—C. P., **1570 kc.,** 1 KW, unlimited time.

NEW—The Trenton Times, Trenton, N. J.—C. P., **1570 kc.,** 250 watts, unlimited time.

NEW—The Trenton Times, Trenton, N. J.—C. P., **1570 kc.,** 250 watts, unlimited time.

NEW—The Trenton Times, Trenton, N. J.—C. P., **1570 kc.,** 250 watts, unlimited time.

Examiner's Report No. I-412 (Re-argument):

NEW—Pacific Acceptance Corp., San Diego, Calif.—C. P., **1200 kc.,** 100 watts, daytime.

Examiner's Report No. I-327 (Re-argument):

NEW—Smith, Keller & Cole, San Diego, Calif.—C. P., **1200 kc.,** 100 watts, daytime.

Examiner's Report No. I-505:

NEW—The Colonial Network, Inc., Providence, R. I.—C. P., **720 kc.,** 1 KW, limited time.

Examiner's Report No. I-388:

NEW—Cumberland Broadcasting Co., Inc., Portland, Maine.—C. P., **1210 kc.,** 100 watts, unlimited time.

NEW—Twin City Broadcasting Co., Inc., Lewiston, Maine.—C. P., **1210 kc.,** 100 watts, unlimited time.

NEW—Philip J. Wiseman, Lewiston, Maine.—C. P., **1210 kc.,** 100 watts, unlimited time.

NEW—Harriett M. Alleman and Helen W. MacLellan, d/b as Cape Cod Broadcasting Co., Barnstable Township, Mass.—C. P., **1210 kc.,** 100 watts, 250 watts LS, unlimited time.

NEW—George M. Haskins, Hyannis, Mass.—C. P., **1210 kc.,** 100 watts, 250 watts LS, unlimited time.

NEW—Arthur E. Seagrave, Lewiston, Maine.—C. P., **1420 kc.,** 100 watts, 250 watts LS, unlimited time.

February 3

ORAL ARGUMENT BEFORE THE COMMISSION

Examiner's Report No. I-397 (Re-argument):

NEW—The Metropolis Company, Jacksonville, Fla.—C. P., **1290 kc.,** 250 watts, unlimited time.

Examiner's Report No. I-461:

NEW—Ann Arbor Broadcasting Co., Inc., Ann Arbor, Mich.—C. P., **1550 kc.,** 1 KW, unlimited time.

Examiner's Report No. I-417 (Re-argument):

WSOC—WSOC, Inc., Charlotte, N. C.—C. P., **600 kc.,** 250 watts, 1 KW LS, unlimited time. Present assignment: **1210 kc.,** 100 watts, 250 watts LS, unlimited time.

Examiner's Report No. I-127 (Re-argument):

NEW—Bellingham Publishing Co., Bellingham, Wash.—C. P., **1420 kc.,** 100 watts, unlimited time.

Examiner's Report No. I-431:

NEW—Curtis Radiocasting Corp., Indianapolis, Ind.—C. P., **1500 kc.,** 100 watts, 250 watts LS, specified hours.

WKBV—Knox Radio Corporation, Richmond, Ind.—Modification of license, **1500 kc.,** 100 watts, unlimited time. Present assignment: **1500 kc.,** 100 watts, specified hours.

February 4

HEARING BEFORE AN EXAMINER

(Broadcast)

WCLS—R. W. Hoffman, Transferor, and L. W. Wood, Transferee, Joliet, Ill.—Transfer of control of corporation; **1310 kc.,** 100 watts, specified hours.

KRQA—J. Laurance Martin, Assignor, and I. E. Lambert, Assignee, Santa Fe, N. Mex.—Voluntary assignment of license; **1310 kc.,** 100 watts, unlimited time.

WRTD—The Times Dispatch Pub. Co., Inc., Assignor, and Times Dispatch Radio Corp., Assignee, Richmond, Va.—Voluntary assignment of license; **1500 kc.,** 100 watts, unlimited.

February 11

ORAL ARGUMENT BEFORE THE COMMISSION

Examiner's Report No. I-439:

NEW—Chase S. Osborn, Jr., Fresno, Calif.—C. P., **1440 kc.,** 500 watts, unlimited time.

Examiner's Report No. I-507:

KRE—Central California Broadcasters, Inc., Berkeley, Calif.—C. P., **1440 kc.,** 500 watts, 1 KW LS, unlimited time. Present assignment: **1370 kc.,** 100 watts, 250 watts LS, unlimited time.

February 17

ORAL ARGUMENT BEFORE THE COMMISSION

Examiner's Report No. I-509:

NEW—The Louisville Times Co., Louisville, Ky.—C. P., **1210 kc.,** 100 watts, unlimited time.

NEW—S. O. Ward and P. C. Ward, d/b as Louisville Broadcasting Co., Louisville, Ky.—C. P., **1210 kc.,** 250 watts, daytime.

Examiner's Report No. I-510:

NEW—Southwest Broadcasting Co., Prescott, Ariz.—C. P., **1500 kc.,** 100 watts, 250 watts LS, unlimited time.

NEW—W. P. Stuart, Prescott, Ariz.—C. P., **1500 kc.,** 100 watts, unlimited time.

Examiner's Report No. I-512:

NEW—Harry Schwartz, Tulsa, Okla.—C. P., **1310 kc.,** 250 watts, daytime.

Examiner's Report No. I-513:

NEW—Clark Standiford, L. S. Coburn and A. C. Sidner, Fremont, Nebr.—C. P., **1370 kc.,** 100 watts, unlimited time.

February 18

ORAL ARGUMENT BEFORE THE COMMISSION

Examiner's Report No. I-517:

NEW—Standard Life Insurance Company of the South, Jackson, Miss.—C. P., **1420 kc.,** 100 watts, 250 watts LS, unlimited time.

Examiner's Report No. I-518:

NEW—Arthur Lucas, Savannah, Ga.—C. P., **1310 kc.,** 100 watts, unlimited time.

February 24

ORAL ARGUMENT BEFORE THE COMMISSION

Examiner's Report No. I-521:

NEW—The Birmingham News Company, Birmingham, Ala.—C. P., **590 kc.**, 1 KW, unlimited time.

Examiner's Report No. I-522:

NEW—Radio Station WFNC, C. Frank Walker and Waldo W. Primm, Fayetteville, N. C.—C. P., **1210 kc.**, 250 watts, daytime.

NEW—Capitol Broadcasting Co., Inc., Raleigh, N. C.—C. P., **1210 kc.**, 100 watts, 250 watts LS, unlimited time.

Examiner's Report No. I-524:

KQV—KQV Broadcasting Company, Pittsburgh, Pa.—C. P., **1380 kc.**, 1 KW, unlimited time. Present assignment: **1380 kc.**, 500 watts, simultaneous day WSMK, shares hours at night.

WSMK—WSMK, Inc., Dayton, Ohio.—C. P., **1380 kc.**, 250 watts, 500 watts LS, unlimited time. Present assignment: **1380 kc.**, 200 watts, simultaneous day KQV, specified hours night.

February 25

ORAL ARGUMENT BEFORE THE COMMISSION

Examiner's Report No. I-435:

NEW—West Texas Broadcasting Co., Wichita Falls, Tex.—C. P., **1380 kc.**, 1 KW, unlimited time.

NEW—Wichita Broadcasting Co., Wichita Falls, Tex.—C. P., **620 kc.**, 250 watts, 1 KW LS, unlimited time.

NEW—Faith Broadcastnig Co., Inc., Wichita Falls, Tex.—C. P., **1380 kc.**, 1 KW, 5 KW LS, unlimited time.

KFPL—C. C. Baxter, Dublin, Tex.—Voluntary assignment of license to WFTX, Inc.; **1310 kc.**, 100 watts, 250 watts LS. unlimited time. Present assignment: **1310 kc.**, 100 watts (C. P., 250 watts LS), unlimited time.

KFPL—WFTX, Inc., Wichita Falls, Tex.—C. P., **1500 kc.**, 100 watts, 250 watts LS, unlimited time. Present assignment: **1310 kc.**, 100 watts (C. P., 250 watts LS), unlimited time.

The Commission has taken the following action:

WCBA—B. Bryan Musselman, Allentown, Pa.—Granted motion to continue hearing date on application for renewal of license application (Docket No. 4568) from January 5, 1938, to approximately six weeks from present hearing date.

WSAN—WSAN, Inc., Allentown, Pa.—Granted motion to continue hearing date on application for renewal of license application (Docket No. 4569) from January 5, 1938, to approximately six weeks from present hearing date.

NEW—Colonial Broadcasting Corp., Norfolk, Va.—Granted petition authorizing taking of depositions at Room 1015 Bank of Commerce Building, Norfolk, Virginia, beginning 10:00 o'clock a. m., January 3. 1938, in re application for new station at Norfolk, Virginia, **1370 kc.**, 100 watts, 250 watts LS, unlimited time (Docket No. 4903).

KSFO—The Associated Broadcasters, Inc., San Francisco, Calif.—Granted petition of The Associated Broadcasters, Inc. (KSFO) assignor, and Western Broadcast Company (now Columbia Broadcasting System of California), assignee, (consent to voluntary assignment of license (Docket No. 4208) for enlargement of time for oral argument from thirty minutes to one hour (January 7, 1938).

NEW—Joe L. Smith, Beckley, W. Va.—Granted request of applicant to take depositions at the office of the president of the Beckley National Exchange Bank, 40 Main Street, Beckley, West Virginia, beginning at 9 a. m. on January 10, 1938, in re application for a new station at Beckley, West Virginia, **1210 kc.**, 100 watts, 250 watts LS, unlimited time (Docket No. 4905).

WRDO—WRDO, Inc., Augusta, Maine.—Designated for hearing application for renewal of license and granted temporary license pending hearing and decision.

W8XNR—West Virginia University, Morgantown, W. Va.—Granted temporary authority to operate for research purposes only, pending submission and consideration of formal application for the period December 27, 1937, to January 29, 1938.

WCAU Broadcasting Co., Philadelphia, Pa.—Granted special temporary authorization to operate a relay broadcast transmitter aboard the aircraft NC-18433, on the frequency **2790 kc.**, for test transmission on December 24, 1937, relay broadcast program consisting of arrival of Santa Claus and reindeer in Philadelphia and being towed over city by airplane and to be rebroadcast by Station WCAU.

KADA—C. C. Morris, Ada, Okla.—Granted special temporary authorization to operate from local sunset (December sunset, 5:15 p. m.), December 31, 1937, to 2:30 a. m., CST, January 1, 1938, in order to broadcast special New Year's Eve program on Mutual Broadcasting System and Okla. network; also operate from local sunset (January sunset, 5:45 p. m.) to 10:30 p. m., CST, January 2, 9, 16, 23, 30, 1938, in order to broadcast Old Fashioned Revival.

WPG—City of Atlantic City, Atlantic City, N. J.—Granted special temporary authorization to operate from 11 p. m., December 31, 1937 to 12:30 a. m., EST, January 1, 1938, in order to broadcast special dance music, featuring suitable New Year's greetings (provided station WBIL remains silent).

The Commission (by Sykes, Commissioner) also took the following action:

WRAX—WRAX Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authorization to increase power to 1000 watts night in order to counteract interference caused by station CMX, Havana, Cuba, WWJ, Detroit, Michigan, KPRC, Houston, Texas, for the period beginning December 30, 1937, and ending in no event later than January 29, 1938.

WAPI—Alabama Polytechnic Institute, University of Alabama and Alabama College (Board of Control of Radio Broadcasting Station WAPI), Birmingham, Ala.—Granted special temporary authorization to operate simultaneously with station KVOO with reduced power of 1 KW, from 5:30 p. m. to conclusion of Rose Bowl football game (approximately 7 p. m., CST), January 1, 1938.

KVOO—Southwestern Sales Corp., Tulsa, Okla.—Granted special temporary authorization to operate simultaneously with Station WAPI with reduced power of 1 KW, from 5:30 p. m. to conclusion of Rose Bowl football game (approximately 7 p. m., CST), January 1, 1938.

WFIL—WFIL Broadcasting Company, Philadelphia, Pa.—Granted special temporary authorization to operate on **560 kc.**, with power of 1 KW night for the period beginning January 1, 1938, and ending in no event later than January 31, 1938, inclusive, pending filing of and action on license application to cover construction permit for this authority.

WHDF—Upper Michigan Broadcasting Co., Calumet, Mich.—Granted special temporary authorization to operate from 8 a. m. to 10:30 a. m. and from 12:30 p. m. to 3:30 p. m., CST, January 1, 1938, in order to broadcast special New Year's Day program.

KPAC—Port Arthur College, Port Arthur, Texas.—Granted special temporary authority to operate from 5:15 p. m. to 12 midnight, CST, December 29, 1937, in order to broadcast the Port Arthur High School football game by remote control from the stadium in Phoenix, Arizona.

WCOA—Pensacola Broadcasting Co., Pensacola, Fla.—Granted special temporary authority to operate with reduced power of 100 watts for the period beginning December 26, 1937, and ending in no event later than December 31, 1937, in order to give radio audience continuous service while moving equipment to new site.

WMAZ—The Southeastern Broadcasting Co., Macon, Ga.—Granted petition of WMAZ to take depositions in opposition to the application of radio Station WKEU to move from Griffin to Macon, Georgia, and change from **1500 kc.**, 100 watts, daytime to **1310 kc.**, 100 watts, 250 watts LS, unlimited time, Docket No. 4894, in the offices of Miller & Lowrey, 515 Georgia Casualty Building, Macon, Georgia, beginning at 10:00 a. m., January 6, 1938.

WPEN—Wm. Penn Broadcasting Co., Philadelphia, Pa.—Granted extension of special temporary authorization to increase power to 1000 watts night in order to counteract interference caused by station CMX, Havana, Cuba, WWJ, Detroit, Mich., KPRC, Houston, Texas, for the period beginning December 30, 1937, and ending in no event later than January 29, 1938.

KGU—Marion A. Mulrony & Advertiser Pub. Company, Honolulu, Hawaii.—Granted special temporary authority to operate for a period of forty-five minutes between 11 p. m. and 12 midnight, LST, December 31, 1937, in order to broadcast Happy New Year's special program.

WJBO—Baton Rouge Broadcasting Company, Inc., Baton Rouge, La.—Granted request to take depositions at the Court of

Appeals Room, State Capitol Building, Baton Rouge, Louisiana, beginning at 10 a. m., January 6, 1938, in re Docket No. 4908.

KMLB—Liner's Broadcasting Station, Inc., Monroe, La.—Denied petition asking authority to include in the record "the improved and expanded" program service of station in re application for C. P. to use **620 kc.**, 500 watts, unlimited time. This station now operates on **1200 kc.**, 100 watts night, 250 watts day, unlimited time.

WKEU—Radio Station WKEU, Macon, Ga.—Granted motion for 60-day continuance of hearing now scheduled for January 18, 1938, in re application for C. P. to use **1310 kc.**, 100 watts night, 250 watts day, unlimited time, Docket No. 4894. This station now operates on **1500 kc.**, 100 watts, daytime only.

Pinellas Broadcasting Co., St. Petersburg, Fla.—Granted authority to take depositions of certain witnesses at St. Petersburg, Florida, on January 7, 1938, in re application for new station at St. Petersburg to use **1370 kc.**, 100 watts night, 250 watts day, unlimited time, Docket No. 4902. Hearing on application now scheduled for January 17, 1938.

Geo. H. Payne, San Jose, Calif.—Denied motion to vacate order issued December 16, 1937, granted Floyd A. Parton authority to take depositions in re Parton's application for C. P. to establish a new broadcast station at San Jose to use **1170 kc.**, 250 watts, daytime, Docket No. 4560.

WIBA—Badger Broadcasting Co., Inc., Madison, Wisc.—Granted petition to intervene at hearing of application of Madison Broadcasting Company for C. P. for new broadcasting station at Madison, Wisconsin, to use **1450 kc.**, 250 watts, unlimited time. Docket No. 4906.

E. Devore Andrews and Mrs. Annie L. Andrews, d/b as Greater Greenwood Broadcasting Station, Greenwood, S. C.—Granted authority to take depositions at Greenwood, S. C., beginning at 10:00 a. m., January 10, 1938, in re application for new broadcast station to use **1420 kc.**, 100 watts night, 200 watts day, unlimited time, Docket No. 4907. Hearing on application scheduled for January 17, 1938.

Constitution Publishing Co., Atlanta, Ga.—Granted motion for continuance of hearing scheduled for January 19, 1938, to an indefinite date, in re application for a new broadcast station at Atlanta to use **1240 kc.**, 1 KW night, 5 KW day, unlimited time, Docket No. 4912.

KWLK—Twin City Broadcasting Corp., Longview, Wash.—Granted extension of time within which to file request for approval of transmitter site and antenna system from December 19, 1937, to January 18, 1938.

WMBQ—Joseph Husid, receiver for Metropolitan Broadcasting Corp., Brooklyn, N. Y.—Granted special temporary authorization to operate radio station WMBQ for the period beginning December 30, 1937, and ending in no event later than January 28, 1938, pending action upon any applications affecting station WMBQ.

WQDM—E. J. Regan and F. Arthur Bostwick, d/b as Regan and Bostwick, St. Albans, Vt.—Granted special temporary authorization to operate from 9:45 p. m., December 31, 1937, to 2 a. m., EST, January 1, 1938, using power of 500 watts, in order to broadcast principal features of program of the Forty and Eight organization, which is a branch of the American Legion and the American Legion Auxiliary.

KGGC—The Golden Gate Broadcasting Co. (Robt. J. Craig), San Francisco, Calif.—Granted special temporary authorization to operate from 11 p. m., December 31, 1937, to 6 a. m., PST, January 1, 1938, in order to broadcast special program on New Year's Eve, in cooperation with the Traffic Bureau of the San Francisco Police Department.

APPLICATIONS RECEIVED

First Zone

WLAW—Hildreth & Rogers Co., Lawrence, Mass.—License to
680 cover construction permit (B1-P-1058) as modified, for a new station.

WESG—Cornell University, Elmira, N. Y.—Extension of special
850 experimental authorization to operate on **850 kc.**, daylight to sunset at New Orleans, Louisiana for period 2-1-38 to 8-1-38.

NEW—Community Broadcasting Service, Inc., Area of Bangor, Maine.—Construction permit for a new experimental relay broadcast station to be operated on **31100, 34600, 37600, 40600 kc.**, 12 watts.

Second Zone

WBCM—Bay Broadcasting Co., Inc., Bay City, Mich.—Construc-
1410 tion permit to install a new transmitter.

WCBA—B. Bryan Musselman, Allentown, Pa.—Modification of
1440 license to change power from 500 watts to 1 KW.

W8XWJ—The Evening News Assn., Detroit, Mich.—Construction permit to install a new transmitter and increase power from 100 watts to 500 watts.

NEW—The Evening News Assn., Mobile (throughout U. S.)—Construction permit for a new relay broadcast station to be operated on **38900, 39100, 39300, 39500 kc.**, 1.5 watts.

NEW—The Evening News Assn., Mobile (throughout U. S.)—Construction permit for a new relay broadcast station on **1606, 2022, 2102, 2758 kc.**, 100 watts.

Third Zone

WBBZ—Adelaide Lillian Carrell, Rep. of Estate of Charles Lewis
1200 Carrell, Ponca City, Okla.—Involuntary assignment of license from C. L. Carrell to Adelaide Lillian Carrell, Executrix of Estate of Charles Lewis Carrell, Deceased.

NEW—P. W. Spencer, Rock Hill, S. C.—Construction permit for
1500 a new station to be operated on **1500 kc.**, 100 watts, daytime.

Fourth Zone

No Applications.

Fifth Zone

No Applications.

The National Association of Broadcasters
NATIONAL PRESS BUILDING ★ ★ ★ ★ ★ WASHINGTON, D. C.
JAMES W. BALDWIN, Managing Director

NAB REPORTS ★ ★ ★ ★ ★
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JUNE 21, 1937

(Monday Morning)

The opening meeting of the Fifteenth Annual Convention of the National Association of Broadcasters, held in the Ballroom, Hotel Sherman, Chicago, convened at 10:30 o'clock, President C. W. Myers (KOIN, Portland, Oregon) presiding.

PRESIDENT MYERS: The fifteenth annual convention of the National Association of Broadcasters is called to order.

We are very sorry to be a little late. The Federal Communications Commission apparently doesn't have as much control over the B. & O. as it does over some of us fellows and the Judge's train was a little off frequency this morning. (Laughter.)

I now have the pleasure of introducing the Hon. Edward J. Kelly, Mayor of the City of Chicago. (Applause.)

EDWARD J. KELLY (Mayor, City of Chicago): Mr. President and members of the National Association of Broadcasters:

It is rather difficult to make a speech on this occasion because of this critical audience and it will just be my purpose to have conversation with you and make the record right in that the Mayor of Chicago opened this convention.

We appreciate the fact that you have come here. We want just this kind of convention in Chicago so that you may learn about our city and we do feel that if you know the truth about it, that the rest of the world will also know it.

We want you to enjoy yourself. We want you to have every kind of fun. The key of the city is over at the city hall any time that you want it. We want you to let us know if anything goes wrong, whether it be in hotel accommodations or anything else. We want to know if the police and public officials treat you as you should be treated.

We want to thank you for the good work you have done not only for the great companies you represent but for the great country in which you live.

We thank you for keeping the radio business clean. We thank you for making it an educational institution as well as a great commercial organization. And, as Mayor of Chicago, I extend to you a welcome which is right from the heart. We hope in your next session you will feel so gratified and feel that you had such a good time that you will want to come back.

We trust that you will see everything there is to be seen here. We have many museums and ways of enjoying yourself in the sporting field. We have many nice drives. We consider ourselves the youngest largest city in the world and those of you who are not acquainted with the city will probably find it is everything I say it is.

I take it that most of you have been here and most of you who are interested in other cities are interested in the building up of the whole country. I take it you are all interested in the prosperity that must come to this country and you do much in that direction and have done much, and I want to thank you for that and also hope that you will continue on in that direction.

Again thanking you for coming and hoping we may be of some service to you while you are here, the City of Chicago is just in waiting for you to ask them to do something for you. (Applause.)

PRESIDENT MYERS: Thank you very much, Mayor Kelly, for those words of welcome and we assure you we always find it a pleasure to accept your hospitality.

I now recognize Mr. Frank Bering, Manager of the Hotel Sherman.

FRANK BERING (General Manager, Sherman Hotel, Chicago): Mr. President and members of the National Association of Broadcasters:

We at Hotel Sherman, in having your Association meet at Hotel Sherman, I want you all to have a very fine time. If there is anything any of you want, if you don't get it, it is because you don't let us know. Our staff is at your service.

And to you, Mr. President, it gives me great pleasure to present this gavel. May it serve you well in your deliberations and when you take it home, may it serve as a memento of the greatest convention your Association has ever held.

PRESIDENT MYERS: I am at a loss for words to express my appreciation but I assure you it will always bring back fond memories of Chicago and Hotel Sherman.

The next item on the program is the so-called address of your President.

Members of the National Association of Broadcasters and Guests:

It is my belief that the year 1937 will come to be recognized as one of the most important and critical years in the history of radio broadcasting. I make this prophecy not because of the things which have actually materialized but because of the seeds which have been sown for future harvest. Also I start with the premise that our failure to recognize the existence of industry problems will not solve those problems.

We find an industry threatened today with exorbitant state and federal taxes, class legislation, governmental operation of radio broadcasting stations, and with various parasitical groups.

Some of us in these days of comparative prosperity may be inclined to overlook the warning signals ahead. Adequate appreciation of these impending problems will show the only solution to be in a constantly improved public service and freedom from the influences of the parasitical groups whose selfish interests are a constant menace to progress.

Thanks to your confidence, the National Association of Broadcasters has continued to grow and with the largest membership in its history, today stands as a bulwark in the defense of the American system of broadcasting.

Now, a word concerning the bill in the federal Congress to construct and operate a government broadcasting station. The existing system of broadcasting in the United States, and particularly the facilities of the network companies, now makes available to the various departments of the government all the facilities and time that possibly can be desired for broadcasting either foreign or domestic programs; and it affords to the departments of the government the greatest possible radio audiences. Fortified with such facts, the NAB is prepared to oppose vigorously any legislation designed to put the government in the broadcasting business.

With reference to the proposal to divorce radio and newspaper ownership, we must not lose sight of one of the first laws of radio service, namely, that the test of fitness is the measure of service rendered. Good newspapers who operate radio stations in the best interests of their community should no more be restricted from ownership than the wagon makers of old should have been restricted from the manufacture of automobiles. If certain practices indulged in by a few newspaper owners of radio stations should be condemned, it does not follow that the dangers of such a situation cannot be overcome or that all newspapers should be penalized for the action of a few. The Commission, with very broad powers to revoke licenses, has the power to remedy any situation that is not in the public interest. I submit to you that the need is not for class legislation. The need is for a strong Commission, free from outside influences. Under such conditions licensees will be rewarded or penalized according to merit. Under any other system, the present structure of broadcasting cannot long endure.

The Association has vigorously opposed the activities of certain parasitical groups such as the American Society of Recording Artists and the National Association of Performing Artists. These organizations, as you well know, have attempted to impose new and additional license fees on you. The results of a careful legal investigation of these organizations have been furnished to the members. Moreover, legal counsel has been engaged to assist in litigation which has resulted from these organizations' activities, in order that all cases might be treated uniformly.

The Managing Director in his report will furnish detailed information in respect to the volume of tax measures which have confronted broadcasters during the last year. These have required constant vigilance. We may expect similar legislative efforts in the future. Of the greatest importance are the state copyright laws enacted during the year in the states of Montana, Washington, Nebraska, Tennessee and Florida. All of these laws are threatened with extensive litigation. Your Board of Directors in April decided that the Association should assist the broadcasters in the states of Montana and Washington, in the defense of their state copyright laws. Acting on that authority from the Board of Directors, your Executive Committee completed arrangements last week for the retention of Alfred Schweppe, formerly dean of the Washington State University Law School, to represent the Association in these cases. Based on the experiences gained in these cases, Mr. Schweppe, acting through the offices of the NAB, will advise and counsel with members of the Association in other states concerning proposed state copyright legislation.

Also in the field of legislation the NAB is concerned with the so-called Duffy Copyright Bill in the Federal Congress. This bill and related measures are of great importance to all users of music. The necessity of amending the Copyright Act of 1909 has been greatly emphasized this year by the actions of the Foreign Relations Committee of the United States Senate in connection with the International Copyright Treaty. Experts tell us that if the United States becomes an adherent to the International Copyright Treaty before we obtain an amendment to our domestic law, we may expect chaos in the broadcasting industry. So far during the current session of Congress matters of great national import have overshadowed and thereby delayed progress in the consideration of national copyright legislation. Earlier in my term I attempted to recruit a member from each of the forty-eight states who, I thought, would be representative of all the broadcasters in his state, with the thought that these forty-eight men should serve as a legislative committee, particularly in respect to copyright legislation. There were certain gaps in this committee which have not yet been filled and I have not formally appointed the members because of the demands which have been made upon our national legislators for consideration of important national questions. As soon as the legislative situation in Congress appears to warrant it, I specifically urge that such a committee be appointed.

At this point I want to emphasize that legislative action is not the only solution to our copyright problems. Above all others, in my opinion, is the relief offered by the Bureau of Copyrights. Here is an activity in which the entire industry can join in constructive and non-controversial effort. What your Washington office has accomplished in a few short months seems almost beyond belief and yet the proof is here in the form of approximately four hundred musical selections of tax-free music ready for use in the form of manuscript and electrical transcriptions. You will hear more about this from your Managing Director, and you will have the opportunity to hear the recorded music at this convention.

With four hundred selections or twenty continuous playing hours of tax-free music already recorded, and five hours more ready to record, the Bureau of Copyrights is just beginning. So far this library consists principally of public domain music. But, this is just the beginning. With the magic of radio ready to popularize their tunes, many popular song writers may soon seek to use the Bureau of Copyrights as an outlet for the radio performance rights of their music. Think what this can mean to the broadcasting industry within two or three years! There are some stations represented here today who do not need this music at present. Certainly there are many stations that can get along without it for some time to come, but hundreds of stations can use it to advantage now. It is available to all of you. With all stations co-operating, this library soon can be good enough and big enough for any station in the country. I have had the opportunity of hearing samples of the Bureau's transcribed library and I have subscribed for the service. You have the same opportunity at this convention and remember that copyright is a problem which must be solved by the industry as a whole and not by any private interests, either within or without the NAB. Let us please remember this and pull together for the Bureau of Copyrights.

A subsequent speaker will discuss with you the progress that has been made this year by the Federal Radio Education Committee. I want to take this opportunity to thank the members of the NAB for the co-operation which they have extended to local schools and colleges, and civic organizations. Happily, the broadcasters and the educators are learning how to co-operate with each other. This is the only way in which this problem can be solved.

In the field of international affairs, your Association has participated in the meeting of the CCIR held this year in Bucharest, Roumania. This meeting, preparatory to the World Radio Congress which will be convened in Cairo late in the year, will be the subject of discussion at the session scheduled Tuesday afternoon under the auspices of the Engineering Committee. Of even greater importance in the international field was the North American Conference held in March of this year in Havana, and the future conference, which is expected to be held in that city this fall. I need not emphasize here the importance of our country concluding satisfactory treaty arrangements with Canada, Cuba and Mexico.

And now some words of commendation! The disastrous floods which engulfed a large portion of our country at the beginning of the year illustrated graphically the resourcefulness of radio broadcasting and its devotion to public service. At a time when chaos, hunger and disease threatened on all sides, when practically all methods of transportation were disrupted, and when all other means of communication failed, radio came to the rescue. Radio directed intelligently the relief efforts of those thousands of service men and private citizens who otherwise would have been in hopeless confusion. Radio brought the stark realities of this disaster vividly to the attention of the people outside the stricken areas, and enlisted their assistance in raising funds and obtaining supplies for the relief of those in distress. I shall not attempt to add to the eulogies which already have been so deservedly accorded to the many radio technicians, engineers, announcers and others for their many feats of heroism and sacrifice by which they have written a glorious chapter in the history of radio broadcasting.

Finally, in some of the important matters which have arisen during the last year, such as the October Engineering Hearing, there have been such conflicting interests among our membership that it was impossible for the Association to take a position which would fairly represent the interests of all the members. In these cases, rather than support the side of a single faction, we have endeavored to render the greatest possible service through keeping all the members fully informed as to what is happening. In this manner, the work of the Association has been concentrated upon projects in which the entire industry can unite, and in this manner I have endeavored to serve my term as your President in the best interests of all. I am most appreciative for the cooperation extended to me by the officers and directors and members of the Association and I want particularly to commend the splendid work of your Managing Director, Jim Baldwin.

I thank you. (Applause.)

It is now my pleasure to introduce a gentleman you all know who has spoken before, to whom you always listen with the greatest pleasure and interest. He is the dean of all radio commissioners. He is a former member of the Supreme Court in the state of Mississippi. He is the daddy of the Law Division of the Commission. He has been closer to the development of all legal theories concerning radio than any other one person. It is now my pleasure to present the Chairman of the Broadcast Division of the Federal Communications Commission, Judge Eugene Octave Sykes.

(The convention arose and applauded.)

EUGENE OCTAVE SYKES (Chairman, Broadcast Division of the Federal Communications Commission, Washington, D. C.): Mr. President, Members of the Association, Ladies and Gentlemen:

I deem it an honor and a privilege to address you upon this occasion. I congratulate and rejoice with you upon the successful work your Association has done during the past year. I also am happy over the properous year you have enjoyed as broadcasters.

I wish to talk to you this morning about the duty and responsibility of the broadcaster. In legislating upon this subject, our government, contrary to that of most of the countries of the world, decided to license persons to render this service rather than for governmental ownership and operation. The entire theory of the Radio Act and its successor, the Communications Act, is that broadcasting licensees are made trustees of the federal government to render a public service to the communities their stations serve; that this license is a privilege granted by the government for just such time as this service is rendered and in no way constitutes a vested right to the use of a frequency. For instance, quoting a part of section 301 of the Act: "It is the purpose of the Act * * * to maintain the control of the United States over all the channels of the interstate and foreign radio transmission; and to provide for the use of such channels, but not the ownership thereof, by persons for limited periods of time, under licenses granted by federal authority, and no such license shall be construed to create any right, beyond the terms, conditions, and periods of the license."

And in this connection may I also call to your attention section 304 of this Act which reads as follows:

"No station license shall be granted by the Commission until the applicant therefor shall have signed a waiver of any claim to the use of any particular frequency or of the ether as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise."

Section 307 (a) provides that:

"The Commission, if public convenience, interest or necessity will be served thereby, subject to the limitations of this Act, shall grant to any applicant therefor a station license provided for by this Act."

Section 309 is an important section and I quote it in full:

"(a) If upon examination of any application for a station license or for the renewal or modification of a station license the Commission shall determine that public interest, convenience, or necessity would be served by the granting thereof, it shall authorize the issuance, renewal, or modification thereof in accordance with said finding. In the event the Commission upon examination of any such application does not reach such decision with respect thereto, it shall notify the applicant thereof, shall fix and give notice of a time and place for hearing thereon and shall afford such applicant an opportunity to be heard under such rules and regulations as it may prescribe.

"(b) Such station licenses as the Commission may grant shall be in such general form as it may prescribe, but each license shall contain, in addition to other provisions, a statement of the following conditions to which such license shall be subject.

"(1) The station license shall not vest in the licensee any right to operate the station nor any right in the use of the frequencies designated in the license beyond the term thereof nor in any other manner than authorized therein.

"(2) Neither the license nor the right granted thereunder shall be assigned or otherwise transferred in violation of this Act.

"(3) Every license issued under this Act shall be subject in terms to the right of use or control conferred by section 606 hereof."

Section 606, referred to in the last paragraph, is the war emergency section providing for the taking over of these facilities by the President if he deems wise during the period of war.

The criterion set up in this law for the issuance and for renewal of licenses is "if public convenience, interest or necessity will be served thereby", or as stated in another section of the Act if "the Commission shall determine that public interest, convenience or necessity would be served by the granting thereof". In the one phrase, the word "convenience" is placed first, while in the other the word "interest". However they mean the same thing.

While another section of the Act expressly states that a broadcasting station is not a common carrier yet by the terms of the Act above quoted and by its very nature, it is a business clothed with public interest.

The Commission, having determined that you are a proper party to serve the public of your community and having granted you this gracious privilege in the form of a license, this duty then devolves upon you to render the best public service to your community that you can. You assume, by the acceptance of this license, a great responsibility of public service. How then is the best way in which you can fulfill this duty and responsibility? You are thereby accorded a wonderful opportunity for service which necessarily carries with it a grave responsibility. You are invited to enter the homes and firesides of your listening public for practically sixteen hours a day. These programs reach the men, women and children of the entire nation. They reach those who are now steering the destinies of our communities, state and nation, and those who are being trained to assume these reins of government when the present actors pass from the stage. These thoughts should ever be present with you and your programs should be so built that our younger generations who have the privilege of listening to the radio should be improved and be better equipped for their responsibility to be so soon assumed by them.

While under our plan of broadcasting the stations must be self-supporting by their sale of time, yet you must bear in mind that this is but an incident and that your main object and purpose is one of public service. In fact, the better service you render, the more popular becomes your station and the larger becomes your listening audience, hence the easier for you to obtain the necessary advertisement.

You are still a young industry and federal regulation thereof is still young. Yet within this period of a little over ten years we have seen a wonderful growth in the industry and have had wonderful improvements not only from a technical nature but also in the programs and the character of public service being rendered. Yet, like all other young industries, there is room for greater improvement not only in our regulation of this art and industry but in the nature and character of the programs of the stations. The best answer to make to those who are not satisfied with our American system of broadcasting is to render such a wonderful public service that these critics may, in the course of time, be silenced. The needs of our various communities differ. Therefore, what will be a public service in one community might not be in another. You should carefully familiarize yourself with your communities and see what local service you may render them and since your programs are going into these homes, you must consider good taste. Certainly when broadcasting a dinner program it should not be interspersed with advertising announcements which would tend to destroy the appetites of this audience. You must be just and fair to everyone in your community and your editorial policy should be one to bring about closer co-operation and not to stir up strife therein. You should build up and not tear down.

I now desire to congratulate you upon the great and unique public service you rendered during the flood on the Ohio and Mississippi

Rivers last February. The broadcast stations were a source of inestimable assistance in preventing loss of life and property, and by keeping the public posted on the exact stage of the flood, broadcast stations offer a very excellent means of acquainting the public almost instantly with any message the relief authorities may desire to disseminate. Many stations co-ordinated emergency units, procured supplies, directed relief activities, and raised many thousands of dollars through appeals to the public for the Red Cross. While broadcast stations were not alone in rendering this valuable service, they did their share and must be complimented highly for the efficient manner in which this service was rendered. Our engineers are now studying plans for the better co-operation of all radio facilities and relief organizations in times of emergencies. I feel sure we can always count on the broadcasters co-operating fully and to do their share. Service of this character is indeed public service of the highest order and which service I am sure was appreciated by our entire citizens.

Another public service in which progress is being made is that of the Committee on Federal Radio Education headed by Dr. J. W. Studebaker, Commissioner of Education, and composed of an equal number of broadcasters and educators. I shall not go into the details of the work of this committee and its numerous subcommittees as I imagine Mr. Baldwin, your very able Managing Director, will make some report of it to you at some of your meetings. I understand, however, that two of the large foundations are very much interested and are willing to help materially in financing the work of this committee. I believe a successful conclusion of the labors of this committee will be of the greatest benefit to both radio and education.

At this point I should like to refer briefly to some of the matters in which we are all interested which have developed since your last meeting a year ago.

Last October we had the informal Engineering Hearing in which the industry co-operated very fully with the Commission and gave us a complete picture of the engineering, social and economic phases of broadcasting. The testimony taken at this hearing covered some 1741 pages and in addition there were numerous exhibits. The presentations were indeed interesting although some of the more technical phases will have to be analyzed by our engineers. I wish to take this opportunity to extend further our appreciation to the industry for its splendid co-operation in giving the Commission such a comprehensive picture which will enable it to determine if any changes in the existing policies or rules of the Commission should be made in order that broadcast stations may improve their service to the listening public.

Our engineers have made a preliminary report on the hearing to which we are giving careful consideration. There are certain other data we have asked the engineers to supply before we make any changes in the existing policies. The general feeling is that our engineers have done an excellent job on reporting the testimony of this hearing and their conclusions appear to be very favorably received in the industry. I can assure you also that we are not contemplating any drastic reallocation of broadcast facilities, but we will make whatever changes in policies and regulations that are deemed advisable step by step so that all interested parties may be given full opportunity to be heard on any changes that may adversely affect their interests.

Last September 15 the Broadcast Division promulgated regulations governing all classes of broadcast stations except the regular stations with which we are all familiar. It may surprise you to learn that of the 1,108 broadcast stations licensed by the Broadcast Division, 408 are other than regular broadcasting stations. Of this number, by far the greatest number are relay stations used in transmitting programs from points where wire facilities are not available. On June 15 the Broadcast Division repealed the rule requiring a two-day notice for the operation of relay stations. This requirement had been imposed so that the Commission could authorize operation that would not cause interference on the then very limited number of frequencies, but now more frequencies are available and this provision is not considered necessary. It is believed that the repeal of this rule will be to the advantage of broadcasters in building special-event programs.

The other classes of stations governed by these regulations are television and fascimile stations. The new regulations made available three frequencies exclusively for facsimile stations and carry a provision that such stations may be licensed on any of the several experiment frequencies. The new rules also provide that facsimile broadcasting can be carried on after midnight on regular broadcast stations, under the condition that a program of development of facsimile broadcasting is presented to warrant such operation. The Broadcast Division is very interested to know whether the general public wants a facsimile broadcast service and if such a service can be supplied at this time.

International broadcast stations, of which there are only a few—twelve in number—occupy a unique position in the broadcast structure in that the signals from these stations are transmitted throughout the world. By selecting proper frequencies and employing directional antennas, it is possible to render service in practically any foreign country. While the government has authorized the operation of this class of stations since 1925, in the last several years there has not been a general expansion either in technical advancements or international program service by the licensees of these stations. In the past two years other countries of the world have developed this service which has resulted in stations in European countries rendering better service in South American countries than is received from the United States stations.

The Commission recently authorized the Engineering Department to investigate the international station problem with the view of making a report to the Commission on means of improving our stations so that their service will compare favorably with that of other countries of the world. We shall be pleased to have the report from our engineers and I feel sure that the broadcasters will accept their responsibility in rendering an international service comparable with the national service now rendered by regular broadcast stations.

Next November there is to be held in Havana, Cuba, an Inter-American Radio Conference for the purpose of discussing allocation of radio facilities between countries of North and South America. We have several very important problems as respects allocation of regular broadcast stations as well as international stations. Between the North American countries, as you know, we have a very unsatisfactory arrangement at this time resulting in mutual interference, as well as unsatisfactory exchange of program service. It is expected at this conference that these pressing problems will be discussed at length looking to an agreeable solution. The frequency assignment of international stations will also be a problem because certain countries have crowded so many stations rendering a national service on frequencies available that the international service is being materially impaired. It is hoped that an arrangement can be made for a better allocation of these frequencies to provide for an exchange of programs to promote better understanding among the republics of the American continents.

At the International Conference at Cairo, Egypt, which is to be held next February, will be taken up the matter of international broadcast stations since their service and interference is world-wide in range. We have always taken the attitude that these frequencies offer an opportunity to contribute materially to the development of closer acquaintanceship among the countries of the world and they should be used exclusively to render an international service.

In conclusion, Mr. President, may I say that your Association deserves our congratulations upon the efficiency and splendid way it has met and cared for problems that confront it and its members, and I wish for you and it a continuation of this splendid work. (Applause)

PRESIDENT MYERS: Thank you very much, Judge Sykes. The Association appreciates your presence and also other members of the Commission.

Mr. John Reynolds, Assistant Secretary of the Commission is here. Will Mr. Reynolds please stand up? (Applause)

. . . John B. Reynolds arose and acknowledged the applause . . .

PRESIDENT MYERS: Mr. George Porter, Assistant General Counsel of the Commission. (Applause)

. . . George B. Porter arose and acknowledged the applause . . .

PRESIDENT MYERS: Mr. Ring. (Applause)

. . . A. D. Ring arose and acknowledged the applause . . .

PRESIDENT MYERS: There are a lot of new faces here this year. I would like to see every one of you who has not attended a convention before, stand up—every one for whom it is the first convention.

. . . About fifty men arose . . . (Applause.)

PRESIDENT MYERS: I think there are some representatives of foreign countries here. Will every representative of a foreign country please rise? I know Emilio Ascarraga of Mexico is at the convention but I guess he is not at this meeting.

The next item on our program is the report of our Treasurer, Mr. Harold Hough of WBAP of Fort Worth, Texas. Mr. Hough. (Applause)

HAROLD HOUGH (Treasurer, NAB; WBAP, Fort Worth): The report of a treasurer is supposed to present a lot of figures on things that we have and what we have spent. Your very efficient Managing Director has had an audit made. Audits are sometimes a little dry and sometimes they don't tell everything we would just like to know. This audit will be printed in your bulletin and you will receive a copy of it. I have taken the liberty of taking off a few notes and breaking them down to try to give you briefly a little picture of what we have done with your money.

On a report on eleven and a half months, ending June 15, we find our financial status something like this. A year ago we had on hand $17,451.49. For the sake of time I will omit a lot of odd dollars and some odd cents. During the year we have received in dues $83,000.00. Other income has been $4,300.00. In fact, we have had $105,000.00.

Now I'll try to tell you what happened to the $105,000.00. (Laughter) The annual convention—$1,100.00. Board of Directors—$3,100.00. It costs $1,500 every time the Board of Directors gets together. Commercial Committee (Sales Managers)—$450.00. Cost accounting—those are forms you received—$380.00. Mr. McNary's trip to Bucharest—$2,000.00. Dues and publications—those are publications of merit to your Managing Director, keeping him informed on various affairs going on within the industry—$750.00. Additions to the NAB engineering handbook were $180.00. Furniture and fixtures in the Washington office were $1,800.00—mostly transcription equipment which you will hear more about. Accounting fees, and engineering and legal—$7,200.00. You know, these days, broadcasters, when they get in a room and have a quorum of broadcasters, the first thing they do is shake hands, give their call letters, hire a lawyer and then proceed to do business. (Laughter)

Legislative service—$570.00—that is a bureau keeping you informed on what is going on all over the country. Bonds—$100.00. Miscellaneous—$1,300.00. Your NAB Reports which you receive, the business index, statistics and such things—we have had so much more of that this year than last. That is very valuable indeed to people trying to arrange new bills for taxation laws. Copyrighting—$136.00. Business index—$900.00. Postage—$1,360.00. And printing—$6,850.00. Office supplies cost $370.00; postage—$560.00; and publicity—press clippings—$68.00. Binders—$1,011.00. That is all returned to Mr. Baldwin within $1,000.

Rent in Washington—$3,800.00. Salaries (for 13 people)—$37,000.00. Eight of those have been very busy in the Bureau of Copyrights, of which you will hear more.

Stationery and printing—$1,580.00. Taxes which we have at NAB—social security and old age pension and so forth—$986.00 Telegraph—$340.00. Telephone—$1,490.00. Travel expenses—$2,400.00. Talent, recording expense, etc., of your Bureau of Copyrights—$17,750.00.

Therefore, out of your $105,000 we have cash on hand as of June 15—$8,794.96. It appears that your income from dues, the way they are running at the present moment, is about $82,000 a year. We have a number of items in here. There is one thing I did not see. I think we should have set up a little fund of about $1.25 or something to educate a lot of our newspaper members in the Association that it would be nice if they wouldn't try to censor everything and give the readers in their community the benefit of everything in their communities instead of a few they are interested in. (Laughter) We might be able to work that out. (Laughter)

Briefly, I am going to give you a breakdown on the Bureau of Copyrights. Stationery and printing—$1,196.00. Miscellaneous—$755.00. Legal—$817.00. Taxes—$324.00. Rent—$1,062.00. Furniture and fixtures—$250.00. Office supplies—$118.00. In other words, the Bureau of Copyrights is now paying the NAB rent for the space used getting the music ready, and for furniture and Office supplies. Salaries—$14,960.00. Travel expenses—$1,165.00. Talent, recording expenses, planographing of piano parts, etc., of the Bureau of Copyrights—$17,750.00. Of the total NAB expenses listed above, there has been spent at the time this statement was prepared, $38,000.00 for the NAB Bureau of Copyrights. The breakdown on legal expense will be given to any member who will write to the Managing Director. Any member is entitled to that information.

I thank you. (Applause)

PRESIDENT MYERS: Mr. Hough has called your attention to a great many items in last year's receipts which are a revolving expense. You will hear more about this from Mr. Baldwin. The expense for the Bureau of Copyrights, for instance, will all be given back to the Association by the subscriptions to this library which you may hear in the hotel while you are at the convention.

Mr. Hough has given us a very interesting and very complete report and I would like to call your attention to the excellent financial condition of the Association. When you consider that a couple of years ago I believe we had $35 in the treasury or something like that, and when you consider the amount of money that has been paid to the Association and spent constructively by the Association, and the substantial balance in the treasury today, it is certainly a testimonial to the excellent management of your Washington office, and I would like to introduce the man who is responsible for the report of last year's activities, our Managing Director, Jim Baldwin. (Applause)

JAMES W. BALDWIN (Managing Director, NAB, Washington, D. C.): Mr. President, Members and Guests:

I shall endeavor to furnish detailed information with respect to certain matters already referred to. First, let us look at the picture from a national or federal point of view.

National or Federal Activities

Engineering Hearing

In October, 1936, the Federal Communications Commission convened an Engineering Hearing for the purpose of determining what principles should guide the Commission in matters relating to or affecting the allocation of frequencies and the prevention of interference in the band 550-1600 kilocycles, and, in particular, what changes, if any, should be made in the standards heretofore applied by it, and its engineering department; and the Commission expressed the desire to obtain the most complete information available with respect to this broad subject of allocation, not only in its engineering but also in its corollary social and economic phases to the end that such regulations and standards as it may retain or adopt will make possible such use of the band 550-1600 kilocycles as will provide maximum service in the public interest. The testimony adduced at that hearing, and the reports which thus far have been made thereon promise evolutionary changes in the economic and social aspects of broadcasting.

A. T. & T. Long Lines

New tariffs filed by the American Telegraph and Telephone Company were made effective on November 1, 1936, resulting in a saving of approximately $250,000.00 per annum for the use of long lines.

The Duffy Copyright Bill

In January, 1937, there was introduced in the United States Senate the so-called Duffy Copyright Bill. Hearings on this bill probably will be held some time next month.

Government Broadcasting Station

During the month of February, 1937, there were introduced in the Congress of the United States numerous bills affecting radio which would:

1. authorize the construction and operation of a Government Broadcasting Station;
2. divorce radio and newspaper ownership;
3. investigate all charges and allegations of the existence of a radio monopoly;
4. establish five years as a minimum licensing period for broadcasting stations.

Investigation of Radio Urged

The month of March witnessed another cry for an investigation of radio, this time by Senator White of Maine. Commissioner Stewart of the Federal Communications Commission, in an address at Duke University, on March 23, critically called attention to the conflict between educators and broadcasters, newspaper ownership of radio stations, and inferior radio programs.

During the month of April a bill was introduced in the Congress to tax radio stations according to their operating power.

The month of May witnessed the initiation by the Federal Communications Commission of an investigation into alleged irregularities in procedural matters before the Commission that invites the attention of the entire industry and everyone associated with it.

FCC Opposes Five-Year Licenses

This month the Federal Communications Commission registered with the Congress its opposition to five-year licenses for broadcasting stations. Included in the Commission's letter to Chairman Lea of the House Interstate Commerce Committee is the following paragraph which I call to your special attention: "At the present time the Commission has no authority to suspend licenses or impose penalties for violations of its rules. The only punitive action available is revocation, deletion through denial of a renewal of license or recourse to criminal proceedings. These measures have been found to be too severe in most instances of delinquency. The Commission, however, has been able to exercise a degree of control through consideration of application for renewal of license every six months. There is thus constantly present a means of checking the technical operation and program service of stations."

U. S. vs. ASCAP

The suit instituted by the United States Government against the members of the American Society of Composers, Authors and Publishers, is still pending in the United States District Court for the Southern District of New York. The suit was instituted in August, 1934, and the trial was commenced on June 10, 1935. After proceeding for several days the trial was recessed with the understanding that a stipulation of facts was to be negotiated. Conferences between counsel for the government and counsel for the major defendants were held, but up to the present time no stipulation has been agreed upon.

With a view to making available to the government whatever assistance your Association could give in the matter of expediting the work of stipulation, your Executive Committee authorized me to appoint special counsel. Philip G. Loucks, my predecessor, was appointed. He accepted the post, and your Managing Director immediately notified the Attorney General of his appointment. Both Mr. Loucks and myself have had conferences with government counsel in charge of the suit, and we have urged speedy action upon the government. It is impossible to state at this time what plans, if any, the government has to proceed with the trial. Our conferences have given us slight encouragement that the government intends to press for early resumption of the trial despite the fact that two years have intervened since its commencement.

STATE ACTIVITIES

And now for a review of state activities.

Legislation.

This year forty-four state legislatures were in session, and there were introduced in these legislatures approximately 150 bills which, in one way or another, affected our industry. The larger percentage of these bills, namely forty, dealt with advertising. Some prohibited liquor and medicinal advertising; others provided for food, drug and cosmetic regulation. Some of them dealt with the subject of false and misleading advertising, advertising by physicians, dentists, optometrists and small loan companies.

State copyright laws were enacted in the states of Montana, Washington, Nebraska, Tennessee, and Florida. State copyright bills are pending in Michigan, Illinois, and Texas. State copyright bills failed of enactment prior to adjournment in the states of Indiana, Iowa, Minnesota and Ohio.

A bill imposing a tax of one per cent. on the gross receipts of radio broadcasting has passed both houses in the state of Arizona; and in New Mexico, the only state in which the NAB is not represented, a law was enacted imposing a two per cent. gross receipts tax on radio broadcasting. Bills imposing taxes of from one to ten per cent. on the gross revenues of broadcasting stations were either killed or died due to adjournment in Colorado, Kansas, Minnesota, Ohio, Oklahoma, Utah, Washington and West Virginia.

Bills setting up a state censorship board to pass on the wording of all advertising matter proposed to be broadcast, and in one instance imposing a fee of ten cents per word for such review, were introduced in Michigan, New York and Washington. These bills failed to pass in New York and Washington. The Michigan bill is still in committee.

Two states, namely Florida and Georgia, enacted laws which make provision for state-owned broadcasting stations.

A bill was passed in the state of Iowa which grants a certain amount of relief to the broadcasters for libelous statements innocently broadcast. Similar legislation was introduced in the states of California, Florida and Indiana.

The broadcasting of crime news would be banned under the provisions of bills introduced in California and Washington.

Broadcasting of news with respect to betting on horse racing would be prohibited by bills introduced in California, Illinois, Indiana and Texas.

Large appropriations for advertising the state are included in measures introduced in Arizona, California, Florida, Idaho, Maine, Michigan, Texas and Washington. Some of these specify an advertising medium with which funds should be spent. And, it is interesting to note that in not one instance was the medium of radio broadcasting specified. That is a matter which I think you yourselves would like to look into.

Quick action on the part of broadcasters in Idaho stopped the passage of a bill prohibiting the operation of automobile radios in that state. I mention this particularly because it is the finest example of what can be accomplished through co-operation. Here is a bill which had moved to the third reading in the Senate before the NAB offices received notice through regular legislative service. We immediately contacted one of our members, Mr. Phillips of Boise. He marshaled forces in opposition to the bill, obtained hearings in the House, and the bill was promptly killed. It is a marvelous example of what can be done once we put our shoulder to the wheel and decide we are going to do something about it.

Now, one bright spot in legislation is that Missouri this year repealed a former law which levied a two per cent. tax on radio broadcasting.

There were many other classes of bills introduced including provision for the state licensing of radio engineers, prohibition against the use of the word "court," and provision for a state supervisor to pass on standards of radio sets for retail sale. However, these should be sufficient to prove to you the necessity of all members carefully watching all bills introduced in their state legislatures.

The legislatures of Illinois, Michigan, New Hampshire, New Jersey and Wisconsin are still in regular session; and in Arizona, Minnesota and Texas the legislatures are having special sessions for consideration of particular emergencies.

Litigation

Since our last convention a great number of suits have been instituted against NAB members by two organized groups of phonograph recording artists, the American Society of Recording Artists, Inc., a California corporation known as ASRA, and the National Association of Performing Artists, a New York concern known as NAPA. Our members received communications from the former demanding an accounting for records used of its members and the signing of licenses with it. In addition, agents of ASRA were in the field personally soliciting such licenses. Because this was a mutual problem of all broadcasters, your Managing Director retained Stuart Sprague, a lawyer with radio, copyright and recording experience, to investigate the activities of ASRA and to report his findings to the NAB. His report and opinion was printed in the NAB REPORTS as No. 43 of Volume 4, dated September 1, 1936, and was distributed to the membership.

Two suits have been commenced by ASRA in the Superior Court of California, Los Angeles County, one against Station KFWB, and the other against KFAC, which are being strenuously defended by the stations, and have not been tried. Recently RCA Manufacturing Company made a motion to intervene in the KFWB case asking that the station be enjoined from broadcasting Victor records, and that ASRA be enjoined from licensing the use of Victor records. This motion was due to be argued on June 8 and is being opposed by KFWB.

NAPA has instituted two suits in Chicago; one in the Circuit Court of Cook County by Abe Lyman against Station WGES, and another in the United States District Court for the Northern District of Illinois in Eastern Division by Connie Boswell against WAAF. These are being vigorously defended by the stations.

NAPA has two suits pending in New York; one by Paul Whiteman in the United States District Court for the Southern District of New York against Station WNEW, the other by Frank Crumit against Station WHN in the Supreme Court in New York County. Both cases are being well defended. Most of the activity has been in the Crumit case in which the plaintiff's motion for a temporary injunction was denied. Recently the court allowed Decca Records, Inc., to intervene in the suit to press its claim for an injunction against both Crumit and the station. The case will probably be tried in October.

In Pennsylvania the appeal of WDAS from the decree in favor of Fred Waring was perfected, and argued before the highest court of the State, April 21. A decision on this NAPA case is expected momentarily. In all of the preceding cases, Mr. Sprague was retained by NAB to advise with counsel for the stations, in consequence of which all of the stations sued have been able to present a united opposition for the benefit of our whole industry.

The latest suit brought by NAPA was that of Ray Noble in the Federal Court in Boston against the Hotel Vendome for playing phonograph records in a public room. Judge Sweeney on June 4 granted the motion of the hotel to dismiss the complaint, finding that Noble in his contract with the recording company had conveyed all of his right to it, and, therefore, had no standing in court. This case, although it does not involve a radio station, points the way to the likelihood of similar decisions in the litigation against our members, and for that reason it is mentioned here.

A further case of interest to members, although to a lesser degree, is the decision on April 30, 1937, of the United States District Court for the Southern District of New York, wherein a hotel, which by a master radio receiving set had picked up a radio program for distribution to its individual rooms, was held to have infringed the copyright in a musical composition that the station was licensed to broadcast. This is a further extension of the Jewell-LaSalle decision of the United States Supreme Court which should be further considered either on appeal or by legislation. Radio programs are broadcast for the enjoyment of the greatest number of people whether they are seated in their homes, in a hotel room, or in an automobile.

International Problems

Some of our problems are international in scope. In March of this year a preliminary Engineering Conference was held in Havana, Cuba, in which representatives from the United States, Canada, Cuba, and Mexico participated. The full text of the Official Report of this Conference has been made to you through the medium of NAB REPORTS. It is expected that a further Conference will be held this fall. Observers seem to be agreed that much was accomplished at Havana and that the prospects are bright for reaching an accord this fall. It is also generally conceded that any accord that is reached will necessitate some readjustments in the existing allocation of American broadcasting stations.

The CCIR was convened in Bucharest on May 2 and adjourned June 8. The UIR, of which the NAB is presently a member, met last week. The NAB was represented at both these meetings by J. C. McNary. Our representative is expected to return in the next few days and upon his return, full and complete report will be made to the membership.

The World Radio Conference in Cairo also presents problems of great importance to American broadcasters. Unquestionably these problems will be discussed at the engineering conference tomorrow afternoon.

The Foreign Relations Committee of the United States Senate is engaged in study and consideration of a resolution which, if adopted by the Senate, will make the United States an adherent to the International Copyright Union. Experts tell us that adherence to this convention by the United States before we amend our own copyright law will result in chaos for broadcasters. Your Association has pointed out to the committee the necessity for amending our copyright law, and joining the Copyright Convention simultaneously, and the matter is being watched carefully. Your assistance may be required.

Bureau of Copyrights

Now a word about the Bureau of Copyrights. In my report last year I explained the purposes of this bureau, how it was intended to search out music that was in the public domain, arrange it, make adaptations of it, prepare it for you in the form of electrical transcriptions and manuscripts so that you might have a supply of tax-free music. And, in that connection, I said, "It can be done and with your co-operation, it will be done!"

Today I am very happy to say to you, "It is being done," and that with your co-operation, by next year we can say, "It has been done." (Applause)

It has already been explained to you that approximately four hundred musical selections have been prepared for you in manuscript and recorded form. These have been used to build twenty hours of electrically transcribed music. In other words, we can signal to you today the execution of a plan which won your approval last year.

Now, there have been a great many problems connected with this work and it is unnecessary to relate them here. One matter which will be of interest to you is the vehicle which has been created for the handling of this work in the future. Acting on the authority of the Board of Directors, the Bureau of Copyrights was incorporated on June 2 under the laws of the State of Delaware. The officers of that organization, which is styled "NAB Bureau of Copyrights, Inc." as of today, are as follows: President, C. W. Myers; Vice President, James W. Baldwin; General Manager, James W. Baldwin; Treasurer, Harold Hough; Secretary, Gardner Cowles, Jr; Assistant Secretary, Everett E. Revercomb; Assistant Treasurer, Everett E. Revercomb.

The Directors of the NAB Bureau of Copyrights, Inc., held a meeting on June 20 at which time agreements were reached which permit the NAB Bureau of Copyrights, Inc., to be recognized today as a live, active organization, prepared to furnish you with excellent tax-free music.

Now, one of the very important features of this corporation which you will recognize immediately is the provision which has been made to prevent it from falling into the hands of unfriendly persons. As a result of very careful legal investigation, restrictions have been imposed on the transfer of stock. These restrictions have been tested in the highest court in the State of Delaware and prevent the transfer of the stock without the consent of the corporation or at least without the opportunity of the corporation first having the opportunity to buy it. In other words, everything possible has been done to prevent it from getting out of control of your own Association.

Also I have been requested to report to you that at the meeting of your Board of Directors yesterday, agreement was made to purchase a majority of the stock in this corporation. The corporation having been capitalized for $100,000 this means an investment of $51,000 by the NAB. I want also to advise you that you have the opportunity here to hear this library and to indicate your desires for the service. As already explained, twenty hours have been prepared. Twenty hours can be delivered now. The price has been fixed at fifteen dollars per hour with a discount of 33⅓ per cent to all members of the NAB, making a total of cost to members of the NAB in good standing of $10 per hour—or, put in another way, $5 per double-faced 16-inch transcription.

The Federal Radio Education Committee

Judge Sykes has explained the exploratory work of the Federal Radio Education Committee, and both he and our President have emphasized the importance of all broadcasters assisting in the financing of this work.

In addition to the exploratory work which has been mentioned, the Office of Education has launched an experiment in real co-operative effort, between managers of local and regional stations on the one hand, and local educational agencies on the other. The establishment, a year ago last April, of a script writing and exchange service in connection with the radio project which is being carried on in the Office under WPA funds, was proposed by Dr. Studebaker to Dr. Tyson of the National Advisory Council on Radio in Education, and myself, representing the National Association of Broadcasters. We agreed that some of the joint committee funds should be used for this purpose. Many of you are familiar with this activity, but for the benefit of those who are not, briefly it is this:

> Within the year programs furnished by the Script Exchange have been carried by 104 radio stations located in 40 states.
>
> 104 stations have carried 147 program series furnished by the Exchange.
>
> Each series has averaged 6 scripts (or 6 programs) making a total in the 147 series of 882 programs carried by the 104 stations.
>
> More than 1600 local groups, including high schools, colleges, and universities, theatre guilds, CCC camps, radio stations and many others, have been served by this Script Exchange.
>
> These groups have received 38,000 copies of radio scripts, 10,000 copies of the Radio Manual, Glossary of Radio Terms, and Music Arrangements.

It will be seen that this enterprise—the preparation and exchange of non-sponsored educational scripts—is filling a real need. In my judgment, it should be continued and extended as it is bringing about better relationships between the managers of radio stations and educators, for it has made possible real co-operative effort. In this connection, I might say that I have seen, from time to time, a number of the letters which have come in from station managers expressing genuine appreciation for the quality and the interesting character of the scripts and for the co-operation which has been secured from local educational groups in connection with producing them on the air. It is quite evident that this script exchange service is dispelling some of the clouds of misunderstanding and controversy which have darkened the horizon in certain sections.

Conclusions and Recommendations

Now, thus far I have attempted to make a report on last year's work. This is a democratic organization and it is assumed that expressions of the membership will be made from the floor on important problems. Also, it is assumed that at least some of you expect an expression of opinion on some of these matters from those of us who have been at the scene of action during the last year.

Government Broadcasting Station

I come first to the proposal to construct and operate a government broadcasting station. It is my recommendation that the Association vigorously oppose the enactment of the Celler Bill which would authorize the construction, maintenance and operation of a government broadcasting station. I submit that your opposition may be based on these grounds:

1. The enactment of the bill will amount to an entering wedge which easily may result in government control and operation of all broadcasting in the United States.

(And, at this point I want to suggest that although there are a small number of stations, by comparison, operating on frequencies above 1600 kilocycles, don't be deceived, gentlemen, because if the government can construct and operate a broadcasting station on a frequency above 1600 kilocycles, it can construct and operate them in the band from 550 to 1600.)

2. The existing system of broadcasting in the United States makes available to the various departments of the government all the time that possibly can be desired for broadcasting either domestic or foreign programs.

3. The existing system of broadcasting in the United States affords to the departments of the government the greatest possible radio audiences.

4. The operation of a broadcasting station by the Office of Education (which is a feature of this bill) is opposed by all existing federal and state laws respecting education.

5. Due to its official status, there would be great danger of utterances over such a station giving offense to friendly nations and creating unnecessary international incidents.

6. The enactment of the bill would result in a useless and extravagant expenditure of public funds.

U. S. vs. ASCAP

The Association, by formal resolution at earlier conventions, has voted to assist the government in every proper way in the prosecution of the government's suit against the ASCAP. There is no need for me to emphasize here the importance of this litigation. I earnestly urge that you again record your support of the suit and consider a formal resolution respectfully requesting the government to expedite the trial of this case.

Taxation

It seems to me that the question whether the costs of radio regulation should be met by the imposition of a special tax on broadcasting stations is one of broad public policy which the Congress should decide. I can imagine that the early pioneers in railroading would have welcomed the opportunity of paying the bills of the Interstate Commerce Commission on the theory that "the fellow who pays the fiddler calls the tune". This might apply to broadcasters.

It may be that broadcasting stations should pay, in some manner, for their franchise. If this is so, then we should offer our assistance to find ways and means of making payment which will avoid the charge that we are trying to "call the tune".

The Duffy Copyright Bill

It is my belief that the Duffy Copyright Bill, or any other bill designed to modernize the copyright law of 1909, can be enacted only if the Association can send to Washington at least one representative from each state whose duty it will be to acquaint his Congressmen and Senators with the need of such legislation and who can remain in Washington until the job is done. I sincerely believe that in no other way can you overcome the power of the ASCAP lobby. It is true that the general legislative situation in Congress this session, so far at least, has been opposed to any such action, but I do recommend that appropriate steps be taken to recruit such persons as soon as the legislative situation appears to warrant it.

Five-Year Licenses

The Association, at previous meetings, has resolved in favor of longer license terms for broadcasting. For the first time we know definitely how the Federal Communications Commission feels about the matter. Their opposition to longer license terms is to be regretted. Longer license terms are essential if we are to have stability in the industry. And greater stability is essential if we are to engage in any worth-while, long-time planning. One of the weaknesses, or what appears to be one of the weaknesses in the letter of the Commission to the Chairman of the House Interstate Commerce Committee is that it seems to me to show on its face an attitude that is inconsistent with the latest expression of the Congress.

When Congress was considering the Bill S. 3285 to amend the Radio Act of 1927, the Senate reduced the maximum terms of broadcasting licenses from three years to one year; and the conferees appointed to consider the bill agreed to leave the maximum term of license three years. The conference report submitted by Mr. Rayburn on June 8, 1934, was adopted. Accordingly, the provisions of the old Radio Act were continued in the new act. The Commission, therefore, has the power today to license stations for three years. I suggest that each member make it a point to discuss this problem fully with his Congressman and his Senators, and urge the passage of the bill, H.R. 5038.

Bureau of Copyrights

The success of our efforts in the Bureau of Copyrights is expected to be judged by the ability of our arranging staff to modernize the old musical selections and make them conform to present-day needs. This ability, we believe, has been well demonstrated in the quality and variety of selections contained in the first twenty hours of recorded music.

The creation of an independent supply of music for radio broadcasting should win the hearty approval of those representatives of the ASCAP, who for several years have publicly criticized the use of popular music by radio broadcasting stations, and charged that the radio broadcasting industry was responsible for "Killing" the sales of popular sheet music. Also, it is expected that the NAB accomplishments, in creating an independent supply of music for radio, will be cheered by those who have complained so vigorously against the use of phonograph records by broadcasting stations.

Times have been pretty good the last two years. The majority of broadcasters have been operating at a profit. Some of you may be inclined to allow yourself to be lulled to sleep. Some of you may say 1940 is a long way off. Others may be inclined to submit to proposals which may come from various sources. But one fact remains—through co-operative efforts and by minding our own business, we have it within our power to establish our freedom from the monopolistic control which has been exercised over our raw material.

SESAC

And, while we are talking about copyright, I should make this comment with reference to this so-called SESAC. As previously reported, we have conducted an exhaustive investigation into the Society of European Stage Authors and Composers, Inc., New York City. The report covering this investigation will be distributed as soon as it comes off the press. It has taken much longer to complete the job than we estimated. The report is too voluminous to permit of a statement of conclusions here.

AMP

In January, 1936, we requested the Associated Music Publishers to supply us with a list of the musical selections contained in their repertory. This list has been furnished us. As soon as the SESAC report is off the press we will compile a report on AMP, which will furnish the members with sufficient information to determine their need for such music and enable them to determine the reasonableness of the license fees charged therefor.

A. T. & T.

One other matter which seems to demand attention today is A. T. & T. We referred a few moments ago to the fact that last November new tariffs became effective which substantially reduced the costs for long lines in broadcasting. Now, recently matters have been called to our attention which seem to indicate that a very careful investigation should be made of all the rates which have been filed recently by the companies affiliated with the A. T. & T. Company. It is the tariffs of the associated companies which control the price you pay for your local broadcasting and at least in two cases, we find, that whereas there has been a substantial reduction in the cost of long lines and, therefore, to the substantial users of radio, the costs actually have been increased within the state.

Now, I could not bring to a close this, my second term, without expressing the genuine appreciation which I have for the associations for this last year, for the co-operation I have received from the officers and directors and from the members as well. And the Executive Committee—there has never been a time this year when I could not obtain the counsel and advice of both your President and Treasurer. That has been something to appreciate!

I also want to give due credit to the clerical personnel in your Washington offices. I consider them competent, willing employees.

It is dry to stand here and give to you from the records many of these things. It is a necessary thing, we all believe. But, there is one thing with which I think you will agree. So far as this year is concerned, aside from the cold record, the cold black type, for the first time in the history of NAB, when you leave this convention, you can, if you wish, visit an exhibition, on your right, which will show you the various kinds of printed promotional material used by the members. From it, many of you should be able to get new ideas. It represents an effort which has been made by your officers this year and members of your Commercial Section to assist you at these conventions in learning something new about your business.

On your left, as you go out, if you desire, you may visit the audition room of the NAB Bureau of Copyrights where you may listen to the twenty hours of music that has been recorded. And, as has already been reported to you by the President, the first eighteen men who heard it, bought it. I believe you will want to do the same and I hope that every one of you indicate your desires before you leave Chicago.

And now, a final suggestion: it seems to me that this year it would be well for us to consider many of the criticisms which have been aimed at the industry and even though we know that they may be unjustified, let us not overlook the importance of dispelling these criticisms in the minds of people who are not so well informed as you.

It seems to me that you should lay every emphasis on efforts during the next year to make as many appearances as you can in your communities, meet with your local organizations, discuss with them the problems of radio broadcasting, educate them as to your problems, feeling secure in the fact that once you do inform them of what the problems are, they will agree with the solutions which you as members of an industry have sought to offer.

I thank you. (Applause)

E. B. CRANEY (KGIR, Butte): Mr. Chairman, I'd like to thank Jim for the work he has done during the last year and I'd like to place my order for those transcriptions at this time. And, if I may—I don't see any other time on the program of NAB to say anything about copyright—I would like very much to have about five minutes of the attention of the convention to say a few words on copyright.

. . . Mr. Craney came to the platform . . .

MR. CRANEY (continuing): I have had buck fever. I have had stagefright. I hit the stage all right. I hope I can get this message over to you. (Laughter)

More, perhaps, has been done on copyright since our last convention than during any other one year since the inception of broadcasting with the possible exception of the year our government started suit against ASCAP in the United States District Court for the Southern District of New York almost three years ago. In this suit it was alleged there was violation of the antitrust laws. And, while we are on that subject, let me tell you that ASCAP has done and is doing such a good job of lobbying in Washington today that if we don't take action here at this convention both as a body and as individual broadcasters that very suit is apt to be dropped with nothing done by Uncle Sam to stop the practices which have been followed in forcing us to pay five per cent. of our gross income as tribute to a bunch of music publishing houses and not allowing us to pay only for the music we actually play.

So much has happened, in fact, during this last year that I will not take your time to review it. I want only for you to take action here, at this convention, which will put in motion a movement to end once and for all the arbitrary practices in the sale of copyright —a movement which will allow not only a fair method of payment for you to make to the copyright owner but also a fair method of payment to the actual composer and author, the creator of the work you use. Yes, and I want to see the responsibility of infringement lifted from the shoulders of anyone who does not have the control over whether or not an infringement is made—and in saying this—I am referring directly to stations releasing network or transcription programs over which they have no control of the content of such programs.

Now, let us get this point straight: there is only *one* cure-all for this copyright situation—that is national legislation which will set up rules of fair play for the seller and buyer of the use of copyrights to follow. We are seeking no advantage over the owners of copyrights; we are perfectly willing to pay for the numbers we use but we want this payment to be fair and equitable. We want to purchase under a competitive system. We want to purchase only the numbers we can use—not every number in the country. We want some assurance that when we purchase the use of a number from one party that another will not bob up immediately and sue us for infringement. We want to be relieved of paying several times for a number as we do today. We want legal protection against infringement suits on numbers over the broadcast of which we have no control.

The present copyright law was enacted in 1909 before broadcasting was even thought of so we certainly have a right to go to Washington and ask Congress to bring it up to date and set up rules of fair play between owner and user of copyrights.

Now, the possibility of national copyright legislation is so precarious an undertaking under the strong ASCAP lobby existing in Washington (and to which Senator Duffy recently referred) that we cannot afford to put all our eggs in that one basket. There are several things we can do, and we should not do just one, but instead *all* of them. There is state legislation—and on this let me say, four states have already enacted legislation and several are at this very minute considering it. Our Association should gather all information on this and make it available to every member. Our Association should help substantiate legislation already enacted. We should build a source of public domain and cleared music either directly as our Bureau of Copyrights has started or we should let that Bureau clear music to be built into libraries by others, or both. We must educate our own members on copyright and we must show authors and composers how the sale of the use of copyrights on a "per use" basis will be to their distinct advantage.

There is no use in us waiting for ASCAP to do this. It could if it so desired, but its heads are afraid of any upset in that organization because they all have nice fat jobs. ASCAP, though, is logically the one to put such a move into existence and this is, in my opinion, the only way ASCAP can survive.

Certainly something must be done when Mr. Froelich, ASCAP's New York counsel, says that "it is impossible to trace the assignments and actual ownership of many musical numbers." (I wonder why, then, ASCAP should try to claim and collect on such numbers if it is impossible to trace their ownership?) Something must certainly be done—when Mr. Mills says he has spent twenty years of his life in building the most complete index of musical compositions existing in this country today. (And yet he refuses to make such a list available to users.) Something must be done—when a composer member of ASCAP says he would rather do business on a "per use" basis, that unless a composer is on the inside of the immediate circle controlling ASCAP he hasn't a chance, that the present system of payment is more than unfair to the non-composer member of ASCAP because that organization collects for the use of that composer's numbers and yet pays him nothing. Yes, something must be done—when ASCAP doesn't either want or intend to play fair with either its members or its users.

Mr. Mills wrote me January 27 last and wanted to know what could be done for a more satisfactory relationship between user and owner. I answered the letter but knowing something of Mr. Mills' previous actions with our industry, I sent my reply to every member of Congress and enough copies of it to Mr. Mills to give to his purported eight hundred author and composer members. I know those members didn't receive their copies of that letter because I would have heard from many of them if they had. I have come to the conclusion, and I believe justly so, that Mr. Mills was acting in bad faith and was not sincere when he wrote me because to this date I have never received an answer.

If you followed the Montana case, you found that Gene Buck testified concerning payments to one of ASCAP's composer members and that that member was paid less than one-fifth of one cent for the use of his numbers. You will find also that Mr. Buck had the audacity to state that this was more than he would have received if it hadn't been for ASCAP. Let me say right now, the smallest station in the country situated in the most sparsely settled part of this country would be tickled to death to be able to get music that cheap. I have checked with a number of stations on their cost per number during the last year and I know of one 1000-watter that averaged better than 25 cents a number and of a 50-kilowatter that was paying better than 30 cents. These stations are by no means in our larger cities, so even higher ASCAP collections can be expected there. I wonder how ASCAP can justify such income as this with but a fifth of a cent payment to the composer?

If you have kept up on the copyright situation at all during the last year, you know that there are only 508,425 published copyrighted numbers on file at the copyright office in Washington, not the two or three million numbers Mr. Mills has always talked about. You know, too, that this figure includes many player piano rolls and you know that for the privilege of playing but a few of these numbers, our industry paid in the neighborhood of $4,000,000 last year. If you don't think we are a bunch of chumps, then listen to this (and I am quoting from figures referred to by Gene Buck of ASCAP): in Montana we found that only 6.45 per cent. of the entertainment business of the state was done by broadcasting stations, and this is exclusive of all hotels, yet more than 70 per cent. of ASCAP's income in the state came from these very same broadcasting stations. I imagine, if you will check figures in your own state, you will find a similar situation. Considering all this, we in the broadcasting business do not ask for lower fees; we ask but for the right to pay *only* for the music we actually perform and if the Society of Publishers represented by Mr. Mills doesn't know who the copyright owner is on the numbers it represents to control, then it has no right to collect on such numbers.

We are asking no advantage over anyone! We want only fair play! We can do the same things nationally that have been done in Montana, Washington, Nebraska, Tennessee and Florida. The legislation we ask for is *honest* legislation—it is *right*!

1940 is coming around in just two more years. You have to do something before that time because you can't just sign anything that is shoved in front of your nose then. If you want to, this whole situation can be cleared up this coming year. Money isn't the only thing that is needed. True, it is necessary, but so is cooperation from every one of you. We need a committee made up of one member from every state. Those committee members must be pledged to work, and work without pay, but their expenses should be paid by all of us.

I would like to suggest that we assess ourselves, between now and the convention next year, dues to the amount that this job can be done! That each and every one of us pledge his time to the support of this movement! That the committee I have suggested be formed and that the whole thing be put in the lap of the Executive Committee which is composed of the President, Treasurer and Managing Director of NAB, with the instructions from this convention to select a leader for this committee such a man as Joe Hostetler or Phil Loucks, with instructions to go to work, tear into this copyright situation with the one view in mind to solve it and have the job done by our next convention date.

What we ask for is right! We should ask for it with our heads held high. We ask it in the name of all the peoples of the United States—for the protection of the broadcasting industry, the greatest disseminator of uncensored information in our country today—and may God always keep it so!

Thank you.

PRESIDENT MYERS: I am sure we all appreciate the talk by Mr. Craney. The reports of Mr. Baldwin and myself, as you have all heard, are directly in line with Mr. Craney's suggestions. I think it might be a good idea if Mr. Craney would meet with the Resolutions Committee and draft a resolution for presentation to the convention and at that time, if other steps are necessary to promote the continued action of the plans which we have under way and which the new administration undoubtedly will have under way next year, they can be taken.

In line with one announcement made by Mr. Baldwin, in regard to the display of station promotion literature on this floor, stations which have literature in this display should remove it by Wednesday noon. The committee in charge of this display is taking every precaution to preserve and protect the materials sent them but they cannot be responsible for it and the stations themselves should remove the materials they have in this display Wednesday noon or Wednesday morning— at least so it is out of here early Wednesday.

Before we have the report of the Nominations Committee, I would like to remind the various committees that we have announcements to make at the close of this meeting. I want to be sure that I have all of your announcements of the various committees in regard to meetings and any other information for the convention so if the chairmen of these committees will be sure to have these announcements up here by the time the Nominating Committee completes its report, the announcements will be made.

The next item on our program is the report of the Nominating Committee by its chairman, Earl Glade of Salt Lake City. Mr. Glade.

EARL J. GLADE (KSL, Salt Lake City): President Myers and Members of the Convention:

"In submitting its report, your Committee on Nominations respectfully reminds the convention how highly important it is that, from year to year, the respective nominations reflect a cross section of the ownership and management of the entire radio broadcasting industry of the United States.

"In making these selections, therefore, Mr. President, your Committee on Nominations has endeavored to give most careful consideration to such matters as the past experience of the Association as it has had a bearing on the choice of its officers, geographical location, station wattage and frequency allocation, qualities of leadership as exemplified by the nominee's success in station management, community prestige; achievement in the fields of business-building, community-building, and general public service; network affiliation, independent status, as well, of course, as the nominee's availability and his aptitude for and attitude toward Association work.

"While your committee recognizes some distinct advantages to be derived from certain rotation or succession in office, it respectfully declines to accept the responsibility of suggesting any order of nomination procedure that would, in any way, tie the hands of subsequent committees. Therefore, the nominations of this committee are obviously proposed only with regard to the vacancies now to be filled.

"Your committee, therefore, respectfully submits the following roster of nominations for the consideration of the delegates to the annual convention of the National Association of Broadcasters being held at Hotel Sherman, Chicago, Illinois, June 20 to 23, 1937:

"For President: John Elmer, Station WCBM, Baltimore, Maryland.

"For First Vice President: John J. Gillin, Jr., Station WOW, Omaha, Nebraska.

"For Second Vice President: William J. Scripps, Station WWJ, Detroit, Michigan.

"For Treasurer: Harold Hough, Station WBAP, Fort Worth, Texas.

"For Director—three-year term: Charles W. Myers, Station KOIN, Portland, Oregon; Herbert Hollister, Station KANS, Wichita, Kansas; Harry C. Butcher, Columbia Broadcasting System, Washington, D. C.; Frank Russell, National Broadcasting Company, Washington, D. C.; Theodore Streibert, Mutual Broadcasting System, New York City.

"For Director—one-year term: Eugene Dyer, Station WGES, Chicago, Illinois.

"Respectfully submitted

Committee on Nominations

Mallory Chamberlin, WNBR, Memphis, Tennessee
Arthur B. Church, KMBC, Kansas City, Missouri
Joe O. Maland, WHO, Des Moines, Iowa
Edward A. Allen, WLVA, Lynchburg, Virginia
Earl J. Glade, KSL, Salt Lake City, Utah, Chairman."

PRESIDENT MYERS: It is my understanding that any group of ten or more members of the Association may submit candidates' names for the election which is to come tomorrow. May I remind you the election is tomorrow and I hope that one day we will all be here and all be here on time.

The next item on the program is the appointment of committees.

For the Resolutions Committee: John Henry, KOIL, Omaha, Chairman; Gardner Cowles, Jr., KSO-KRNT, Des Moines; O. L. Taylor, KGNC, Amarillo; William S. Hedges, WLW, Cincinnati; and Stanley Hubbard, KSTP, St. Paul.

Elections Committee: Hugh A. L. Halff, WOAI, San Antonio, Chairman; Dale Robertson, WIBX, Utica; Father James A. Wagner, WHBY, Sheboygan; Don Searle, WIBW, Topeka; and William B. Way, KVOO, Tulsa.

Credentials Committee: Warren P. Williamson, Jr., WKBN, Youngstown, Chairman; Donald A. Burton, WLBC, Muncie, Indiana; T. Frank Smith, KXYZ, Houston; Edwin M. Spence, WBAL, Baltimore; and I. R. Lounsberry, WGR-WKBW, Buffalo.

Those are the remainder of your committees.

. . . Announcements . . .

PRESIDENT MYERS: This is a letter from the Republic of Cuba:

"To the delegates attending the Chicago Convention of the National Association of Broadcasters:

"The Cuban Tourist Commission takes pleasure in sending a very hearty greeting to the Delegates of the National Association of Broadcasters present at their Chicago Convention, with most sincere wishes for the success of the meeting.

"This organization deemed it an honor and satisfaction to have been given the privilege of entertaining those members of the broadcasting industry who were here for the Sixth Annual International Radio Party in December of 1935. To them we send a special salutation today; taking advantage of this occasion to say to the broadcasters who will honor us next December that Havana will have, for all, a very warm welcome.

"We earnestly hope, once more, that the forthcoming visit of the broadcasters to Havana during the Eighth Annual International Radio Party will serve to further strengthen the ties of friendship that unite this country with the great American nation.

(Signed) Juan Sabates, *President,*
Cuban Tourist Commission."

I'd like to ask if there are any questions in regard to Mr. Baldwin's report. It was followed so closely by Mr. Craney that I don't believe you had any chance to ask questions.

(Announcements.)

PRESIDENT MYERS: If there is no further business before the meeting, we stand adjourned.

(The meeting adjourned at 12:30 o'clock.)

JUNE 22, 1937

(Tuesday Morning)

The meeting, held in the Ballroom, Hotel Sherman, Chicago, convened at 10:50 o'clock, President Myers presiding.

PRESIDENT MYERS: The meeting will please come to order.

First, I wish to announce that if there are any station representatives here who are not registered as delegates or alternates, they must be registered as delegates or alternates before they can vote. We wish to be sure to give everybody who is entitled to a vote and wishes to vote, a chance to count his vote. Therefore, be sure that you are registered as a delegate or alternate so you may vote.

There is one question to be settled by this meeting before we proceed. The Board of Directors elected that this should be a closed meeting, only the active members and delegates. It has been suggested that it be open to the press as at preceding meetings. The question is whether this meeting is to be thrown open to red badges or not.

EDGAR P. SHUTZ (WIL, St. Louis): Mr. Chairman, I make a motion that they be admitted.

HUGH J. POWELL (KGGF, Coffeyville, Kansas): Seconded.

PRESIDENT MYERS: It has been moved and seconded that all red badges—guests of the convention—be admitted.

STANLEY E. HUBBARD (KSTP, St. Paul): Gentlemen, I think we should vote against this motion. This meeting is for members and delegates. I have talked with some of the newspaper men. They appreciate our position and think it is all right.

W. A. BAILEY (KCKN, Kansas City): Of course, I would be accused of being a newspaper-radio man but I feel this way about this situation: that the newspaper boys are used to going into situations like this. They are going to get a report. It is either going to be a firsthand or secondhand report and to them this is just another convention. I am sure you can depend upon the press to treat you honestly and fairly in being in on the meeting and probably a better attitude than if you excluded them.

PRESIDENT MYERS: Let me call to your attention the motion is not to admit only members of the press but all with red badges.

MR. BAILEY: The press is what I am talking about. Mr. Chairman, I will amend this motion to include the press, not all with red badges.

(Several members seconded the amendment simultaneously.)

PRESIDENT MYERS: Is the amendment accepted by the mover?

MR. SHUTZ: Yes.

PRESIDENT MYERS: And the second?

MR. POWELL: Yes.

PRESIDENT MYERS: The motion as amended is that the press only be admitted to this meeting.

THE CONVENTION: Question!

(The motion as amended was put to vote, and was carried.)

PRESIDENT MYERS: Now, how are we going to designate who is the press? There is no way to tell one red badge from another.

F. W. BORTON (WQAM, Miami): I'd like to extend an invitation to all those wearing red badges.

PRESIDENT MYERS: It has been moved that all guests wearing red badges be admitted to this meeting. Is there a second to that motion?

FRED J. HART (KGMB, Honolulu): Mr. Chairman, in order to get this meeting under way, I second that motion.

ARTHUR B. CHURCH (KMBC, Kansas City): I wish to rise to say that I am opposed to this motion. This is a business session of the NAB and while we are very happy to have guests with us in all of our open meetings, inasmuch as they don't participate in this meeting and would possibly add to the confusion of the meeting, I think it is best we don't admit them, especially at this late hour when we are delayed getting started.

WILLIAM V. WAY (KVOO, Tulsa): I want to say that I am in favor of this motion. If you are going to allow the newspaper men to print the story, why don't you let them get it firsthand?

THE CONVENTION: Question!

(The motion was put to vote, and was carried.)

MR. SHUTZ: Division!

PRESIDENT MYERS: Let's raise hands. All in favor of the motion, raise your right hand. We'll just take a quick survey. Those opposed now raise your hands. There is no question but what the "ayes" have it.

Gentlemen, if we will come to order, there is no reason why we should not proceed with the business before us. The first business is application of three new members who wish to be admitted to the Association. I wish to read these applications:

An application from the Ardmoreite Publishing Co., Ardmore, Oklahoma, Station KVSO, recommended by Harold Hough.

An application from the Enid Radiophone Co., Enid, Oklahoma, Station KCRC, recommended by Harold Hough.

An application from the Salt River Valley Broadcasting Co., Station KOY, Phoenix, Arizona, recommended by Ed Craig.

Will someone move that these applications be accepted?

EUGENE J. ROTH (KONO, San Antonio): I so move.

(Several members seconded the motion simultaneously. The motion was put to vote, and was carried.)

PRESIDENT MYERS: We have three new members. The meeting will please be in order.

MR. CHURCH: Mr. Chairman, due to the successful completion of the organization of the Copyright Bureau, and in view of the fact that our treasury will be relieved by the completion of the Copyright Bureau, I would like to withdraw my amendment:

"Effective September 1, 1937, bi-monthly dues of active members shall be payable January 1, March 1, May 1, July 1, September 1, and November 1, on the following basis."

In other words, I would like to withdraw the amendment to increase the dues of members 50 per cent., inasmuch as this appears unnecessary. (Applause.)

PRESIDENT MYERS: Mr. Church asks to withdraw the amendment presented to this Association sometime ago to increase the dues of the membership 50 per cent, which is what it amounts to. Mr. Church states inasmuch as the financial condition of the Association is in such a good condition at present, the increased dues are not necessary, so he wishes to withdraw his motion.

MARTIN CAMPBELL (WFAA, Dallas): I move that the resolution be withdrawn.

E. A. ALLEN (WLVA, Lynchburg): Seconded.

PRESIDENT MYERS: It has been moved and seconded that the resolution presented increasing the dues to this Association be withdrawn.

(The motion was put to vote, and was carried.)

PRESIDENT MYERS: While the business of the Credentials Committee is being transacted, we will read a few announcements.

We have a telegram: "Congratulations to you and all those assembled on the fifteenth convention of the National Association of Broadcasters. Extremely sorry I am unable to attend this year. My very best regards to my many friends assembled. Jack Latham."

(Announcements.)

PRESIDENT MYERS: The next order of business is the election of officers.

We have a petition signed as designated in the By-Laws by at least ten members of the Association, as follows:

"Pursuant to Article 8 of the Constitution of the National Association of Broadcasters, we, the undersigned, do hereby place in nomination for the consideration of the delegates to the annual convention of the Association being held at Hotel Sherman, Chicago, Illinois, June 21-23, 1937, the following:

"For President—Edmund B. Craney, Station KGIR, Butte, Mont.

"For First Vice President—John Elmer, Station WCBM, Baltimore, Md.

"For Second Vice President—John J. Gillin, Jr., Station WOW, Omaha, Neb.

"For Treasurer—Harold V. Hough, Station WBAP, Fort Worth, Tex."

Are there any remarks on this ticket? Are there any other petitions, any other candidates?

Inasmuch as there is no change made in the Board of Directors, in accordance with the report of the Nominating Committee, the ballot will be for the officers only. Are there any remarks? We should have some remarks because we will have to have a ticket made up. The voting will be by ballot only, the delegate of the station filing around this side, passing the Credentials Committee, offering only one ballot at a time. In other words, if you are a delegate for more than one station, you will have to file by for each station, as the roll is called, depositing the ballot.

Now, while these ballots are being prepared, are there any remarks on these tickets?

The Managing Director has suggested that, to save time, you present your ballot on the amendments—there are two remaining amendments that have been presented in accordance with the Constitution and By-Laws and it is suggested you present your amendments ballot at the same time you present your officers ballot.

MR. HOUGH: I would like to make a motion that we table this amendment to Article III.

MR. CAMPBELL: Seconded.

PRESIDENT MYERS: It has been moved and seconded that the amendment to Article III be tabled. This amendment provides that a man owning two or more stations must have individual membership for each station. The amendment was submitted to the membership in the NAB REPORTS.

Only delegates that are registered will vote on this amendment. We will vote by raising hands.

(The motion was put to vote by a show of hands. The vote was in doubt.)

PRESIDENT MYERS: It is a little close.

MR. WAY: Mr. Chairman, may I have the floor just a second on a point of information?

I didn't understand it. And, I don't believe anybody else did. Do I understand that if this amendment carries as introduced, if a man has two stations and joins to represent one station, he must also join for the other station?

PRESIDENT MYERS: He must join and pay dues for both stations.

MR. WAY: And if the amendment is killed, he may represent one station but may not vote the other one?

PRESIDENT MYERS: He may represent one station and have one vote. My understanding is that this doesn't kill the amendment but it is laid on the table.

MR. WAY: You are taking away constitutional rights.

MR. HOUGH: I am connected with three stations. All three are members of the NAB. This amendment, to my mind, at this time is not properly constructed. I just want to put it on the table. It will come up later, possibly at the next meeting.

PRESIDENT MYERS: Are there any other remarks before we take the vote on that?

The motion is for the tabling or delay of the resolution demanding that any member belong individually for each of his stations or he can't belong to the Association. If he controls five stations, he has to pay dues for all five or he can't belong to the Association. Consider whether you wish to vote for or against that motion. The motion is not to withdraw the amendment but to table it for further consideration. We will have a rising vote. All in favor of the withdrawing of the amendment, please rise. Perhaps it won't be necessary to count. Will you please sit down? Will those opposed, rise? The motion to withdraw the resolution is carried—not to withdraw but to table the resolution for further consideration is carried.

Is there any other business? We are now ready to proceed with the election of officers. It will save a lot of time if we vote "yes" or "no" on the third amendment at the same time we cast our vote for officers. Does anybody know of any reason why we shouldn't?

MR. HUBBARD: I move we have a rising vote on the amendment in order to save time.

(The motion was not seconded.)

DON SEARLE (WIBW, Topeka): What is the amendment?

PRESIDENT MYERS: *Resolved,* That Article V shall be changed as follows:

"Add to Section (c) the following:

"'Except that the out-going President shall automatically become a Director for a term of three years.'

"This amendment shall become effective with the retirement of the out-going President at the 1937 Annual Convention."

What shall we do?

MR. HUBBARD: I move that we take a rising vote on that amendment.

MR. SHUTZ: Seconded.

PRESIDENT MYERS: I'd like to speak on this but I can't.

All in favor of making the out-going President automatically a member of the Board of Directors without giving the convention a chance to choose, rise. Be seated. Contrary, rise.

(There was only one contrary vote. President Myers did not announce the result of the vote.)

PRESIDENT MYERS: Gentlemen, let's not have any misunderstanding. This has no connection with the present out-going administration. Your out-going President has been put on the ballot. I don't know whether this is in order but I want to say I would not permit my name to go on the Board of Directors without the pleasure of this convention being known. Now, if there is any misapprehension, we want the vote over again.

All in favor of automatically placing whatever man is in the presidency of this organization on the Board of Directors without giving any of you a chance to vote or express your choice, rise. Be seated. Contrary, rise.

(There was one contrary vote.)

PRESIDENT MYERS: The amendment is carried. You do not have to vote on it by ballot.

Now, I believe all of you understand the two tickets that are before you. One is the Nominating Committee's slate consisting of:

For President
  John Elmer, WCBM, Baltimore.
For First Vice President
  John J. Gillin, Jr., WOW, Omaha.
For Second Vice President
  William J. Scripps, WWJ, Detroit.
For Treasurer
  Harold V. Hough, WBAP, Fort Worth.
The independent ticket is:
For President
  Edmund B. Craney, KGIR, Butte.
For First Vice President
  John Elmer, WCBM, Baltimore.
For Second Vice President
  John J. Gillin, Jr., WOW, Omaha.
For Treasurer
  Harold V. Hough, WBAP, Fort Worth.

MR. WAY: Mr. Chairman, can we have some remarks on this election or is it out of order?

PRESIDENT MYERS: It is in order but first I wish to ask this meeting simply to vote for President because the election of the President decides the rest of the ticket.

MR. HUBBARD: The nominee for President on the committee's ticket is being run for First Vice President on the independent ticket.

PRESIDENT MYERS: But the election of the President decides the rest of the ticket. It would be true, I believe, that a vote on these ballots on a ticket would mean simply a vote for the President you desire and that would mean the ticket that goes with that President. Are there any rules of order on that? Is that in accord with parliamentary rule?

MR. HUBBARD: I move that we vote on them as independent slate or regular slate.

(The motion was not seconded.)

PRESIDENT MYERS: It has been suggested that there might be individual names on the ballot some would want to vote for. Therefore, we will have to vote on each one separately. We will vote first for President. Then for First Vice President and then for Second Vice President. It won't be necessary to ballot for Treasurer because he is on both tickets. That will mean three trips past the ballot box. Let me have a motion.

MR. HART: To get the sentiment of the floor, I move that we vote only for the President and that casting the vote for the President automatically casts the vote for the other nominees.

MR. ROTH: Seconded.

PRESIDENT MYERS: It has been moved and seconded that they be voted on as a slate.

GREGORY GENTLING (KROC, Rochester, Minnesota): Mr. President, I rise to a point of order! I believe that is not according to parliamentary procedure as long as there is an expression from the floor that they would like to make other selections.

In order to expedite matters, I move that we proceed with the election of President. I offer that as a substitute motion.

MR. HART: As long as there is opposition, I withdraw my motion.

PRESIDENT MYERS: We have a motion to proceed with the election of President. Is there a second?

(The motion was seconded by several.)

PRESIDENT MYERS: It has been moved and seconded that the voting proceed first with the ballot for President.

(The motion was put to vote, and was carried.)

PRESIDENT MYERS: We will proceed to vote for President. While the ballots are getting here, are there any remarks?

MR. ALLEN: At this time may we speak for the nominees?

PRESIDENT MYERS: Yes.

MR. ALLEN: Mr. Chairman, ladies and gentlemen of the convention, most of you know that as the local station representative, I have been fighting for local station representation on the NAB Board for many years.

I am glad to be able to tell you that as a local station representative on the Nominating Committee that our choice for President won the unanimous approval of this committee, all of whom recognize that this year the President should be a local man. And, in John Elmer we have a local man who has all the qualifications for an aggressive President who will intelligently carry through on our important copyright and other problems this year.

I am proud to have placed in nomination your next President, John Elmer. (Applause.)

PRESIDENT MYERS: The ballots will be here in just a moment. Are there any other remarks?

MR. SEARLE: Mr. President, I have known John Elmer a comparative short period of time but I think his record at Baltimore would indicate his feet are on the ground. I don't believe there is a better man we can select than John Elmer.

GARDNER COWLES, JR. (KSO-KRNT-WMT, Des Moines): Mr. Chairman, may I say just one word for John Elmer? I served on the Board with him this past year and in my opinion, there is no man in this hall who understands better all the problems of the broadcasting stations than John Elmer. He is an intelligent, efficient, willing, able worker. He had the good sense after twenty-five years of newspaper business to quit it and go into broadcasting, and has had several years of very successful service in the broadcasting industry.

Now, unfortunately, I think we have a lot of other important problems, other than copyright and as important as copyright. John Elmer is located very close to Washington where he is available every day if necessary and able to handle all the problems of this industry.

I am happy to second John Elmer's nomination.

W. B. GREENWALD (KWBG, Hutchinson, Kansas): Mr. President and fellow broadcasters, this is my third convention of this Association. However, this is the first time since I have been a member that I take the privilege of appearing on the floor and in order to be granted the privilege at some future time, I am going to make a 100-word announcement.

A locomotive needs steam. A diesel engine needs oil. The National Association of Broadcasters needs both. With plenty of steam and good oil we can travel a long way this coming year by placing a man at the throttle who will keep his eyes open to see that the road ahead is clear so that he may carry his passengers, the members of this Association, to a destination we all want to reach, that of success and a co-operating spirit in our industry. I know of no better man than John Elmer of Baltimore as the engineer.

I am just a 100-watter, three years old. I am new in the industry. John Elmer has been my pattern. I have patterned my station after John Elmer's station and I am proud of it. Therefore, I am seconding his nomination. (Applause.)

EDWIN M. SPENCE (WBAL, Baltimore): It is a privilege and an honor for me to endorse the candidacy of John Elmer. I happen to be located in Baltimore and come in contact with him in community and social life. He is respected. His integrity is unquestioned as well as his ability.

As Mr. Cowles has said, with the various problems coming up the next year, with his accessibility, only a short distance from national headquarters, I think the Association, in selecting John Elmer, will make no mistake as he will preside with honor to himself and credit to the Association.

MR. CHURCH: I think it is a great credit to John Elmer that one of the heads of one of the other stations in his community, who must know a lot about him, makes the kind of talk you have just heard. I have had the pleasure of working with John Elmer on several committees and on the Board for several years and he is one of the men who is always on the job. I mean he attends every meeting he is supposed to attend and is always there ahead of time and the meeting is never late because he isn't there. That means a lot to me.

Another thing I like about him is although he doesn't talk a great deal at meetings but when he opens his mouth, something comes out that is a real contribution to the problem before us. I like that kind of a man.

I had a little talk with John Elmer to ask him whether he would be willing to accept this responsibility and in connection with it I asked him if he could spend the amount of time from his business that this job demands if we have the kind of a job done this year that must be done. He told me that he was willing, if the organization really wanted him, and that he was happy to be in a position that he could spend the necessary amount of time. He also told me that he had been in Washington conferring with Jim Baldwin and others of our people there during the past two or three years—I don't believe he said "weekly" but it was more than once a month (I don't remember the exact number of times)—and that he had tried to be of some service in this way and that he would be at the NAB office not only when necessary to get something done but be able to spend a goodly portion of his time there this year.

You know that one of the things I have been interested in most during the last two years, besides research, is copyright. You haven't heard John Elmer talk on copyright. I have. I have talked with him alone about it. I think John Elmer has a comprehension of the copyright problem that will enable him to carry through for this organization in a manner that every one of you will hail as a great accomplishment at the end of his year of office.

I don't know how to tell you how successful he is as a business man. He certainly wouldn't be able to spend the amount of time he has already spent as a member of the Code Authority and on committee work and on the Board unless he were a successful man. He owns his station—knows how to operate it swell! In my opinion, his one of the most representative of all the local stations and certainly the local stations finally deserve a break to get a President! I think this is the year they get the break and that we have got the man to do the job.

PRESIDENT MYERS: Are the ballots ready?

MR. HUBBARD: We had a motion a few minutes ago to elect a President first. While we were talking about the manner of election, Mr. Baldwin was upstairs getting the ballots. The only thing with the two slates is that if one slate goes through, it will change the Second Vice President.

I'd like to have the motion withdrawn to vote for President and wait a few minutes until Mr. Baldwin brings in the ballots. Those ballots give the name of the nominees and a place to check off, and you can vote for any Vice President you want to. In other words, it is a consolidated ballot and makes one election for the whole business.

I'd like to move—well, what will we do, have the motion withdrawn?

MR. GENTLING: Mr. President, I was the maker of the motion. While I can easily understand Mr. Hubbard's viewpoint in voting for just one ballot, the consolidated ballot, I don't believe that those in attendance knew that we were going to have a consolidated ballot where we could express ourselves on any candidate, whether on the independent ticket or the ticket endorsed by the Nominating Committee.

However, in view of the action that has been taken by this body, I believe that any remarks subsequent thereto are out of order due to the fact that we have already had a nominating speech on behalf of one candidate for President.

MR. HUBBARD: Mr. Gentling, the procedure in balloting will not be affected by the talks. Anybody can speak for either candidate. This has nothing to do with that. It is simply while we were here discussing this, Mr. Baldwin was upstairs arranging to cut stencils to make a consolidated ballot. It is not easy to count ballots. It means we will sit here for hours electing a President and the Vice Presidents. With the system I am talking about, the consolidated ballot, if we vote with one ballot for whomever we want for President, First Vice President and Second Vice President, it will simplify the whole election, and at this time I move that we vote a simplified ballot and save time.

(The motion was seconded by several.)

WILLIAM S. HEDGES (WLW, Cincinnati): In order to meet the objectives——

PRESIDENT MYERS (interrupting): Mr. Hedges, I was looking for you. Last year I asked you to preside. This year I understand it can't be done according to parliamentary practice. I do ask you to come forward and act as my adviser. Will you please do that? I have always been afraid I would have to figure one of these things out some day! (Laughter.)

MR. HUBBARD: Speaking on my motion, here is the ballot. At the top, for President, it says "John Elmer" and there is a square, and then below that "Ed Craney" and there is a square. Then it goes on and gives the nominees for First Vice President—John J. Gillin, Jr., the Nominating Committee nominee, and John Elmer, by petition. For Second Vice President—William J. Scripps or John J. Gillin, Jr.,—so you can check them off. It simplifies the election and will save us two hours. I move that we reconsider.

(The motion was not seconded.)

MR. GENTLING: If this is in line with parliamentary procedure, I'd like to withdraw my motion.

PRESIDENT MYERS: I think we have to have a motion to reconsider.

MR. GENTLING: I so move.

MR. WILLIAMSON: Seconded.

(The motion to reconsider was put to vote, and was carried.)

MR. HUBBARD: I move that this be the official ballot in the vote for President, First Vice President and Second Vice President.

MR. BORTON: Seconded.

(The motion was put to vote, and was carried.)

PRESIDENT MYERS: On the official ballot which will be here in a few minutes, we will have two candidates for President, First Vice President and Second Vice President. You vote for your choice for President, First Vice President and Second Vice President, all on this one ballot, and save a great deal of time.

A MEMBER: What about the Treasurer?

PRESIDENT MYERS: Same on both ballots.

MR. HUBBARD: Now, gentlemen, to save time, there being no contest for Treasurer, I move that Harold Hough of Fort Worth be elected Treasurer unanimously.

MR. ROTH: Seconded.

(The motion was put to vote, and was carried.)

MR. WAY: Mr. Chairman, if it is not too late, I'd like to talk on this nomination. I don't know personally either Mr. Elmer or Mr. Craney. Therefore, I can talk intelligently. (Laughter.)

I do know what these gentlemen stand for. I have been traveling a lot in the last year. I know something about this ASCAP situation. I possibly know more about this ASCAP situation than 99 per cent. of the broadcasters because we have gone through federal court and spent a good many thousands of dollars and I have had to learn about it.

I tell you, gentlemen, the biggest mistake is you are fighting this ASCAP question on the floor of the convention with open remarks on the floor. These people have a federal law that protects them and you are not going to be able to change that law now. They have a lobby that is swell.

Now, if I want to buy anything which I have to buy, I don't go and throw rocks at the man that has it to sell. I don't want you to think that I am coming here and asking you to join ASCAP. They don't want you. You can't join. Neither can you sell them an idea. But, this thing of continually bombarding ASCAP and the things they have, in the newspapers and in the magazines, and throwing rocks at their house, is not getting anywhere at all. A plan has been recommended at this convention and previous conventions as being workable. Let that thing work its way out and let's quit fighting this ASCAP thing publicly and clean our linen at home.

I am in favor of Mr. Elmer's election.

PRESIDENT MYERS: Gentlemen, it has been called to the Chair's attention that there is no contest in the election of Directors. The Directors presented by your Nominating Committee for the three-year term are: Charles W. Myers, KOIN, Portland, Oregon; Herb Hollister, KANS, Wichita, Kansas; Harry C. Butcher, Columbia Broadcasting System, Washington, D. C.; Frank M. Russell, National Broadcasting Company, Washington, D. C.; and Theodore C. Streibert, Mutual Broadcasting System, New York. They recommend Gene Dyer, WGES, Chicago, for the one-year term. There is no contest for the election of those men. I am asking for a motion to make the election of these Directors unanimous.

L. B. WILSON (WCKY, Covington): I so move.

ALFRED McCOSKER (WOR, Newark): Seconded.

PRESIDENT MYERS: It has been moved and seconded that the Directors named be unanimously elected. Is there any discussion?

(The motion was put to vote, and was carried.)

PRESIDENT MYERS: The motion is carried and the Directors are elected.

(The ballots were distributed.)

JAMES R. CURTIS (KFRO, Longview, Texas): Mr. Chairman, I want a little information on this ballot. Are we to check the men we want or the men we don't want?

PRESIDENT MYERS: You always vote "yes"—"X" on the ballot—for the man you want. You put the check opposite the name of the man you want. I am glad you brought that up, sir.

I will recognize Mr. William Hedges.

MR. HEDGES: As a word of explanation, you can vote for whomever you want. You can vote for John Elmer for President or for First Vice President, if you so choose, but it will probably mean we will be here all afternoon getting this straightened out. I appeal to your logic that you vote the straight Nominating Committee's ticket or the straight petition ticket and, therefore, avoid a lot of confusion. Therefore, if you are for John Elmer, vote for John Gillin for First Vice President and William J. Scripps for Second Vice President. If, on the other hand, you are for Ed Craney for President, vote for John Elmer for First Vice President and John Gillin for Second Vice President. If you vote for John Elmer or Ed Craney for President, John Gillin or John Elmer for First Vice President, and William Scripps or John Gillin for Second Vice President, you will find that by the time you get down there, you will have gummed the works up to a sufficient extent so that we will have to have a re-balloting. So, I submit if you are for Craney, vote for the petition candidates and if you are for the Nominating Committee ticket, vote for the Nominating Committee candidates.

PRESIDENT MYERS: Balloting is about to begin in accordance with the policy outlined. In other words, you are to mark your ballots and as your station is called, form the line on this side.

It has been called to my attention that any member of this Association may be appointed to preside in the Chairman's stead. I, therefore, take advantage of this rule and with the greatest of pleasure appoint William S. Hedges to conduct the remainder of this meeting.

(Mr. Hedges took the chair.)

CHAIRMAN HEDGES: The Managing Director will call the roll and as your station is called, please form in line and come up to the table, around this way.

(Casting of ballots.)

CHAIRMAN HEDGES: Is there any member of the Association in the room whose station has not been called?

The Elections Committee is composed of the following members: Hugh Halff, who is chairman; Bill Way; Father James A. Wagner; Don Searle; and Dale Robertson.

MR. MYERS: Will all the members of the Elections Committee that are present please step forward?

Are any of you gentlemen interested in finishing the session of this meeting? If you are, will you kindly go out in the lobby and round up enough members to give us a quorum so we can consider these resolutions and we will be through for the day.

CHAIRMAN HEDGES: The Chair will now call upon Mr. John Henry, chairman of the Resolutions Committee, for the report of that committee.

JOHN HENRY (KOIL, Omaha): *"Resolved,* That the National Association of Broadcasters sincerely thanks Hon. Judge Eugene Octave Sykes, Chairman of the Broadcast Division, Federal Communications Commission, for the helpful address delivered by him at its fifteenth annual convention, and that the membership is confident that his message will aid greatly in enabling broadcasting stations to carry out the responsibilities placed upon them by the Federal Communications Commission."

I move the adoption of this resolution.

CHAIRMAN HEDGES: Is there a second?

MR. HUBBARD: Seconded.

CHAIRMAN HEDGES: Is there any discussion?

MR. HART: Is there a quorum here?

MR. HUBBARD: I move we adjourn without a quorum!

(The motion was not seconded.)

CHAIRMAN HEDGES: The ballot box is now closed and the Elections Committee will take charge of the ballot box and proceed to count them. Mr. Searle will act as chairman of that committee.

Mr. Hart who raised the question of quorum has withdrawn his challenge of quorum. We can proceed unless somebody else wishes to challenge the quorum. I believe that is hardly necessary in view of the routine nature of so many of these resolutions. If there are resolutions submitted on which there is controversy on which you wish to have a quorum, we can withdraw that resolution and present it at tomorrow's meeting.

Mr. Henry made the motion that the first resolution thanking Judge Sykes for his splendid address, be adopted and it was seconded by Mr. Hubbard. There is no discussion, apparently. Therefore, I put it to vote.

(The motion was put to vote, and was carried.)

MR. HENRY: *"Resolved,* That the National Association of Broadcasters hereby extends its appreciation to Mr. Glenn Snyder, Mr. H. Leslie Atlass, Mr. Ralph L. Atlass, Mr. H. C. Crowell, Mr. Gene T. Dyer, Mr. W. E. Hutchinson, Mr. Quin A. Ryan, Mr. F. A. Stanford, Mr. Niles Trammel and Mr. Clinton R. White of the Local Convention Committee for their services in helping to make the fifteenth annual convention of the National Association of Broadcasters a success."

I move this resolution be adopted.

H. K. CARPENTER (WHK, Cleveland): Seconded.

CHAIRMAN HEDGES: It has been moved and seconded that the resolution just read be adopted. Any discussion?

(The motion was put to vote, and was carried.)

MR. HENRY: *"Resolved,* That the National Association of Broadcasters hereby extends its hearty thanks to the management of the Sherman Hotel, and to Mr. Wm. P. Hennessy, Director of Conventions, Chicago Association of Commerce, for their splendid service in making the fifteenth annual convention of this Association an outstanding success; also to the management of the Sherman Hotel and other hotels for their courtesies in accommodating so many of our guests."

I move this resolution be adopted.

MR. ALLEN: Seconded.

CHAIRMAN HEDGES: Is there any discussion?

(The motion was put to vote, and was adopted.)

MR. HENRY: *"Resolved,* That the official acts of the Managing Director since the fourteenth annual convention be and the same are hereby approved."

I move this resolution be adopted.

(The motion was seconded by several members.)

CHAIRMAN HEDGES: Any discussion?

(The motion was put to vote, and was carried.)

MR. HENRY: *"Resolved,* That the National Association of Broadcasters thank Mr. Arthur Pryor, Jr., of Batton, Barton, Durstine & Osborn, Inc., of New York City, and Mr. Marvin Oreck of Oreck's, Inc., Duluth, Minnesota, for their helpful participation in this fifteenth annual convention of the National Association of Broadcasters."

I move the adoption of this resolution.

H. P. DANFORTH (WDBO, Orlando): Seconded.

(The motion was put to vote, and was carried.)

MR. HENRY: *"Resolved,* That the NAB reiterates its position as favoring the issuance of radio station licenses for a term of at least three years.'

I move its adoption.

MR. HUBBARD: Seconded.

CHAIRMAN HEDGES: It has been moved and seconded to adopt the resolution. Is there any discussion?

(The motion was put to vote, and was carried.)

MR. HENRY: *"Resolved,* That the Board of Directors of the NAB be directed and are instructed to carry on negotiations with copyright owners to the end that a per-piece or measured service plan be obtained."

I move the adoption of this resolution.

MR. HUBBARD: Seconded.

CHAIRMAN HEDGES: It has been moved and seconded that this resolution be adopted. Any discussion?

MR. HART: I would just like to say as an operator of a radio station, I am not in favor of a per-piece basis. I think a resolution as important as this should be brought before more delegates than this.

MR. HUBBARD: We have gone on record for this for five years straight.

CHAIRMAN HEDGES: We will withhold action on this until tomorrow.

MR. HENRY: This resolution will be slightly different from the mimeographed copy:

"Resolved, That the National Association of Broadcasters encourage the prosecution of the United States' suit against the American Society of Composers, Authors and Publishers."

I move its adoption.

MR. ALLEN: Seconded.

CHAIRMAN HEDGES: Is there any discussion?

(The motion was put to vote, and was carried.)

MR. HENRY: *"Resolved,* That the National Association of Broadcasters as an organization, use all legitimate means to further the passage of the Duffy Copyright Bill, and urge its membership to encourage members of the Congress from their districts, to support this bill."

I move the adoption of this.

HARRY C. BUTCHER (WJSV, Washington, D. C.): Seconded.

CHAIRMAN HEDGES: Is there any discussion?

(The motion was put to vote, and was carried.)

MR. HENRY: *"Resolved,* That the NAB approves of the action taken by the Board of Directors in respect to the organization of the NAB Bureau of Copyrights, Inc., and the transferring of the property and activities of the Bureau of Copyrights to the new organization and urges the wholehearted support to that organization of all our members."

I move its adoption.

MR. ALLEN: Seconded.

CHAIRMAN HEDGES: Is there any discussion?

(The motion was put to vote, and was carried.)

MR. HENRY: The next resolution was recommended by your Committee on Radio Promotion.

"WHEREAS, we believe it is for the best interests of the National Association of Broadcasters, as a trade organization, to promote the broadcasting industry of the United States at all times in the best possible manner; therefore be it

"Resolved, That a Director of the Advertising Bureau of NAB be employed by the National Association of Broadcasters, to work under the supervision and direction of the Managing Director, to advance the art of radio broadcasting in the minds of the people and to portray a true picture of the value of the radio industry, in its present form, to the United States."

Your committee suggests that this be referred to the Board of Directors.

MR. BUTCHER: Seconded.

CHAIRMAN HEDGES: It has been moved and seconded that this resolution be referred to the Board of Directors for further action. Is there any discussion?

(The motion was put to vote, and was carried.)

MR. HENRY: Another resolution presented by the Committee on Radio Promotion:

"Resolved, That the Board of Directors of the National Association of Broadcasters at their next regularly convened meeting shall designate one week of each year as 'National Radio Week,' and that said National Radio Week shall be promoted through the National Association of Broadcasters as the one week in each year in which all radio stations shall combine in their efforts to make the public radio conscious and furthermore to make said public realize the benefits which radio brings to them each day of the year."

I move the adoption of the resolution.

MR. MYERS: Seconded.

CHAIRMAN HEDGES: Is there any discussion?

MR. HOUGH: I am opposed to it. It sounds too much like Prune Week. I think it is entirely out of place. It is too much like Orange Week and Grapefruit Week. It smacks of commercialism.

(The motion was put to vote, and was lost.)

MR. HENRY: "WHEREAS, there has been introduced into the Congress of the United States a bill known as the Celler Bill, which would authorize the construction, maintenance, and operation of a government broadcasting station,

"WHEREAS, the existing system of broadcasting in the United States makes available to the various departments of the government ample time for broadcasting either domestic or foreign programs,

"WHEREAS, the existing system of broadcasting in the United States affords to the departments of the government the greatest possible radio audiences,

"WHEREAS, the operation of a broadcasting station by the Office of Education is opposed by all existing federal and state laws respecting education,

"WHEREAS, due to its official status, there would be great danger of utterances over such a station giving offense to friendly nations, and creating unnecessary international incidents,

"WHEREAS, the enactment of the bill would result in a useless and extravagant expenditure of public funds; now therefore be it

"Resolved, That the National Association of Broadcasters express its opposition to the passage of this bill, and instruct its Board of Directors to use all legitimate means to cause its defeat, and urge the members of the National Association of Broadcasters to encourage their Members in Congress to oppose the passage of this bill."

I move the adoption of this resolution.

MR. MYERS: Seconded.

CHAIRMAN HEDGES: It has been moved and seconded that this resolution be adopted. Is there any discussion?

(The motion was put to vote, and was carried.)

MR. HENRY: *"Be It Resolved,* by the Executive Board of the National Association of Broadcasters, that we express interest in the purpose of the American Foundation for the Blind to commemorate the fiftieth anniversary of the first meeting of Helen Keller and her teacher, the late Mrs. Anne Sullivan Macy, on March 3, 1887, and that we endorse the nation-wide celebration to be conducted during the remainder of this year and the first part of 1938, as a tribute to these two great Americans."

We recommend that this be referred to the Board of Directors for suitable action, and I do so move.

MR. CARPENTER: Seconded.

(The motion was put to vote, and was carried.)

MR. HENRY: "WHEREAS, considerable progress has been made during the last few years by the radio engineering profession, and a great deal of data has been obtained concerning the laws governing radio propagation, interference, receiver selectivity, and the operating characteristics and efficiency of radiators, and

"WHEREAS, the Federal Communications Commission through its engineering department has demonstrated its progressiveness and aided the broadcast industry greatly by its actions in holding hearings, and otherwise, in accumulating advanced engineering information and correlating the same, and

"WHEREAS, the 'Preliminary Engineering Report on Allocations' made public by the Commission's Broadcast Division on January 14, 1937, meets with the general approval of the engineering profession, and

"WHEREAS, the National Association of Broadcasters approves this report because it is based on sound and basic engineering principles, and

"WHEREAS, there is a definite need in the broadcast industry for such improvements as will be possible by the adoption of these principles in the Commission's regulations; now therefore be it

"*Resolved,* by the National Association of Broadcasters: The Federal Communications Commission is hereby petitioned by the National Association of Broadcasters to accept the report and to incorporate into its regulations the basic principles of said report."

I move the adoption of this resolution.

(The motion was not seconded.)

MR. HUBBARD: Mr. Chairman, I move that we hold it over until tomorrow for action.

MR. CARPENTER: Seconded.

CHAIRMAN HEDGES: It has been moved and seconded that this resolution be held over until tomorrow for action. Is there any discussion?

(The motion was put to vote, and was carried.)

MR. HENRY: "WHEREAS, the present broadcast frequency band, 550-1600 kilocycles, is now occupied by an almost maximum number of stations, and

"WHEREAS, there is at present no satisfactory allocation agreement between the United States and other North American countries, and

"WHEREAS, in the present situation interference exists on some broadcast channels; now therefore be it

"*Resolved,* by the National Association of Broadcasters: That the Federal Communications Commission be requested to use caution in granting applications or in making changes in allocations in the frequency band 1510-1600 kilocycles, or in other new bands that may be used for broadcasting, in order to prevent action which would interfere with a satisfactory solution of the problem of North American allocation pending the Pan American Conference called for November, 1937."

Your committee has no recommendations on this resolution.

CHAIRMAN HEDGES: No recommendations offered by the committee. A motion is in order to approve, to table or refer to the Board of Directors, or disapprove. What is your pleasure?

MR. ALLEN: I move that it be tabled.

MR. HUBBARD: Seconded.

CHAIRMAN HEDGES: Is there any discussion on it?

MR. CARPENTER: I'd like to offer a substitute to refer it to the Board of Directors.

(The motion was not seconded.)

MR. HUBBARD: I don't think it is up to us to tell the Commission what to do. I move we stay out of it.

J. H. DE WITT JR. (WSM, Nashville): The reason that resolution was introduced was not that we would presume to suggest what the Federal Communications Commission should do or not do. The object of the resolution is simply to give the Commission ammunition to use against certain interests which might try to allocate these frequencies before the Pan American Conference. It is in the interest of the Association to see that all those frequencies are held open until a satisfactory North American agreement is reached.

CHAIRMAN HEDGES: Is there any further discussion? Are you ready for the question?

MR. HUBBARD: I would suggest that the resolution be rewritten and leave out the reference to the Commission.

CHAIRMAN HEDGES: May I make a suggestion? You have your Engineering Conference this afternoon and the suggestion is that you revise this resolution so it will accomplish the purpose you state and . . .

MR. DE WITT (interrupting): There is no meeting of the Engineering Committee; there is simply a reading of the Engineering Committee's report.

MR. MYERS: Mr. Chairman, our Engineering Committee was appointed with great care and consists of the best engineering minds in the industry. This Engineering Committees has proposed a resolution that has been acted upon by the Resolutions Committee and placed before this meeting as the best judgment of our Engineering Committee. As such, I believe that this motion to table the resolution should be defeated.

CHAIRMAN HEDGES: Are you ready for the question?

MR. HUBBARD: I move that we refer it to . . .

CHAIRMAN HEDGES (interrupting): We have a motion before the house, a motion to table the resolution.

(The motion was put to vote, and was lost.)

MR. CHURCH: I move it be referred to the Board of Directors.

MR. CARPENTER: Seconded.

CHAIRMAN HEDGES: Mr. Church moves and Mr. Carpenter seconds that it be referred to the Board of Directors. Is there any discussion?

(The motion was put to vote, and was carried.)

MR. HENRY: This resolution was proposed by Ed Craney of KGIR:

"WHEREAS, the Copyright Act of 1909 was enacted at a time when radio broadcasting was unknown and in the application of such act to Radio Broadcasting as it exists today, numerous injustices have been complained of by both user and owner of copyrighted material, and

"WHEREAS, the diversity of state legislation affecting copyrights and other problems of the broadcasting industry makes it advisable to co-ordinate information on these subjects for the benefit of all; therefore be it

"Resolved, That a committee composed of one member of the National Association of Broadcasters from each state be appointed and that each such member be pledged to respond to committee call, each such committee member to serve without compensation but with traveling and hotel expenses to be set and paid by the National Association of Broadcasters when such committee members are traveling pursuant to official call, and it shall be the duty of each such committee member to gather and furnish information on questions of copyrights and other problems of broadcasters, and that the activities of this committee shall be co-ordinated by suitable counsel engaged for that purpose."

The committee recommends that this resolution be referred to the Board of Directors, as the governing body of the Association, to take such action as time and circumstances indicate to be desirable. I so move.

CHAIRMAN HEDGES: Is there a second?

MR. HOUGH: Seconded.

CHAIRMAN HEDGES: It has been moved and seconded that this resolution be referred to the Board of Directors. Is there any discussion?

(The motion was put to vote, and was carried.)

MR. HENRY: "WHEREAS, the By-Laws of the National Association of Broadcasters provide that the convention city of the organization may be selected by the membership, and that the Board of Directors make such selection only if the membership does not select the convention city; now therefore be it

"Resolved, That the National Association of Broadcasters hold its next annual meeting at Chicago, at a date to be selected by the Board of Directors of the National Association of Broadcasters."

This is just to get it before the convention. I move the adoption of this resolution.

MR. CARPENTER: Seconded for the same purpose.

MR. HUBBARD: I think we should defeat the motion. I don't think we should take action on a motion of that type when so few are present.

MR. HENRY: I would like to withdraw the motion and have it voted on tomorrow.

CHAIRMAN HEDGES: The chairman of the Resolutions Committee withdraws his motion. This resolution will be presented tomorrow.

There is one other resolution which was distributed to all members as they came into the convention hall yesterday. That is the resolution offered by Mr. Hart of Honolulu calling for the reorganization of NAB. This is a matter which should come to the attention of the full body of delegates at this convention and, therefore, we will withhold presentation of that resolution until tomorrow's meeting.

That completes the reading of the resolutions. Is there any report from the Elections Committee? I will call on Don Searle, acting chairman of the Elections Committee, to present the report.

MR. SEARLE: There were 199 total votes and by your vote, you have elected for President John Elmer with 147 votes to Ed Craney's 52.

First Vice President—John Gillin, 148, to John Elmer's 42.

Second Vice President—William Scripps, 152 to John Gillin's 35.

The Elections Committee was composed of Dale Robertson, Bill Way and myself.

MR. CRANEY: Mr. Chairman, I would like to be the first to congratulate John Elmer on winning the election and I would like to move that the convention make the record unanimous for Mr. Elmer.

MR. BUTCHER: Seconded.

(The motion was put to vote, and was carried.)

CHAIRMAN HEDGES: Is Mr. Elmer here?

(Mr. Elmer was not present at the time.)

Announcements

CHAIRMAN HEDGES: Except for the meeting of the Engineering Committee as referred to before, there will be no other meeting until tomorrow morning at 9:30 in this room.

MR. DE WITT: The only thing scheduled for the Engineering Committee is the reading of the formal report which can be submitted without being read.

CHAIRMAN HEDGES: Then there will be no meeting and the report will be submitted without being read.

Announcements

CHAIRMAN HEDGES: Before we disband, I would like to appoint Don Searle, Bill Way and Dale Robertson as the official committee to notify the newly-elected officers of the great honor bestowed upon them.

The meeting is now adjourned until tomorrow morning at 9:30.

(The meeting adjourned at 1:50 o'clock.)

JUNE 22, 1937

(Tuesday Afternoon)

The meeting scheduled for this time to receive the report of the Engineering Committee was canceled because the report was submitted in writing.

Report of the Engineering Committee

During the last several years the Engineering Committee has devoted much time to the study of transmission fidelity and each yearly report has stressed the advantages to be had by following improved engineering practice. Much groundwork had to be done in 1934 in order to discover the proper path to follow and recommend to the Association. Joint meetings were held with the IRE and RMA committees and out of these there was developed a rather clear picture of the recommendations to be made. Conferences were held on the proposed high fidelity standards of the FCC and numerous critical comments were formulated and may be found in the committee report for 1935. Last year's report was unusual in that it did not deal directly with technical problems but pointed out the advantages to be gained by simple engineering improvements.

At the risk of being accused of pursuing a single path, we will remind you that there is still much room for improvement in transmission fidelity and coverage. Some few very progressive stations are delivering a signal that in general conforms to really high standards and these stations are reaping their reward in listener interest and wide coverage. A goodly number of stations have improved their equipment during the past few years and are giving a much better service thereby. A large number of stations are still in somewhat of a primitive stage in engineering matters, their improvements being largely a matter of just complying with FCC requirements.

Last year we mentioned the fact that antennas may vary widely in efficiency and that installation of a modern antenna might easily more than double the station's effective power. We again urge you to give this point due consideration. The mechanical design of antennas has been so improved during the last few years that it is now possible to purchase a good antenna at a very reasonable price, which makes it a good investment, for the coverage gained.

The fundamental transmission requirements of low distortion and noise level and good frequency characteristics should receive more serious consideration in most stations. The need of this is revealed and stressed by modern receivers which cover a much wider frequency band than formerly. This has been pointed out many times before and we have tried to show that money spent in this direction is usually a good investment. It is not enough, however, to purchase equipment capable of high fidelity performance. It is also necessary to equip your station with the proper testing apparatus before you can expect your engineer to keep the equipment at its peak of performance. Good testing apparatus will also indicate the least expensive improvements that can be made in old apparatus to make it conform to modern standards.

The finest possible transmitter will deliver large amounts of distortion and adjacent channel interference when overmodulated and, unfortunately, many stations are guilty of this error. The advantages of full modulation are well recognized. The apparent increase in power with increased modulation has led many stations to continue raising their modulation level until serious distortion and interference results. Each station is now equipped with a modulation monitor. This instrument is used to show that the program level is being kept up at all times so that the station will render a maximum service. Unfortunately, its indications of overmodulation are not alarming enough to attract the proper attention and its use has led to many misconceptions on the part of non-technical men.

By employing a volume limiter, it is possible to gain the signal strength normally acquired through what might be termed reasonable overmodulation and at the same time prevent its ill effects. The use of this device must not be overdone, otherwise serious volume compression and consequent lack of expression will result.

In closing this section of the report, we wish to recommend again that your engineer study your station's transmission fidelity from microphone to antenna and make the changes dictated by good engineering practice, and that a regular checking routine be followed thereafter.

This last winter radio had to meet an unprecedented emergency during the great flood in the Ohio and Mississippi Valleys. Most stations acting in this emergency were badly handicapped by lack of short wave relay equipment. Since this and similar disasters offer such an opportunity for radio in public service, we of your Engineering Committee wish to recommend that each station owner give this matter his best thought and be prepared with the proper equipment for such occurrences in the future.

During the early years of broadcasting it was a comparatively simple matter to obtain the use of a broadcast frequency channel due to the small number of applications and the smaller number of assignments. As our industry grew, it became increasingly difficult for the government to find spaces in the frequency spectrum to fit in all the stations required for a national service. This problem became so acute by last year that it was necessary for the FCC to call a special informal conference on October 5 in which the entire allocation problem was reviewed.

The outcome of this conference was a general agreement that the American allocation plan is sound in principle but that there are certain factors which bear on it that must be given more consideration.

An important factor is the absence of any satisfactory working agreement between the United States and certain other North American countries. It has become apparent that allocation in this country is complicated by the needs of other North American nations, principally Canada, Mexico and Cuba.

In view of the approaching Pan American Conference, at which a satisfactory agreement may be reached, we of your Engineering Committee feel that the Association should earnestly request the FCC to be guided in the following course between now and the time of the Conference:

First, consider those frequency bands which have been suggested on numerous occasions, notably 160-265 kilocycles and 550 down to 520 kilocycles as a possible reservoir for additional facilities available when the problem of meeting demands by our neighboring countries is considered.

Second, that the FCC consider the unassigned frequencies in the band of 1510-1600 kilocycles in a similar manner.

With further reference to allocation problems, this committee urges that the NAB be properly represented at the International Telecommunications Conference scheduled for February 1, 1938, at Cairo. This conference will determine what changes, if any, should be made in the frequencies and bands internationally allocated to broadcasting; consequently it is of the utmost importance that the interests of this Association be protected by proper representation.

The loose-leaf Engineering Handbook issued two years ago has proved of real benefit to station engineers. However, a number of changes and additions have become necessary in order to bring it up to date. This work is being done at the present time and when completed, the new leaves will be sent to all stations.

JUNE 23, 1937

(Wednesday Morning)

The meeting, held in the Hotel Sherman, Chicago, convened at 10:15 o'clock, President Myers presiding.

CHAIRMAN MYERS: If you will be seated, we will call the meeting together and go to work. This morning I have the pleasure of turning our meeting over to the Chairman of our Commercial Committee, Mr. H. K. Carpenter.

(H. K. Carpenter, Chairman, Commercial Committee, WHK, Radio Air Service Corporation, Cleveland, took the air.)

CHAIRMAN CARPENTER: As is customary in these meetings and to sort of sneak up on your blind side and not expect you to think too deeply too early in the morning, we will have some of these announcements you have been wondering about anyway.

Announcements

CHAIRMAN CARPENTER: Are there any other announcements which should be made at this time? All right, we shall go ahead immediately with our program for this morning.

For the benefit of some of those who have been members of the NAB for but two or three years, it might be well for me to summarize in just a moment or two the history back of the Commercial Section. Those of you who know it, please bear with me and correct me if I should make any mistakes. I feel it is somewhat necessary for you to know something of the history of the development of this Section in order that you may understand some of the things we do and some of the things we do not do.

I had the honor of being appointed on the first Commercial Committee, I believe, and according to my recollection, which is somewhat hazy at most times but particularly so this morning, I was appointed by Bill Hedges in Washington back in 1928.

The members of that first Commercial Committee included some of the men who are here today, some of the men who are on the program and some of the men who, although not on the program, are sure to speak. You just can't keep them still! Bill Hedges. Paul Morency. At the beginning, of course, Paul was employed by NAB and later went to Hartford. Joe Maland. Martin Campbell. And, I believe Gene O'Fallon was with us in those days. But, there were only eight or ten men who met regularly in New York City and later in Washington.

The questions we discussed—some we are still discussing and some we will be discussing ten years from now, maybe. I remember one of the earlier discussions was on the rate card. That was not rates, necessarily, but on the size of the card, the general form and the shape of it—the shape so that it would fit into the files of the advertising agencies.

We discussed at that time discounts—time, quantity and cash discounts—and considerable time was consumed in evolving definitions for some of those terms with which we were completely unfamiliar. And, incidentally, it might be well for us to revert to a study of some of the definitions used in broadcast advertising.

We discussed an order form which resulted eventually in this standard A. A. A. A. order form. We went into quite lengthy discussions, day after day, several days, on the provisions which should go on the back of that standard order form.

We discussed representative plans and compensation of representatives. We discussed maintenance of rates—and I don't believe, by the way, that we have a resolution this year that every station should maintain its card rates! (Laughter.) That's wrong. We should have one this year. We have had one every year. (Laughter.)

But, that was discussed at quite some length. Also, another which is still being discussed, the question of local and national rates, or retail and general rates, as the definitions were established. And, eventually we evolved a Code of Ethics which I presume most of you men have framed and hung in your office—or certainly in the washroom next to your office. (Laughter.)

The Commercial Committee worked along that way until the number of questions which we were discussing seemed to fall naturally into several groups and the number became so large that it was rather unweildy to handle in one committee so after the convention last year, the Commercial Committee was formed more completely than it had been the previous year in what we called the Commercial Section. So, this morning is an open meeting of the Commercial Section of the NAB or in another sense is a regular meeting of the entire NAB, which is to be devoted particularly to a consideration of the commercial phases of broadcasting.

There were five committees appointed and several changes have had to be made in the chairmen of these committees but as they stand at the present time, there is Lew Avery on Sales Managers Division, Carl Everson on National Sales Methods and Costs, Arthur Church on Committee on Radio Research, John Gillin on Radio Promotion, and Martin Campbell in charge of the Committee on Standardization of Sales Forms.

Each of these chairmen selected a committee of six men which made a total committee of seven, including the chairman, and the work of each committee was outlined roughly. Three of the five committees conducted their work during the year by means of correspondence and it was quite voluminous in some instances.

The two committees which were the exception to that method of procedure were, of course, the Sales Managers Division, which has done its work in meetings in various sections of the country during the year and in the one meeting which was held here in Chicago.

Of course, we should not pass the Sales Managers Division without mentioning the very, very excellent work done by Buryl Lottridge. Unfortunately, Buryl had to drop the work and Lew Avery has picked it up without any difficulty whatever and has carried the work to its conclusion this year.

The Radio Research Committee—Arthur says he has very little to say this morning (no applause, please) and possibly I will take what he has to say from him—I will say this Radio Research Committee (check me, Arthur, if I am incorrect) is a group of seven men including Arthur Church, who is the chairman. The chairman selected five men who met with five men from the Association of National Advertisers and five men from the American Association of Advertising Agencies to form what is known as the Joint Committee of Fifteen. Now, there are a lot of figures in there but I believe you can see the idea as it is worked out.

The Joint Committee of Fifteen works on these matters and the five men from NAB then report back to this Radio Research Committee, which ties in with the Commercial Section, and it is in connection with that phase of the work that Arthur will speak this morning.

One other thing we should mention before I introduce the first speaker to give the first report, and that is we have been criticized year after year by many who do not quite understand the difficulties, that we do a lot of talking and never get anywhere in the Commercial Section. Well, O. K. We do a lot of talking but we do believe a number of very definite things have been accomplished during the last seven or eight years and we do know, those of us who have been working in this phase of the work that there are any number of things which we can't solve. We can't come out in a definite resolution and say so-and-so. It is a matter of evolution. It is a matter of calling these matters to the attention of the members year after year, and let the experience of the members develop to such a point that the membership is willing and ready to make some definite decision on some question which we have been discussing.

So, may I introduce the first speaker this morning giving the first report—Lewis H. Avery, WGR, Buffalo Broadcasting Corporation, Buffalo, will give the report of the Sales Managers Division. Mr. Avery.

LEWIS H. AVERY (Chairman, Sales Managers Division; WGR, Buffalo Broadcasting Corporation, Buffalo, New York): Mr. Chairman, ladies and gentlemen, last July, at the first session of the 1936 annual convention of the National Association of Broadcasters, J. Buryl Lottridge invited those sales managers who were present and who were interested in the formation of a sales managers organization, to meet with him in his room and perfect plans for a sales managers group. With the aid of the Resolutions Committee, there was written and presented to the 1936 annual convention Resolution No. 19. Here it is:

"Whereas, it is the sense of this convention that the interests of those attending are becoming more and more varied; and

"Whereas, there has been an ever-increasing tendency toward the formation of smaller groups within the Association; and

"Whereas, experience has proven this to be a healthy development, tending to interest a greater number of individuals in the work of the Association; and

"Whereas, the sales promotion problems of the industry and individual stations both are becoming increasingly important; now therefore be it

"Resolved, That

1. this Association favors the formation of a Sales Managers Section of the NAB, to be affiliated with the Commercial Committee;
2. this Association recommends to the Board of Directors their approval of this project, and recommends that the Board authorize the Managing Director to pay such incidental expenses as are necessary for postage, printing and similar items out of funds of the Association."

You ladies and gentlemen who were then present looked favorably upon this proposal, passed it quickly. So, too, did the Board of Directors. Almost before we knew it, the Sales Managers Division of the Commercial Committee was born. Before the resolution was introduced, the interested group of sales managers by unanimous vote had already elected J. Buryl Lottridge chairman of the division. Mr. Lottridge deserves and hereby receives tribute for his untiring work. He was the father and mother, wet nurse and governess of the Sales Managers Division. He sold the idea to the other sales managers at the 1936 annual convention. Through personal force, he organized and supervised sectional meetings and personally staged and conducted the First Annual Convention of the Sales Managers Division. He accomplished tasks that would have seemed impossible to a hundred other men. With the Sales Managers Division a reality, Mr. Lottridge proceeded to appoint an Executive Committee consisting of:

John New, WTAR, Norfolk, Virginia
J. Leslie Fox, KMBC, Kansas City, Missouri
Hale Bondurant, WHO, Des Moines, Iowa
Hugh Feltis, KOMO-KJR, Seattle, Washington
Edward Allen, WLVA, Lynchburg, Virginia
Lew Avery, WGR, Buffalo, New York

He then appointed an Advisory Committee constiting of:

Clark Luther, WOC, Davenport, Iowa
C. T. Hagman, WTCN, Minneapolis, Minnesota
Walter J. Rothschild, WTAD, Quincy, Illinois
Mort C. Watters, WCHS-WPAR, Charleston, W. Va.
Jack O. Gross, KWKH, Shreveport, La
Humboldt J. Greig, KFBK, Sacramento, Cal.
E. Y. Flanigan, WSPD, Toledo, Ohio
Wm. R. Cline, WLS, Chicago, Illinois

Mr. Lottridge finally appointed the following Section Chairmen to organize and promote sectional meetings:

Mallory Chamberlin, WMC-WNBR, Memphis, Tenn.
Craig Lawrence, KSO, Des Moines, Iowa
D. H. Vincent, KSL, Salt Lake City, Utah
E. Y. Flanigan, WSPD, Toledo, Ohio
Jack O. Gross, KWKH, Shreveport, La.
Hugh M. Feltis, KOMO-KJR, Seattle, Washington

Soon after these appointments had been made and the summer vacation period past, a meeting of the two committees and the section chairmen was held here at Hotel Sherman on October 15, 1936. In a business-packed one-day session, the organization of the sectional meetings was perfected and the outline of the First Annual Convention drawn up. There was real enthusiasm for the new fields ahead on the part of all who attended. During the course of that meeting we reviewed and crystallized the objectives of the Sales Managers Division. Here are those objectives: first, to promote the letter and spirit of the Communications Act of 1934. To assist in the commercial development of broadcast advertising to the end that it will serve public interest, convenience and necessity. This may sound like a paradox. It isn't. A broadcasting station is better known by the commercial advertising it carries than by the number of times its license has been renewed. Second, to serve the best interests of the management of the station by whom the sales manager is employed. To develop the commercial side of broadcasting on a constructive basis. To build confidence in broadcast advertising through clean salesmanship. To keep selling costs at a reasonable figure. Third, to serve clients and advertising agencies to the end that there shall be increasing confidence in broadcast advertising and in the personnel who sell, prepare, produce and present advertising messages in this most effective of media.

This triple responsibility has been the guide to the inclusion or exclusion of material at the various sectional meetings, and at the First National Convention. It has been the measuring stick for numerous discussions at those meetings.

From the first, Mr. Lottridge felt that a full, free and frank discussion of our mutual problems would best be served by closed meetings. The rest of us readily fell in line with this suggestion. With a single, unfortunate exception, this policy has been rigidly adhered to. The purpose is obvious: What person would confess his sins on a "Man-in-the-street" broadcast? Another point that became a fixed policy in all meetings was that every sales manager present must say something about one or another of the topics under discussion. That frequent quotation from Gray's Elegy: "Full many a gem of purest ray serene the dark unfathom'd caves of ocean bear" could never be said of a sales manager who attended one of these meetings. These two policies worked admirably within the Sales Managers Division. From the outset we called a spade a spade, and when necessary used one to dig with.

From the earliest committee meetings, it became apparent that much misinformation and some misunderstandings existed in the minds of individual sales managers. How, then, could we accomplish any of the objectives we had set out so nobly to attain? That was the real problem. It has been by no means met and conquered. We do feel that much has been accomplished. Let me review the sectional meetings and the First Annual Convention. Let me add the points on which a high degree of unanimity of opinion exists, and I'll leave it to you to weigh the results.

Energetic Jack Gross of KWKH, Shreveport, Louisiana, almost beat the gun with a fast-moving South Central Section meeting at the Oklahoma Biltmore Hotel in Oklahoma City on Monday, November 9, 1936. The meeting got under way a few minutes after nine o'clock and was still going strong after 6:00 o'clock. That's the way these sales managers work.

In this brief review of the various sectional meetings, I shall omit reference to topics that were more fully and completely discussed at the First Annual Convention.

The South Central Section meeting opened with a discussion of merchandising. The manager of a very successful station emphasized the importance of merchandising in the maintenance of a single rate, pointing out that his merchandising costs ran only 2½% to 3% compared to the usual rate differential of 15% to 30%. After an extended discussion of merchandising, pre-announcements and publicity, it appeared to be the consensus of opinion that stations should do a certain amount of merchandising, but should be paid for anything which actually costs the station money. Sentiment was unanimous for standardized frequency or quantity discounts. Mr. James Andrews, Advertising Manager of McEwen-Halliburton Company, one of Oklahoma City's largest department stores, discussed the use of broadcast advertising by retail accounts from the standpoint of a large buyer of radio time. This subject will be mentioned more fully later. At this meeting the single rate idea found many adherents and warm support. Twenty-four sales managers participated in these discussions.

Mr. Craig Lawrence of the Iowa Broadcasting System presided at the meeting of the North Central Section here in Hotel Sherman on Tuesday, November 10, 1936. Considerable time was devoted to a discussion of the control and compensation of salesmen. Various speakers brought out thought-provoking points in connection with these problems. Here it was generally agreed that the commission form of compensation provides the greatest business stimulation and the most economical sales operation. A show of hands disclosed that commissions ranging from 12½% to 25% were paid local salesmen, with the vast majority paying from 15% to 25%. Opinion on dual versus single rate was about evenly divided. So, too, was opinion on merchandising. This meeting went on record as unanimously favoring an effort to standardize frequency or quantity discounts.

The Northeastern Sectional meeting was also held on Tuesday, November 10, 1936. This meeting took place at the Park Central Hotel in New York City, and was presided over by E. Y. Flanigan of WSPD, Toledo, Ohio. The meeting opened with a discussion of national non-network sales problems. A brief discussion brought out the fact that a station should equip its national representatives with even more facts, figures and fancies than it does the local salesmen. An exposition of smart merchandising by one station served to emphasize the wide variation in thinking on this phase of our business that exists on the part of sales managers generally. An exceedingly interesting analysis of successful local retail selling was presented by Harry Trenner of WNBF, Binghamton, New York. A heated discussion of compensation for local salesmen disclosed the fact that an overwhelming majority of the stations represented at this meeting paid 15% or more commission, while only a minority paid less than 15% commission or compensated their salesmen on a salary basis. The last half of the afternoon session at this meeting was devoted to an exchange of successful commercial program ideas. This feature proved exceedingly valuable, and many smart plans were freely passed along. I know of three or four sales managers who returned home and promptly sold an idea they carried away from this meeting. Approximately fifty enthusiastic sales managers spent the entire day from 9:30 until after 6:00 o'clock.

The Pacific Section meeting was held at the St. Francis Hotel in San Francisco on Friday, November 20, 1936. Hugh M. Feltis of KOMO and KJR, Seattle, Washington, presided. On the subject of granting frequency or quantity discounts from the beginning of the contract or retroactively as earned, opinion was so divided that it was felt to be a matter for individual station decision. It was the consensus, however, that an advertiser was entitled to whatever frequency or quantity discount was earned through the combination of service for several products, even though those products were advertising through different advertising agencies. Here, too, the subject of dual versus single rate was felt to be a local problem to be settled by the management of each station. It was generally felt that radio stations should guard against getting too deeply into merchandising, and should not reach the point where merchandising service is top-heavy. Agency recognition was thoroughly discussed at this meeting. Mr. L. W. McDowell, Secretary of the Southern California Association of Broadcasters, explained in detail the method developed to handle this problem in Southern California. It was generally felt that this problem deserves considerable study and action on the part of sales managers groups throughout the country. On the question of standardized frequency or quantity discounts it was decided that the industry had not yet advanced to the point where such standardization was possible. Seventeen sales managers or other station executives were present.

The Southeastern Section meeting was held at the Tutwiler Hotel in Birmingham, Alabama, on Tuesday, November 24, 1936. Mallory Chamberlin of WMC and WNBR, Memphis, Tennessee, presided. Here, general opinion favored two rates as an economic necessity. Those present were hopeful that the Sales Managers Division might develop some simple, satisfactory and universally accepted definition of national and local business. This will be mentioned in more detail later. This meeting, like many of the others, emphasized the wide variation in methods and rates of compensation for local salesmen. The perennial merchandising problem came in for a wide discussion, with the general feeling that merchandising should be definitely in line with the amount of service purchased by the advertiser and never allowed to grow out-of-hand. This meeting, too, urged an effort to develop standardized frequency or quantity discounts. Eighteen sales managers were present at this meeting.

Let me summarize these section meetings very briefly. A total of 150 sales managers or other station executives attended these meetings. This represents 60% of the 250 sales managers who have voluntarily asked to become members of the Sales Managers Division. Remember, there are no dues in connection with the Sales Managers Division. The sales executive of every NAB member station is eligible to join.

With a single exception, all of the section meetings voted unanimously for an effort to standardize frequency or quantity discounts. The wide difference of opinion on sales control and compensation for salesmen clearly indicates that further discussion of these subjects will be profitable for all concerned. The subject of dual versus single rate is another topic that is certain to receive increasing attention from sales executives everywhere. How far should we go in merchandising? The wide variation in this phase of business-getting and holding offers a real opportunity for constructive thinking and discussion. Creative selling, both as it applies to local retail business and national non-network bookings, is one mighty important subject that's going to receive continued attention. So, too, is provision for an exchange of successful commercial program ideas.

The activities of the Sales Managers Division were culminated in an inspiring two-day meeting called the First Annual Convention. This was engineered and guided by J. Buryl Lottridge here at Hotel Sherman on January 18 and 19, 1937. Every one of the eighty-two sales executives who were present had ample opportunity to speak. And, everyone to whom I talked felt that he had gained definite and valuable knowledge and inspiration from the talks, opinions and practices that were freely reviewed at that meeting.

But let me start the review of those four meetings at the beginning. Following the opening address of Prexy Charles W. Myers of NAB, R. J. Barrett, Jr., then of Blackett-Sample-Hummert, Inc., explained "how the radio station sales manager can help me sell his time and keep it sold." There was plenty of food for thought in what Mr. Barrett said—food for thought on the part of station owners and managers as well as sales managers. What Mr. Barrett said deserves repetition but time is short and his remarks were reported in the trade press.

Then came T. F. Flanagan, President of the Penn Tobacco Company and one of the staunchest advocates of national non-network advertising. He, too, had a message of real value. He drew on an experience rich in the good points and the bad points of station policies and sales methods. Here, again, much that he said deserves repetition and if you failed to read the reviews of his talk, you'd better make a note right now to do that very thing when you get back home. And don't be afraid to put the shoe on if it fits.

The Monday afternoon session was opened by H. K. Carpenter, Chairman of the Commercial Section, of which the Sales Managers Division is a part. Then came a real knock-down and drag-out battle over national sales problems. "One rate for all buyers," said one speaker—"Dual rates are a necessity under certain conditions," declared another. And the fight was on. When the battle died down, J. Leslie Fox, of KMBC, Kansas City, who was in charge of the afternoon session, called for a show of hands on this subject and the count was exactly even. But, it would have warmed the heart of even a Methodist evangelist to hear the voluntary testimony from the floor on the part of three or four sales managers who proclaimed their conversion to the single rate idea at previous sectional meetings. This subject deserves discussion wherever sales managers meet. A majority of the sales managers present agreed that the single rate is an ideal towards which we should all strive—an ideal that we believe can be very nearly achieved in time.

Kenneth Church of KMOX, St. Louis, led an exceedingly searching discussion of national sales problems. To quote from his talk: "Half the problem is getting it; the other half is holding this business." He also emphasized the importance of local sales efforts on dealers, distributors and branch offices to obtain this business. In the discussion that followed, it was generally agreed that there is room for creative selling; that such selling invariably begins at home, that is, with the station itself; and that the existing system of station representation is able to further such creative selling.

The discussion of "contingent business and other trick offers we get from some buyers" was led by William R. Cline of WLS, Chicago. Mr. Cline read several recent letters received by various stations proposing cost-per-inquiry and contingent contracts. This type of business was unanimously condemned in no uncertain terms by the sales managers present. This led to a discussion of direct selling—where the listener sends money to the radio station for merchandise not otherwise available. A majority of the sales managers present condemned this practice as not in the best interests of this medium. During the Monday afternoon session, the sales managers adopted a motion requesting The Chair to appoint a committee to investigate the standardization of units of sale and frequency or quantity discounts. The committee appointed consisted of: Hale Bondurant, WHO, Des Moines, Chairman; William R. Cline, WLS, Chicago; Mallory Chamberlin, WMC and WNBR, Memphis, Tennessee; and Jack Gross, KWKH, Shreveport, Louisiana.

The Tuesday morning session was opened by NAB Managing Director James W. Baldwin, who briefly reviewed developments in broadcasting since the 1936 convention. He was followed by Walter Schwimmer of Schwimmer & Scott of Chicago. Mr. Schwimmer discussed "Servicing the Radio Advertiser and the Station." By his own admission, his talk was devoted almost exclusively to the A-B-C's of broadcast advertising. And the sales managers agreed that the A-B-C's Mr. Schwimmer outlined are the most important fundamentals of commercial broadcasting. One statement from his talk is the sort of thing we all like to hear. I quote: "Advertisers have told us innumerable times that radio, for a given period, has out-pulled any other form of advertising, and these statements were based on actual comparative tests." Mr. Schwimmer was subjected to a severe cross-examination that brought out many other valuable facts.

Preserving the high pitch of interest in retail broadcast advertising, Mr. Lottridge then presented Edward Warner of the Ferry-Hanly Advertising Company. Mr. Warner covered every phase of one case history in question-and-answer form. His minute analysis of the problem raised many interesting questions. It was a pretty sleepy sales manager who didn't mentally tabulate for future reference the many important points that were covered.

Every sales manager was back in his seat promptly on Tuesday afternoon for the all-engrossing panel discussion of local sales methods and servicing, conducted by Mort C. Watters of WCHS, Charleston, West Virginia. Rather than review the various talks that comprised this panel discussion, I am going to list the subjects:

1—"Changing accounts from a small announcement schedule into a larger program plan."
2. "Using the telephone for local sales."
3. "What about street cars?"
4. "Appealing to a department store by playing up a tradition."
5. "Keeping a 100-watter sold out."
6. "Showmanship in local sales."

The subjects of these talks clearly indicate the ingenuity that sells local broadcast advertising today. While the NAB REPORTS show that local broadcast advertising is rising rapidly in dollar volume, nevertheless, we sales managers feel that we have only scratched this major field. That is why Mr. Lottridge set aside the entire second day of the First Annual Convention for a discussion of this source of business. Local broadcast advertising has been discussed, is being debated and will be promoted whenever sales managers meet. Until we have doubled, tripled and quadrupled the percentage of the retailer's advertising dollar that goes into broadcast advertising, we cannot feel that we have really carved a place for our medium in this field.

Hale Bondurant of WHO, Des Moines, Iowa, as chairman of the committee, then presented the recommendations for standardization of units of sale and frequency or quantity discounts. After an extended discussion, the following recommendations were adopted and referred to Chairman H. K. Carpenter of the Commercial Section:

Recommendation No. 1: "The Sales Managers Division of the Commercial Section of NAB registered its approval of the purpose of the resolution passed by the NAB in convention at Cincinnati in 1934, which proposed a standardized scale of units of time for sale and quantity discounts.

"Since that time considerable progress has been made by the broadcasting industry and there is now a definite attitude on the part of the broadcasters, as well as an expressed desire by many advertising agencies, to standardize even more definitely the matter of units for sale and quantity discounts.

"Therefore, the Sales Managers Division in meeting in Chicago, January 18 and 19, 1937, respectfully submits to the Commercial Section of NAB for early consideration the following units of time for sale and quantity discounts:

a—Units of time for sale	b—quantity discounts
1 hr.	13 times— 5%
½ hr.	26 times—10%
¼ hr.	52 times—15%
5 min.	100 times—20%
	300 times—25%

"Regarding announcements, we believe that further consideration should be given toward standardization.

"We further believe that all rate cards should be printed to show the actual rate or cost after application of the above quantity discounts."

Recommendation No. 2: "The Sales Managers Division in meeting in Chicago, January 18 and 91, 1937, respectfully directs to the attention of the Commercial Section of the NAB that considerable confusion exists in the broadcasting industry with respect to whether announcements or spots should be combined with program units of time of five minutes or longer in the matter of figuring discounts.

"It is our recommendation that announcements or spots of less than five minutes' duration should not be combined with units of time of five minutes or longer in the matter of figuring discounts.

"We propose that announcements or spots of less than five minutes' duration should be combined in figuring discounts and that units of time of five minutes or longer should be combined in figuring discounts."

Every sales manager is conversant with creative selling. He may not be able to define the term but he is practicing the principles if he is selling commercial programs. He knows that creative selling, like patriotism, has had many a crime committed in its name. While he is the first to admit that the present system of national representation is not 100% effective, nevertheless he believes that it is the best method so far developed. He, therefore, condemns the grant of 15%, 7½% or any commission at all to any organization other than the representative with which the station has an agreement. He believes that this practice will set back the development of sound business principles in our industry. This is no 5-to-4 decision. It is the unanimous verdict of the eighty-two sales managers assembled at the First Annual Convention of the Sales Managers Division.

During the past two days the Sales Managers Division has held two business meetings. Many of you have attended these meetings so that no review now seems necessary. However, at the Tuesday afternoon session of this Division, considerable discussion developed about the practice of some transcription, program and announcement production companies in calling on prospects in various communities without first contacting the radio station or stations in those communities. In many instances this practice has very definitely proved detrimental to our medium and our clients. Often these services have been sold at exorbitant prices, which, when the cost of station time was added, made the total cost of the advertising so high that it could never pay out. We urge all stations to watch and guard against this situation. In the same breath we commend those transcription, program and announcement production companies which first check with the radio station or stations in the communities in which they hope to sell their services. The group also unanimously commended J. Buryl Lottridge for his untiring and constructive efforts in the creation and building of the Sales Managers Division and voted Mr. Lottridge an award of permanent appreciation.

We believe, in closing, that our enthusiasm, both individual and collective, for these meetings of groups of sales managers, coupled with the objectives and attainments so far recorded merits a continuation of the Sales Managers Division of the Commercial Section.

Thank you.

CHAIRMAN CARPENTER: Thank you, Avery, and all the men who worked with you.

Where are Bill Clark and Les Fox? I have some work for them up here. Will you pass out these blue sheets? Now, while they are passing out that material, we will have the report of the Committee on National Sales Methods and Costs, by Carl Everson of WHKC, Columbus, Ohio.

CARL EVERSON (WHKC, Columbus): Mr. Chairman, ladies and gentlemen, it was the duty of the National Sales Methods and Costs Committee to determine the best methods to be used in securing national spot business, also to study the cost of same.

I wish to state here, before going into the body of the report, that in the opinion of the committee members further study of these subjects should be made before definite recommendations are sent to the Board. The reason for this is that some of us were brought into the picture at quite a late date—this through no fault of the General Chairman, I assure you. Therefore, the following members recommend a further study: Dale Robertson, Father Wagner, Tim Goodman, William Gillespie, Dick Mason and J. H. Ryan. We do feel, however, that enough was accomplished to justify the time given us on this program to acquaint you with what has been done.

The title, "National Sales Methods and Costs," suggested the following subjects which will be taken up in the order named:

1. National Representatives and Branch Offices.
2. Organizing Local Media Groups.
3. Recognition of Obscure National Agencies.
4. Centralized Agency Recognition Bureau.
5. Bulk Sales.
6. Per Inquiry and Contingent Business.

Going back to number one, "National Representatives and Branch Offices," we feel that national representation, either through an established firm or branch offices, is essential for the successful selling of any station which serves a market of sufficient proportions to justify the interest of national advertisers. In the case of high-powered stations, strategically located in major markets, the idea of establishing independent branch offices might be entirely practical and perhaps more profitable than dependence upon an established representative firm; however, in the case of regional stations in particular and stations in general, which do not enjoy sufficient national spot billing to justify the maintenance of independent branch offices, national representatives are, in our opinion, the answer to sales problems in this field. The percentage charged for securing national business by a representative should be based on the popularity enjoyed in the national field by the station or stations involved. In no case should it exceed 15% of the net after the deduction of the advertising agency commission.

"Organization of Local Media Groups"—this, we believe, would go a long way in any city or market toward stabilizing and promoting the business of advertising. The idea of a media recognition bureau has been before NAB conventions for the past few years. Many suggestions have been made but little was accomplished. However, a year or so ago in Cleveland there was organized a media group. This local media group has worked out so successfully and has brought about such a perfect understanding between all media that we believe a recognition bureau patterned after the Cleveland group would be very desirable. To go into detail regarding this group would take more time than allotted here. However, so that you may become familiar with its workings, copies of the rules and regulations are available and are being passed out at the present time. Be sure to get a copy; read it carefully.

"Recognition of Obscure National Agencies"—recognition of obscure national agencies and a centralized agency recognition bureau are so closely related to a media recognition bureau that in our opinion, an NAB media recognition bureau would solve the whole problem. We are all aware that the need of a national agency recognition bureau has been felt for several years. You all know of the discussions on this question which have taken place at each convention for the last two or three years—and hardly anything has been done in the matter. Probably the reason for this failure is that we have attempted to start at the wrong end of the problem, trying to build entire national organization before various localities were ready for it. Since a number of cities have already formed local media groups modeled on the Cleveland plan, it is the recommendation of your committeemen that this expansion continue and be encouraged. Undoubtedly, in a short time a national clearing house may be established for each of these local media groups and our national problem will be solved in this manner. When such a bureau is organized, it should, to derive full benefits of its operations, be unanimously supported.

"Bulk Sales"—there seems to be quite a bit of confusion in the industry regarding the meaning of bulk sales. The interpretation of this term, as we understand it, is the selling of time to an individual or firm who in turn re-sells it to other individuals or firms. One can readily see the danger in this procedure. There are many pitfalls in subscribing to this type of business and probably the greatest is that the station in contracting for bulk sales ceases to have control over the periods contracted for. In many cases it has resulted in price cutting, price raising, the disrupting of the regular sales staff, the over-burdening of commercial announcements and general dissatisfaction among the business men of the city or towns involved. We strongly recommend that bulk sales, as we understand the term, be abolished.

"Per Inquiry and Contingent Business"—it is quite difficult to understand why any station should accept business on this basis. Acceptance of this type of account or accounts is decidedly foolish and definitely detrimental to the industry as a whole. Card rates should be strictly maintained. We strongly recommend that all members of the National Association of Broadcasters be guided by rule number six in the NAB Code of Ethics, which reads as follows: "Each member station shall refuse to accept any business on a cost-per-inquiry, contingent or percentage basis, or to accord free time for commercial use."

Thank you.

CHAIRMAN CARPENTER: I want to acknowledge to Mr. Everson my debt of gratitude for his taking this work over only in the last few months and also to say in connection with the Cleveland plan, the leading light in that activity was John Patt of WGAR and he deserves all kinds of credit for helping to develop that plan.

In building our program for today, we wanted a man from an advertising agency and we wanted a man who wouldn't pull his punches. I was going to go on to tell you something about this man but I'll let you draw your own conclusions when you hear him. I'd like to make a double presentation, if I may. First, may I present Mr. Arthur Pryor, Jr., of Batton, Barton, Durstine & Osborn, Inc., who is going to talk on "An Agency Man Looks at Broadcasting" and, Mr. Pryor, may I present my friends of the NAB. Hop to it. Take the gloves off. (Laughter and applause)

ARTHUR PRYOR, JR. (Batton, Barton, Durstine & Osborn, Inc., New York), addressed the convention. (At the request of Mr. Pryor the text of his extemporaneous talk is omitted from this report.)

MR. CARPENTER: Report of the Committee on Radio Research—Arthur B. Church, KMBC, Kansas City, Mo.

MR. CHURCH: * * * The report that I was going to read won't take very long:

The National Association of Broadcasters at its 1936 convention passed the following resolution:

"RESOLVED, That the Committee on Radio Research for the year 1936-37 consist of seven members appointed by the President so as to represent the following groups in addition to the Managing Director:

(1) Each major network contributing to the project.
(2) Local stations.
(3) Regional stations.
(4) Clear channel or high-powered stations.

"BE IT FURTHER RESOLVED, That the committee be empowered to select five of its membership to represent the broadcasting industry on the Joint Committee on Radio Research.

"RESOLVED, That this convention approve the activities of the NAB Radio Research Committee during the past year, and that it commend the excellent progress made by the Joint Committee on Radio Research, sponsored by the National Association of Broadcasters, Association of National Advertisers, and American Association of Advertising Agencies.

"RESOLVED, That the Board of Directors of the National Association of Broadcasters be empowered to devote for exploratory purposes upon recommendation of the NAB Radio Research Committee the sum of $10,000.00; and that additional funds be devoted to the project if necessary if in the opinion of the Board this can be done without impairing the financial position of the Association."

The following Committee of Seven was appointed by President Myers for the year 1936-37:

Arthur B. Church, KMBC, Chairman
Roy Witmer, NBC
H. K. Boice, CBS
Theo. C. Streibert, WOR
J. O. Maland, WHO
Wm. J. Scripps, WWJ
John Elmer, WCBM

In conformity with the terms of the resolution, James W. Baldwin, Managing Director of NAB, became a member of the committee, and further, the following Committee of Five was selected to represent the broadcasting industry on the Joint Committee on Radio Research:

Arthur B. Church, Chairman
James W. Baldwin
J. O. Maland
Roy Witmer
H. K. Boice

NAB participation in expense of the joint project to date has been small, only $2,000.00 of the $10.000.00 authorized having been requested by the committee from the NAB funds. It is possible that not more than the remaining $8,000.00 available will be required for NAB participation in the joint project during the next year, but if more is needed, it is believed that the resolution passed at the last convention will enable the NAB Board of Directors to pass on a request by the committee, if this appears necessary.

At a recent meeting of the NAB Research Committee it was unanimously decided that a full-time research expert should again be included in the staff of the NAB Managing Director, and it is intended that at the next meeting of the Board a request will be presented for the authorization of retaining such a man as soon as, in the opinion of the Managing Director, the condition of the treasury makes this possible.

Substantial progress in the exploratory work of the Joint Committee is reported by the Committee of Five. Besides publication last year of the first estimate of radio set figures in the United States, by states and counties, work was begun on studies in a test area for the purposes of determining methods, acceptable to the buyers of our medium as well as to broadcasters, of determining station coverage and circulation, listener areas, and so forth, initial report on which was mailed only a few days ago to members of the Joint Committee for consideration.

It is the hope of your Research Committee that the work of the Joint Committee will have reached (by the next NAB convention) the point that a comprehensive report of accomplishment can be made on the exploratory studies, also that a second estimate of radio sets in the United States, by states and counties as of January 1, 1938, will have been completed or at least well under way.

In concluding this report of progress during the last year, the Research Committee calls to your attention the rather comprehensive report submitted at the 1936 NAB convention. This is included in the 1936 convention reports published in the weekly NAB release dated September 23, 1936, pages 1538-1541. The chairman of this committee is proud of the splendid interest, excellent work and almost one hundred per cent. attendance at meetings throughout the year. Moreover, the chairman would be negligent should he fail to report the great number of trips from Washington to New York by your Managing Director who has spent many days in attendance at meetings of the Technical Committee of the Joint Committee. For a man whose hours are as crowded as his, this has been a real sacrifice in time and energy which is deeply appreciated by the station members of the Research Committee. Obviously, he cannot continue indefinitely to find as much time for this work as he has taken in the past, and this situation will be greatly relieved as soon as a research expert can again be retained in the NAB office. Tribute should again be paid to Phil Loucks and Dr. Hettinger for their remarkable foresight and work in marking the beginnings of serious NAB research and participation with the Association of National Advertisers and American Association of Advertising Agencies in establishing the co-operative effort in which the National Association of Broadcasters is the other participant. And finally, acknowledgment should be given to the fine work of Mr. Paul Peter who, upon the recommendation of the NAB group, was retained as secretary and technical expert to the Joint Committee.

Your chairman is confident that your committee for 1937-38 will be able at the next convention to report a year of work and results of real value not only to members of the NAB but also to all others with whom we work in this business of broadcasting. (Applause)

CHAIRMAN CARPENTER: Thank you, Arthur. I think the man who told this story had Arthur in mind, at least had a third of him in mind. He said he always had three talks—one he had prepared, the one he actually gave and the one he wished he had prepared. So, Arthur, you have given two of yours and if you have something you wish you had given, you will have your opportunity this afternoon. Thank you very much for that report and the excellent work done by the committee this past year.

We have two more reports and the resolutions, and then the meeting will adjourn.

Report of the Committee on Radio Promotion by John J. Gillin, Jr., Station WOW, Woodmen of the World Life Insurance Association, Omaha, Nebraska, U. S. A. O.K., John.

JOHN J. GILLIN, JR. (WOW, Omaha): If you will pardon me, ladies and gentlemen, I saw a fight last night. Jimmie Braddock lost the fight and I lost my voice.

CHAIRMAN CARPENTER: Is that all? (Laughter)

MR. GILLIN: So I am pretty hoarse this morning. "Mr. Chairman, ladies and gentlemen, in making my report as chairman of the Committee on Radio Promotion of the National Association of Broadcasters, I want to call your attention to the members of this committee:

> Harrison Holliway, of Earle C. Anthony, Inc., KFI and KECA, Los Angeles.
> John Fetzer, of WKZO, Kalamazoo, Michigan.
> Donald Withycomb, of WFIL, Philadelphia.
> Don Searle, of WIBW, Topeka, Kansas.
> Edgar Bell, of WKY, of Oklahoma City, Oklahoma.
> Gardner Cowles, Jr., of the Iowa Network—WMT, Waterloo and Cedar Rapids, and KSO and KRNT, Des Moines, Iowa.

"The subjects which were discussed by the division on radio promotion for 1937 were:

1. The relative value to the advertiser of rated power as against actual coverage—and methods of arriving at sound conclusions.
2. Radio Award of Merit.
3. Convention Exhibit of Promotional and Advertising Ideas.
4. General Industry Promotion Plans.

"On the first subject, namely, the relative value to the advertiser of rated power as against actual coverage and methods of arriving at sound conclusions, naturally, there was a definite line of discernment drawn as to the opinions of the committee.

"One faction of the committee summed up their side of the case as follows:

> " 'Those of us who are familiar with the coverage of radio stations tried to impress the agencies with the fact that a station, let us say, operating on 1000 watts to 5000 watts on 550 kilocycles, carrying a network service, is bound to have a greater potential coverage than a station operating with 50 kilowatt power and a frequency over 1000 kilocycles Some stations have used the half millivolt line as a basis of determining the primary service area in which the desired signal can be constantly heard. This would seem to be the best known method of calculation so far as actual coverage is concerned.
>
> " 'There are other points which an advertiser should consider, such as method of station operation, program quality, general listener interest and ability of the station to properly service its clients, but we do know that our big job now is to concentrate on educating the agencies and the clients, through intelligent promotion, to understand the advisability of considering stations because of actual coverage instead of the much ballyhooed high-powered stations on less desirable frequencies.'

"Another portion of our committee summed up their estimation of the first subject in the following manner:

> " 'We are extremely anxious to see a thorough discussion of the relative value to the advertiser of rated power as against actual coverage. We believe it would be highly desirable to have some competent person be prepared to discuss all the chief methods of measuring actual coverage. The merits and weaknesses of each method should be brought into the open at the next convention and some conclusion reached, or at least approval made, of two or three of the best methods in measuring actual station coverage. We believe that nothing would help radio more in the long run than if advertisers could be educated in all the factors bearing on actual radio coverage.'

"Another portion of the committee expressed themselves in the following manner:

> " 'There seems to be no general formula for the computation of primary, secondary and occasional coverage areas. If the NBC formula and the formula of one of the national representatives, for instance, are applied to a station's mail count, the result is two different pictures. There is considerable doubt as to whether the results of the application of these formulae indicate listenability between one county and another county. However, this section of our committee urged that efforts be made to adopt a definite formula for computation of station coverage by mail count. Unless a uniform method be adopted, they cannot see how an advertiser can measure the coverage of one station against another. They suggest that the half millivolt contour merely represents potential circulation and is interesting to note on a mail count map.'

"This, I believe, sums up the first question that was discussed by the Committee on Radio Promotion. What I have mentioned above was taken from reports of each individual of the Promotion Committee.

"As you know, the NAB Research Committee represents the NAB, as well as the AAAA, in a very fitting manner. The Research Committee, headed by Arthur Church, just made its report.

"It is the earnest desire of your Committee on Radio Promotion that the Research Committee should hereafter be given authority to handle whatever problems arise in regard to the question of relative value to the advertiser of rated power as against actual coverage, and methods of arriving at sound conclusions.

"Radio Award of Merit

"On the subject, Radio Award of Merit, there seemed to be two different ideas concerning the award. One was that the award should be based primarily on commercial program structure from a standpoint of sales effectiveness in addition to entertainment value, and the other that the award should be based primarily upon civic or community service of an outstanding character such as the work of Radio Station WHAS during the last flood.

"The commercial program award of merit should be for programs produced by individual stations. The mechanics of making the commercial award would be somewhat complicated and would require a set-up of well-thought-out and created organizations throughout the country. These committees should consist of three advertising club members, a cleric or educator, a radio editor, and a member of the State Federation of Women's Clubs.

"The radio award of merit for civic and community service programs should be given to the station in the United States which has performed according to the rules and regulations that would be set up by a committee similar to the committee structure for the commercial program award.

"Convention Exhibit of Promotional and Advertising Ideas

"The convention exhibit of promotional and advertising ideas was turned over to a sub-committee, the chairman of which was Howard Peterson, Promotion Manager of WOW, Omaha."

I am going to ask my good friend Carp to read this report, if you don't mind.

CHAIRMAN CARPENTER: The other members of the committee were:

> Emmons Carlson, Manager, Promotion and Merchandising Department, National Broadcasting Company, Chicago.
> Wayde Grimstead, Promotion and Merchandising Manager for Columbia Broadcasting System, Chicago.
> M. F. Allison, of Station KMBC, Kansas City, Missouri, and Dick McBroom, of John Blair & Company, Chicago.

"I want you gentlemen on the floor today to give full credit to the splendid work of this committee as shown in the wonderful display of promotional material that is exhibited here during this convention. As chairman of the Committee on Radio Promotion, I sincerely thank each individual member of this sub-committee, and state that through their efforts the eyes of many of the station managers have been opened as to the results that it is possible to obtain through the proper promotion of their stations.

"This committee worked under the following set-up, as approved by me, as chairman, and by Mr. James W. Baldwin as Managing Director of the NAB.

"It was the purpose of the committee to get together a representative showing of the activities of the stations to illustrate what has been accomplished in the past and the trend of all phases of promotional work. When you view the display you will note that it has been divided into separate classifications in order to simplify the display problem and to increase its usefulness to you. In no sense is this display to be considered a competition among outstanding activities. Rather its purpose is to point out in a practical way the manner in which stations of all sizes have progressed in their promotional activities.

"It is hoped that station officials will gain from this display ideas which they can adapt to their own future plans. After all, it is not so important as to how far we have progressed, but to see how much farther we can go, and we hope that this display in a year will have become a thing of the dark and distant past and be far superseded by the display which will greet your eyes at the convention next year.

"As this exhibit of promotional pieces is the first that this Association has attempted, the committee was forced to make its plans without precedent and with no way of knowing how much material would finally be available. Hence, if any material which your stations may have submitted is not on display, please do not feel that this is in any sense a discrimination or that those pieces which you do see are necessarily models of their type. The entire display has been assembled with the constructive thought that a cross section of station promotional activity would be of help to all of us."

Now, I believe he has here some resolutions that are to be presented by the Resolutions Committee. Here is the report of the sub-committee.

"Report of the Sub-committee on Radio
Promotional Material of the NAB

"The committee consisted of Mr. Howard Peterson, Commercial Manager of Radio Station WOW, Omaha, Nebraska; Wayde Grimstead, Promotion Manager, WBBM (CBS), Chicago, Illinois; M. F. Allison, Promotion Manager KMBC, Kansas City, Missouri; Dick McBroom, Promotion Manager, John Blair & Company; and Emmons Carlson, Promotion and Merchandising Manager of the Chicago office of the National Broadcasting Company.

"Problems

"The sub-committee met June 16, at the Sherman Hotel, to form and plan a method of building a radio promotion exhibit."

This is the report of this sub-committee that handled this exhibit you see on this floor.

"After viewing the material at hand, and the facilities for displaying such material, it was decided to adopt a plan which would be constructive in purpose and simple enough to be accomplished within the time allowed. The material arrived in all shapes, sizes and forms, and represented all types and variations of radio promotional activity. The problem of the sub-committee was the same that confronts any initial effort. Obviously, systematic arrangements and continuity of display had to be sacrificed for simplicity. Therefore, mass displays were decided upon in three general groups, namely, 'Nets—Reps—Platters', 'To the Advertiser' and 'Listener Promotion'. With a few exceptions, all material submitted came within these general classifications.

"The sub-committee attempted to view the problem as of the industry, rather than of specific stations or organizations. Our attempt was not to have a county-fair type of competitive display, but rather to show a cross section of the industry's promotional activities.

"Owing to the lack of time and general clear understanding as to the aims of the sub-committee, some stations submitted elaborate unit displays which, of course, could not be discarded as they were sent in good faith to the exhibition. We wish to make this explanation to obviate any feeling that such stations received more space than others.

"Vital Statistics

"Promotion material was submitted by 175 stations, 6 networks, 3 transcription companies and several news services. A list of the organizations who submitted material is attached herewith. Some stations submitted promotional material in quantities for distribution to those attending the convention. This was all placed on a table in the center of the room.

"Recommendations

"1. The committee desires to express the thought that this display is an excellent example of what should not be done next year. Therefore, it wishes to submit suggestions for consideration.

"2. The committee feels that next year's display, if possible, should be made up of uniform units submitted by each station participating. It is suggested that each station exhibit a complete campaign of any promotional activity on a standardized unit display. It is further suggested that this unit display be a mounted cardboard piece, roughly 20x30". These unit display pieces would form the backbone of the exhibit, in addition to whatever other material the stations may desire to submit. Additional material for merchandising pieces may be submitted unmounted to the committee in charge.

"Acknowledgments

"The committee wishes to express sincere thanks to Mr. Vanderwarker and to Mr. Culver, and the entire Sherman Hotel Management for their splendid co-operation in preparing this exhibition."

Does that conclude it, John? John wants you to hear these resolutions because he wants you to do some thinking before they are presented by John Henry of the Resolutions Committee.

"Your Committee on Radio Promotion will place before the Resolutions Committee the following resolution in regard to general industry promotion plans:

> "'Whereas, we believe it is for the best interests of the National Association of Broadcasters, as a trade organization, to promote the broadcasting industry of the United States at all times in the best possible manner; therefore be it
>
> "'*Resolved,* That a Director of Publicity be employed by the National Association of Broadcasters, to work under the supervision and direction of the Managing Director, to advance the art of radio broadcasting in the minds of the people and to portray a true picture of the value of the radio industry, in its present form, to the United States.'

"Your Committee on Radio Promotion will also place before the Resolutions Committee the following resolution, under the heading of general industry promotion plans:

> "'Be It Resolved, That the Board of Directors of the National Association of Broadcasters at their next regularly convened meeting shall designate one week of each year as 'National Radio Week', and that said National Radio Week shall be promoted through the National Association of Broadcasters as the one week in each year in which all radio stations shall combine in their efforts to make the public radio conscious and furthermore to make said public realize the benefits which radio brings to them each day of the year.'"

I believe that resolution was presented by the Resolutions Committee yesterday and was voted down.

MR. HENRY: Both were presented yesterday. The other one, the first one, was referred to the Board of Directors.

MR. Gillin: Thank you.

CHAIRMAN CARPENTER: And thank you, John, for the splendid work of your committee the past year and their work getting the exhibits ready.

For our next speaker we have gone to the advertiser himself and we have gone to a man who has appeared before this group before, who has something to say which we want to know.

May I present to discuss "A Retailer Makes an Appraisal of Radio" Marvin Oreck, Oreck's Inc., Duluth, Minnesota. (Applause)

MARVIN ORECK (Oreck's, Inc., Duluth, Minnesota): Mr. Chairman and members of the NAB, when Mr. Baldwin and Mr. Carpenter asked me to talk to you about retailing and the uses of radio for the retailer, they didn't limit me very much. They pretty much allowed me to use my own judgment on the selection of a subject and, therefore, I, too, like Mr. Pryor, shall try to be realistic.

Now, if I were to talk to an association of broadcasters on the subject of merchandising, I would consider my position a sturdy one. But, for me to talk to you upon any subject concerning radio, puts me, more or less, behind the well known eight ball. Yet I have been asked to talk about radio as an advertising medium for the retailer and I wonder if anyone really knows very much about that. The amount of radio advertising used by retailers does not indicate that either the advertisers or the broadcasters know enough about it to do a very good job.

Two years ago broadcasters at this convention were very encouraged over the fact that retailers were using an ever-increasing amount of time over the radio. Since then, however, a survey of the National Retail Dry Goods Association shows that the use of the radio as a retail advertising medium declined during 1936. In that year the percentage of larger stores using radio broadcasting dropped from 55% down to 44%. In other words, at the present time less than half of the stores who answered the Dry Goods Association survey questionnaire, used radio during 1936. Likewise, the percentage of the advertising budget allotted to radio by these stores seems to be very small. And the larger the store, the smaller the percentage allotted to radio as a medium. The survey shows that the average expenditure of stores doing over one million dollars is slightly less than 3/10 of 1% of the sales, as against a figure ten times that much for newspaper space. In the one to two million dollar volume stores, the average expenditure is 15/100 of 1% of sales, or approximately 1/20 of the amount used for newspaper space. In the five to ten million dollar class, the reporting stores expended an average of 9/100 of 1% of their sales. While the average expenditure of stores doing over ten million dollars was 4/100 of 1% of their sales. Thus, you can see that the ratio between radio advertising and newspaper advertising varies from one to ten, to one to seventy-five. In other words, less than half the reporting stores use radio, and those that do, vary their appropriations from 10 cents of the advertising dollar to 1⅓ cents of the advertising dollar.

If we are to be realistic, we must agree that either the radio is not a good medium for retailing, or retailers have not made proper use of the radio as a medium. It is my sincere belief that the latter is the case. The success story of some of the retail radio jobs is far too impressive for me to believe that the radio is not a good medium for the retailer.

Now, it may be that a great many of your stations are so well sold up for time that you neither need nor desire store advertising. If any of this audience are in that position, they might just as well be spending this period at the Field Museum. On the other hand, perhaps broadcasters ought to view local advertising the way the newspapers do. I am under the impression that most newspapers regard national advertising as the sweet part of the business, but they also feel that the local advertiser is the real backbone of their business. To you broadcasters who feel that way about it, I express the sincere opinion that you have something to sell to the retailer which can be of real benefit to him and bring revenue to you. I feel that you have a type of advertising which offers a great appeal to store customers in bringing business.

Now, it is true that oral advertising has limitations. I think, for instance, that it is a mistake to attempt to do a style advertising job without the advantage of eye-appeal. A long-drawn-out description of a frock of mousseline de soie, executed in sweeping silhouette, with lingerie touches of fine lace—such a description by a male announcer sounds ludicrous, and even the introduction of a feminine voice does not create enough imagery to sell goods on a fashion basis by radio.

But, radio does offer some splendid functions in retail advertising. I feel that the two best uses of radio for store advertising are the use of price advertising and institutional advertising. Now, price advertising has been used with marked success by those stores which carefully study radio as a medium and use prices which are news and have news value to the listeners. It is my opinion that advertised prices must, in the first place, be very attractive for the article advertised and they must also be low in proportion to the price usually expected in the store or in the department of the advertiser. If a store, for instance, is known for its millinery selling ordinarily from five dollars to ten dollars, such a store can do a whale of a business over the radio featuring a two-dollar hat sale. And, a store which is known for quality and fashion dresses can, in its budget shop or low price department, do a whale of a business on a radio sale of five or six dollars. The radio is a top-notch medium for a medium or better grade store to attract a clientele which it otherwise does not usually get. For instance, our company has the agency for I. Miller shoes in our city. As you probably know, I. Miller shoes sell at $12.75 and $14.75. Our Budget Shop features shoes at five and six dollars. The only medium we have ever used to advertise our Budget Shop is radio. We have attracted to our store thousands of women who have confidence in the style and quality of shoes which they might buy from us; and at five and six dollars our shoes are valued to the point of exciting news. Now, we have been very scrupulous in advertising our Budget Shop so that those shoes would not be confused with I. Miller shoes. As a matter of fact, we have used a left-handed punch and said that these shoes are not I. Miller but at five and six dollars are the best buy in America. We didn't kid anybody. We have built up a Budget Shoe Department which does twice the annual pairage it is entitled to on the basis of the size of the city—and we have built this volume entirely by radio. Likewise, the radio has proved a splendid medium for clearances because clearance prices also have news value.

A great many people of the radio audience, who would normally not shop in our Fashion Salon, are excited over the prospect of buying clearance merchandise at one-third off or half price. Not only can the merchant effect clearance in this way but he can also attract to his store new customers who might become regular customers. So much for the price angle of radio advertising.

The stores that have been most successful with radio advertising find it a great institutional business builder. They find that the radio is a marvelous medium for reaching people out of town. They find that it gives a human interest in the store that they can get through no other medium. They feel that the real personality of the store can be better expressed orally than in any other way. Stores feel that there is a tremendous advantage in having radio listeners hear the names of their stores frequently and consistently. It is all part of the good advertiser's resolve to keep the name of his company before the public. Institutional advertising is successful over the radio not only for the store but also for a single department, and I hope that this can be taken by some of you as a good constructive suggestion. I feel, for instance, that radio is a top-notch medium for fur storage advertising. A store's frequent reminder of its storage facilities will not only bring it storage but also publicize the cleaning and repairing of fur coats as well as institutionalizing the store as a fur store so when people think of fur coats, they will think of that particular store.

The children's department is one which lends itself beautifully to radio advertising. Many stores are using special children's programs regularly, and where they have an auditorium, they have an audience witnessing the broadcast. This type of program has particularly good human interest appeal. In our store we have built our children's department almost entirely by radio. We employ a full-time, registered nurse in the baby department, and she has an excellent radio voice. She appears in a five-minute broadcast three times weekly. A good deal of the time her talks are confined to non-advertising material on the care of the baby and small children, but this lends itself very well to occasional broadcasts on the items we carry in our department. We know the value of this program because of the many patrons who come to our department and ask for Miss Iverson, our registered nurse.

The radio is also an excellent way of institutionalizing a brand carried by a store. Of course, the retailer will not extensively advertise a brand that is not confined to him. But where he has such a brand confined to him, the radio can "go to town" in making that brand a byword among shoppers. Our store, for instance, is the sole distributor for Kayser hose in our city. We found that through consistent spot announcements spread throughout the week, our Kayser business has shown a steady growth in three years that has surprised not only us, but also the manufacturer.

I should say there is a great difference of opinion as to the type of radio advertising best suited for retailing. Obviously, a single unit store cannot afford to produce programs capable of competing with national advertising. Most stores have now confined themselves to the use of spot announcements and so-called shopping programs of fifteen minutes to a half hour.

Now, I believe that for price advertising the spot announcement gives the retailer far more for his money than program advertising. On the other hand, a store program will do a great deal to institutionalize the store—particularly if the program is interesting and doesn't over-sell. As you well know, these programs consist of records, news, temperature, human interest stories, fashion news, and store news. In any case, the advertiser must give as much thought and preparation to his radio advertising as he does to his newspaper publicity. I think that both the stores and the stations are to blame for the poor copy that has gone on the air. The real motivation of the copy must come from the buyer. She must want to tell the world about the item or department advertised. The sales promotion manager should help whip this material into shape and the station should provide continuity writers who will give the copy punch, coherence and fluidity.

Now, let us take a peek into the future. I don't think it is visionary to say that some time in the not too distant future radio will be visual. Talking motion pictures were tinkered with for twenty years until one evening at Warner Brothers Theatre in New York Al Jolson's "Jazz Singer" had its premiere. I had the thrill of being in that first-night audience. It suddenly dawned on every person there that the talking picture was a reality. No doubt, we will all awake some morning to find television an accomplished fact. Now, where will the retailer be? He will be the greatest prospect for radio advertising because that medium can then graphically display the beauty and the usability of everything he sells. I can't wait until the day when our store will be able to produce a weekly style review. In the meantime, those stores which are constantly using radio are on the ground floor in experimentation and are also bringing a friendly relationship with those stations which will furnish them this coming attractive advertising medium. But that isn't the only reason for stores to use the radio now. There is no more flexible medium in existence. There is no quicker way to get your message before the people without the preparation of cuts, layouts or addressing of mailing pieces. When it rains you can advertise umbrellas, with a few minutes' notice. When it snows, you can throw overshoe copy on, with a short telephone call.

We find also that some of our sales are best run by a combination of both radio and newspaper backed up with our windows and perhaps mailing pieces. I can illustrate the advantage of that by saying the store that runs a newspaper ad may be swamped the first day of the event and from then on may not do any business and take a mark-down on goods. Now, the radio offers a wonderful opportunity to spread out the business. We very often will advertise the first day or two of an event over radio; then come back with an evening ad in the paper and follow up with a morning ad in the paper. In that way we can spread out our traffic and get the most out of the sale. I commend that to you as a fine selling argument to the retail store.

Now, two years ago at this convention one of the advertising agency representatives discussed his contact with one of the retail stores in Chicago and told why they failed to do a good job—they failed to sell the buyers properly—and I think if radio has lost interest in the retail stores, it is even more true today than two years ago. Back in 1923 the average store manager decided to give his store back into the hands of the buyers. There had been so many efficiency men and personnel men cramping the style of the buyers that the buyers were almost pushed out of existence. But, in the last two or three years there has been a renaissance for the buyers. Now, you can sell the promotion manager in one-tenth of the time you will convince the buyer that he or she ought to place that advertising on the radio. The buyer has to be conclusively convinced that radio can do a good job. There are various ways by experimentation and not a little bit of help can be by personal contact between your staff and the buyer.

It is my firm conviction, as I said earlier in the talk, that you have something to sell the retailer. You and I know that millions listen to the radio, and I have no doubt in my mind that any store which applies itself to using this medium properly can get increased business for itself at a nominal cost.

Thank you very much. (Applause)

CHAIRMAN CARPENTER: Thank you very much for a talk which is very much to the point. If any of you have questions you wish to ask Mr. Oreck, just be present this afternoon.

Our concluding report today, which will be followed by resolutions which are to be presented, is the report of the Committee on Standardization of Sales Forms by Martin Campbell of WFAA, Dallas, Texas.

MR. CAMPBELL: Mr. Chairman and members of NAB, when I was appointed chairman of the Sub-committee on Standardization of Sales Forms, I thought, in the words of my good friend Hough, I had a greased pig. Later when Carp came along and suggested that local rates and cumulative frequency discounts should be included, I found then, in the words of my friend Harold Haugh that we had hold of a porcupine. The report is very brief. Some paragraphs in it undoubtedly will call for discussion this afternoon.

As chairman of the Sub-committee on Standards of Sales Forms, I respectfully submit the following report:

1. Local and National Rates

Interviews with station managers disclose that stations, irrespective of power or region, have from one to three sets of rates. Stations with a single rate card for all classes of business are in the minority. Stations with a local and national rate appear to be in the majority, with a tendency on the part of some to have as many as three rates, broken down rather loosely into national, regional and local. Opinion is so widely divided that your subcommittee chairman does not believe there is a possibility of any unanimity of opinion on the subject of rates. Local conditions but more particularly competitive situations are responsible for the two or three rate set-ups.

2. Cumulative Frequency Discounts in One Year

There seems to be a tendency in the broadcast industry to allow cumulative frequency discounts regardless of whether the business is continuous or not. Cumulative discounts are general practice among other media and for the sake of uniformity should be recommended for the entire broadcast industry.

All products manufactured by a single corporation (for example, General Motors, Procter and Gamble, and so forth) should be permitted group rates covered by one annual contract.

Announcements and programs, however, should not be grouped to earn higher discounts. These are two separate services comparable in general to display service (programs) and classified ads (announcements) in the newspapers.

3. Contracts between Stations and Salesmen

To avoid confusion and controversy between stations and salesmen, your sub-committee suggests a contract form be drawn up by the NAB and submitted to the various stations for their guidance. Such contracts are particularly desirable where a station operates on a commission or salary-and-commission basis.

In that connection, I have seen the one used by Mr. Carpenter and I think it is very excellent and certainly is one everybody in the industry should see.

4. Billing and Affidavit Forms

Billing and affidavit forms should be standardized for the convenience of advertising agencies. In this connection it is recommended that the statement and affidavit should be printed on single letter-size paper. One statement and one affidavit should cover the entire month's broadcasts. It is further recommended that billing be on a monthly rather than a weekly basis since all advertising appropriations for major advertisers or agencies are handled on a monthly billing basis. This is covered in 1 (e) on the Standard Contract Form.

And, incidentally, Mr. Baldwin had reproduced specimens of our form. That form is taken from one gotten up by Bill Way of KVOO. It is being distributed now.

Where a station, for reasons of its own, prefers to bill or charge at other than a monthly basis, their rate card and Standard Rate and Data should so specify and show the specific period covered in the weekly billings. Where the weekly billing covers part of two months, the break-down should cover each period separately.

Where rates are quoted on a weekly or monthly basis, they should be billed on a week-to-week basis or calendar-month basis. For example, on a week beginning Monday, if the program starts Wednesday, the first week's billing should be five-sevenths of the weekly rate. The program starting during a month should be prorated for that part of the month used and billing on a monthly basis for calendar months to follow.

5. Rate Card Structure

Some years ago the AAAA issued a standard rate card form for radio stations, patterned broadly after the standard form recommended for newspapers. This form should be used by all stations for sake of uniformity. Where special or unusual terms and conditions are imposed by a station, these regulations should be clearly published on the order form and in the rate card. Billing each week, for example, the card should so state. If there is an ASCAP or other license fee, it should be so indicated on the card and attention called to it under the heading which carries the rates.

6. General Revision of Standard Order Form

The standard order blank for spot broadcasting AAAA form registered at the United States Patent Office and Copyright, 1933, is—in general—satisfactory.

Section 4 (a), in the second line, the word "sustaining" should be eliminated because of the current practice of sponsorship of programs of outstanding public importance, such as the Kentucky Derby, prize fights, et cetera.

For stations which allow cumulative discounts, the words "without interruption" should be deleted in the first line of 5 (c).

Any and all order blanks which carry the heading standard order blank, standard conditions, and so forth, should be in exact accordance with the approved form. Blanks on which any changes in the standard conditions have been made should not be issued as standard contract forms.

CHAIRMAN CARPENTER: Thank you, Martin. Now, the type of work that Martin's committee has been working on is the rather prosaic workaday problems and his committee is to be specially commended for the consistent work they have done. Not only this year but Martin has participated over a number of years.

May I suggest we are almost finished and the resolutions which are to be presented merit your careful attention. Please wait just a very few minutes.

Announcements.

CHAIRMAN CARPENTER: May I say again at this time—some of you may not have heard it—I have had a number of people come to me in the last day or two and comment that there has been so much going on in the convention but no talking about our business, that they don't get any constructive ideas on business, that they don't get a chance to discuss the very thing we are here to discuss—broadcasting.

Now, if you feel that way, you better attend the meeting this afternoon or forever afterwards hold your peace.

That meeting will be called for 2:30 o'clock and we don't want to start any later than that.

A panel discussion has been arranged for the afternoon session in which Mr. Pryor and Mr. Oreck, who have talked to us this morning, will participate. Discussion from the floor will be in order. Be ready to shoot any questions you have that may have inspired by the talks this morning.

Announcements.

CHAIRMAN CARPENTER: We will now hear the resolutions. Mr. Henry.

MR. HENRY: Some of these resolutions have not been read at all. Others were read at the meeting yesterday and consideration postponed until today.

"Whereas, the Federal Radio Education Committee, acting through a select committee, has agreed that certain specific projects should be carefully studied,

"Whereas, at a cost aggregating approximately $250,000.00 certain foundations have agreed to contribute approximately $167,000.00; it is

"*Resolved,* That all broadcasting stations should be invited to contribute a total of approximately $83,000.00 over a period of two years as the broadcasters' share of the expense of these investigations.

"*Resolved,* further, That the Board of Directors devise a formula whereby the contributions of each broadcaster will be on an equitable basis."

I move the adoption of this resolution.

CHAIRMAN CARPENTER: Is there a second? Well, I'll pick a second. Earle Gluck, how about seconding it?

EARLE J. GLUCK (WSOC, Charlotte): I didn't hear it.

CHAIRMAN CARPENTER: That's all right. Now it is ready for discussion and I am wondering, Jim, if possibly you would want to comment on this. Personally, I would like to know more about it before putting it to a vote.

MR. BALDWIN: The purpose of this resolution is to aid in the financing of the investigations of a committee of six appointed by the Federal Communications Commission and the United States Commissioner of Education, appointed to investigate a series of projects which numerous educators and representatives of foundations believe should be investigated. These projects have been studied over a period of several months. Numerous meetings have been held with the heads of the network companies, with the heads of foundations interested in educational projects and investigations, all with the view of finding some method whereby we may pursue the investigations that were begun approximately two years ago to find how broadcasters and educators might better co-operate with each other.

These projects have been analyzed by research men who have told us what they think it will cost to conduct them. The estimated appropriation of approximately $250,000 was discussed in two sessions held with the Broadcast Division and thereafter submitted to the members of these foundations. They have taken more than two-thirds of the total amount. There remains, I believe to be exact, $83,000 which all who participated in these committee meetings believed was a fair share for the broadcasting industry to assume. It has been the thought of those of your Association who have participated in these discussions that the $83,000 which, by the way, is to be raised over a period of two years, not one year, should be raised not only by the members of this Association but by non-members as well. In other words, every one of the seven hundred broadcasting stations in the United States will profit just as much as will the members of the NAB.

There is no other way in which these projects can be financed. The allotment here is equal to the total amount of dues which is received by the Association in the period of a year. It must be raised, if it is raised at all, outside of the dues.

MR. CHURCH: What is your recommendation?

MR. BALDWIN: Well, if I am asked for my recommendation, I can have but one and that is as an industry we should continue to co-operate with this Federal Radio Education Committee, this committee consisting of forty-eight members divided about equally between broadcasters and representatives of educational institutions which has given a great deal of time to these problems. We know that the problems exist. There is no use for us to try to ignore them. If we do try to ignore them, they will grow to be more serious. I think it is an absolutely necessary expenditure of funds and, without qualification, I would recommend that the industry agree that the matter should be submitted to your Board of Directors who should find some formula for raising these funds which would make the burden fair and equitable to every broadcasting station in the United States.

CHAIRMAN CARPENTER: Thank you very much, Jim. Are there any other comments? Any questions? Are you ready for the question?

(The motion was put to vote. The vote was in doubt.)

CHAIRMAN CARPENTER: May I see the hands of those voting in favor of this resolution? And now those who are opposed? The motion is carried.

MR. HENRY: "*Resolved,* That the Board of Directors of the NAB be directed and are instructed to carry on negotiations with copyright owners to the end that a per-piece or measured service plan be obtained."

I move the adoption of this resolution.

CHAIRMAN CARPENTER: Is there a second to this motion?

MR. CHURCH: Seconded.

CHAIRMAN CARPENTER: Any remarks?

(The motion was put to vote and was carried.)

MR. HENRY: I should explain that the following resolution is offered merely to give the membership an opportunity to express their preference of meeting in Chicago or any other city next year.

"Whereas, the By-Laws of the National Association of Broadcasters provide that the convention city of the organization may be selected by the membership, and that the Board of Directors make such selection only if the membership does not select the convention city; now therefore be it

"*Resolved,* That the National Association of Broadcasters hold its next annual meeting at Chicago, at a date to be selected by the Board of Directors of the National Association of Broadcasters."

I move the adoption of this resolution.

CHAIRMAN CARPENTER: Is there a second to the motion?

MR. GILLESPIE: Seconded.

CHAIRMAN CARPENTER: Any remarks?

(The motion was put to vote. The vote was in doubt.)

CHAIRMAN CARPENTER: Ho hum! May we see the hands of those who are voting in favor of this resolution? Now those who are voting "no"? The motion is lost.

MR. HENRY: This resolution was proposed by your Engineering Committee, was read yesterday and held over for consideration today.

"Whereas, considerable progress has been made during the last few years by the radio engineering profession, and a great deal of data has been obtained concerning the laws governing radio propagation, interference, receiver selectivity and the operating characteristics and efficiency of radiators; and

"Whereas, the Federal Communications Commission through its engineering department has demonstrated its progressiveness and aided the broadcast industry greatly by its actions in holding hearings, and otherwise, in accumulating advanced engineering information and correlating the same; and

"Whereas, the 'Preliminary Engineering Report on Allocations' made public by the Commission's Broadcast Division on January 14, 1937, meets with the general approval of the engineering profession; and

"Whereas, the National Association of Broadcasters approves this report because it is based on sound and basic engineering principles; and

"Whereas, there is a definite need in the broadcast industry for such improvements as will be possible by the adoption of these principles in the Commission's regulations; now be it therefore

"*Resolved,* by the National Association of Broadcasters: The Federal Communications Commission is hereby petitioned by the National Association of Broadcasters to accept the report and to incorporate into its regulations the basic principles of said report."

MR. CAMPBELL: I move its adoption.

G. R. SHAFTO (WIS-WCSC, Columbia, South Carolina): Seconded.

CHAIRMAN CARPENTER: Any remarks?

MR. CHURCH: Can the Managing Director give an opinion as to the advisability of acting on this resolution at the present time?

MR. BALDWIN: I haven't studied it.

MR. CHURCH: Can anyone answer that question?

CHAIRMAN CARPENTER: My understanding is that it has had the unanimous approval of the Engineering Committee and they believe it should be passed at this time in order to enable them to continue this work.

MR. CHURCH: Mr. Chairman, I have a lot of confidence in the Engineering Committee. That committee, however, consists largely of engineers, as I understand it. I am wondering whether we feel like giving the proper kind of consideration to a resolution of such importance. I am afraid I am one of those who doesn't quite feel capable at the moment. This is a resolution of extreme importance. Off-hand, it appears to be a good resolution but I don't feel able to vote for it at the moment.

As a substitute, I would like to move that the resolution be referred to the Board for its careful consideration and action.

CHAIRMAN CARPENTER: May I consider that as an amendment to the original, Mr. Campbell?

MR. CAMPBELL: Yes.

CHAIRMAN CARPENTER: Is that O.K. with the second?

MR. SHAFTO: Yes.

CHAIRMAN CARPENTER: Jim Baldwin just went to see if he could get hold of Jack DeWitt. As I understand it, all the phases of this matter have been very carefully canvassed and discussed by the engineers. It is rather difficult for me to say anything more than that at the present time. But, if I may be permitted an opinion, I believe referring this to the Board of Directors for their action will accomplish all the engineers hope to have accomplished and in that smaller group they may give it more serious consideration discussing it confidentially than we can here.

MR. CAMPBELL: Action should be taken on that before the November conference in Havana.

MR. CHURCH: Include that in the request to the Board.

MR. CAMPBELL: All right.

CHAIRMAN CARPENTER: An addition to the amendment that the Board be instructed to give this careful consideration and action in ample time before the Havana Conference in November.

MR. SHAFTO: I accept that.

CHAIRMAN CARPENTER: Does anybody see Baldwin or Jack DeWitt? Does any other member care to comment?

A MEMBER: Mr. Carpenter, I happened to be on that committee. I don't know how many of you were in Washington in October but those who were there, and I believe also all of those who were not there, recognize the amount of time the Commission spent in analyzing our problem. We of the committee feel that if the Commission were assured the NAB was in accord completely with the findings of its engineering department, there is some possibility the basic principles of that engineering report would be incorporated in the Commission's recommendations at an earlier date by the passage of this resolution. The committee felt every class of station will be able to be benefited from the findings of that report and that is the reason the resolution was prepared and submitted.

CHAIRMAN CARPENTER: Do you believe, then, this would be satisfactory if this were referred under those circumstances and conditions to the Board of Directors?

A MEMBER: I am not qualified and I don't propose to speak for the committee as a whole. I believe any action this meeting takes is all right.

CHAIRMAN CARPENTER: The feeling is that those of us who aren't engineers are not qualified to endorse it. We simply haven't the knowledge on which to base an intelligent vote and for that reason, we would like to refer it to the Board.

A MEMBER: We, as a committee of engineers and trained to analyze such problems, took it upon ourselves to do so and the outcome is this recommendation. It is the recommendation of your Engineering Committee that it be passed. Now, subsequent action is up to the meeting.

CHAIRMAN CARPENTER: There is the other angle that Arthur touched upon. If we are to have an Engineering Committee, we should be guided by their action.

MR. CHURCH: Mr. Chairman, I move that this be deferred until this afternoon. We don't have enough representative station people at this meeting to vote on it properly. That is one of the things I had in mind when I wanted it referred to the Board.

(The motion was not seconded.)

CHAIRMAN CARPENTER: It has been requested that action be deferred until this afternoon. It was deferred from yesterday to this morning. Do you want to have it read again or definitely defer?

THE CONVENTION: Read it again!

(Mr. Henry re-read the resolution.)

CHAIRMAN CARPENTER: Is there any discussion? May I put it to a vote as the motion has been amended? It is that this matter be referred to the Board of Directors with instructions to consider and act in ample time for the Havana Conference, with the feeling that those present here do not feel qualified to vote "yes" or "no".

MR. CHURCH: That is not my motion. I don't believe I said those here are not qualified. I did not include that in the motion. We don't have a qualifying representation here to vote on the motion.

CHAIRMAN CARPENTER: That is what I intended to say.

MR. DORRELL: If it is in order, I move that that resolution be tabled indefinitely.

CHAIRMAN CARPENTER: Is there a second to that motion to table?

C. A. LUTHER (WOC, Davenport): Seconded.

CHAIRMAN CARPENTER: It has been moved and seconded to table the motion.

A MEMBER: I rise to a point of order. I don't think that is in order.

CHAIRMAN CARPENTER: A motion to table is in order at any time.

MALLORY CHAMBERLIN (WNBR, Memphis): I don't know anything about the resolution or what it means but I do think we should have a little more confidence in our committee and the Board of Directors. I don't know how to get a motion to table out of the way but if you can, I think you ought to refer it to the Board of Directors.

CHAIRMAN CARPENTER: There is one way and that is to vote it down.

THE CONVENTION: Question!

(The motion (to table the resolution) was put to vote, and was lost.)

CHAIRMAN CARPENTER: The motion is lost. Now we revert to the original motion to refer it to the Board of Directors.

(The motion was put to vote, and was carried.)

MR. HENRY: This resolution is proposed by Fred Hart, Station KGMB, Honolulu:

"Whereas, at the 1936 meeting of the National Association of Broadcasters, the following recommendation was adopted:

" 'Whereas, as the radio broadcasting industry continues to grow in size, it becomes more and more apparent that if broadcasters are to handle their state, regional and national programs intelligently, they must be organized in state, regional and national units, as such organizations will serve to keep the rank and file better informed and give the numerous broadcasters more of a voice in the affairs of the industry; now therefore be it

" '*Resolved,* The Board of Directors of the NAB be and are hereby instructed to bend every effort during the year 1936-37 to foster such organizations as chapters of the NAB.'

"And Whereas, one year has elapsed since that date and no effective action has been taken to carry out the purposes of that resolution; and

"Whereas, the problems of radio are greater and more numerous than ever before; and

"Whereas, the radio broadcasting industry is threatened with unjust legislation, racketeering, taxes and program difficulties both locally and nationally; and

"Whereas, the need for the radio broadcasting industry to reorganize in keeping with the suggestions contained in the resolution adopted unanimously at the convention one year ago is greater today than ever; now, therefore, be it

"*Resolved,* That it is the sense of this convention that the National Association of Broadcasters be re-organized in such a manner and to such an extent as to encourage the growth and functioning of local and state-wide chapters; be it further

"*Resolved,* That to expedite such re-organization, it is hereby ordered that a re-organization committee consisting of seven members be and is hereby appointed in the following manner:

"The delegates present at this convention from each of the five radio regions as set up under the old Radio Act shall elect one of their number to represent their region on this committee. These five to in turn elect two additional members from among the delegates present, one of whom must be the President of the National Association of Broadcasters and the other when elected shall serve as Chairman of this——

MR. CHURCH (interrupting): Mr. Chairman, if the gentleman will pardon me, this is a very long resolution. It has been distributed for several days, in both printed and mimeographed form. Is that right?

CHAIRMAN CARPENTER: I have seen it in mimeographed form, not in printed form.

MR. CHURCH: If this group would attempt to take intelligent action on this resolution, it would take us hours starting with right now. Therefore, Mr. Chairman, I move that this resolution be referred to the Board of Directors.

(There was no second to the motion.)

MR. HART (interrupting): Mr. Chairman, I object to the procedure. This is either good or it is bad. It was endorsed unanimously at the last convention and the same Board of Directors failed to do anything. We are faced with this situation today: we have two hundred less registered delegates than last year. We will have less next year. Many have gone home disgusted already.

Now, in order to get this thing settled for once and for all, I move that the resolution be adopted as printed.

(There was no second to the motion.)

MR. CHURCH: I rise to a point of order! You did not give time for a second.

MR. HART: I have the floor!

CHAIRMAN CARPENTER: I am sorry. I should not have recognized anybody before there was time for a second. Is there a second to Mr. Church's motion?

MR. LUTHER: I'll second it.

CHAIRMAN CARPENTER: It has been moved and seconded to refer this resolution to the Board of Directors.

MR. HART: I still contend you are out of order. I had the floor.

CHAIRMAN CARPENTER: We have a motion which is duly seconded and anybody who may agree with you may vote "no" on the motion as it stands at the present time.

MR. HART: I move that the motion be amended to strike out the provision and substitute the words "be adopted as printed".

CHAIRMAN CARPENTER: Is there a second to the amendment to the resolution?

(There was no second to the amendment.)

MR. HEDGES: The only reason I oppose Mr. Hart's resolution is that as proposed it is contrary to the Constitution and By-Laws. If he wishes to revamp the entire Association structure, it is necessary to submit this form of amendment at least two weeks prior to the convention so each member is informed of the contemplated action. The plan proposed by Mr. Hart's resolution has a great deal of merit. Nevertheless, the procedure is entirely wrong. For that reason I oppose it.

MR. HART: If you read that resolution, it does not say it is to be set up but is to be worked out. If refers to 1938. I am not opposed to the Board of Directors taking this up if they will appoint the committee and go to it.

Now, I am in the radio business to make money as well as serve the public. I started in radio in 1925 and am still in it. I went to my first convention at Colorado Springs and I think I had as much to do with saving the organization from destruction as anyone. Possibly we should have destroyed it and created a new one more responsible to the membership and closer home. Last year we took action on this at Chicago but nothing has been done on it and now we are faced by racketeers on every side. You know to whom I refer, not ASCAP but the union musicians and everything else.

I am perfectly willing and satisfied to refer this to the Board of Directors if it means the Board of Directors will appoint a committee, with no organization politics in it, and will try conscientiously to work out a plan of organization to fit the picture and during the year will encourage our northern California broadcasters to work in closer contact. I don't want to be arbitrary but I want some action.

CHAIRMAN CARPENTER: May I ask, Mr. Henry, what the recommendation of the committee is?

MR. HENRY: Your committee recommends that the Board of Directors appoint a committee to study the proposal and submit recommendations in the form of amendments to the Constitution if the committee deem it necessary.

CHAIRMAN CARPENTER: Mr. Church, will you withdraw your motion?

MR. CHURCH: Yes.

MR. HART: Mr. Chairman, I'm willing to second that motion if it means the Board will get busy and not only work out this plan but encourage us and help us in northern California and work in closer contact.

MR. CHURCH: Mr. Chairman, as a member of the Board I'll try to see that it gets early consideration.

CHAIRMAN CARPENTER: Is that O. K. with the second?

MR. LUTHER: Yes.

CHAIRMAN CARPENTER: Are you ready for the motion?

(The motion (that the Board of Directors appoint a committee to study the proposal and submit recommendations in the form of amendments to the Constitution if the committee deem it necessary) was put to vote, and was carried.)

MR. HENRY: These two resolutions were received by the Resolutions Committee after the formal meeting so I can only read them and pass on to you without formal recommendation.

"The Sales Managers Division of the Commercial Section of NAB registered its approval of the purpose of the resolution passed by the NAB in convention at Cincinnati in 1934, which proposed a standardized scale of units of time for sale and quantity discounts.

"Since that time considerable progress has been made by the broadcasting industry and there is now a definite attitude on the part of the broadcasters, as well as an expressed desire by many advertising agencies, to standardize even more definitely the matter of units for sale and quantity discounts.

"Therefore, the Sales Managers Division in meeting in Chicago, January 18 and 19, 1937 respectfully submits to the Commercial Section of NAB for early consideration the following units of time for sale and quantity discounts

a—Units of time for sale	b—Quantity discounts
1 hr.	13 times - 5%
½ hr.	26 times - 10%
¼ hr.	52 times - 15%
5 min.	100 times - 20%
	300 times - 25%

Regarding announcements, we believe that further consideration should be given toward standardization. We further believe that all rate cards should be printed to show the actual rate or cost after application of the above quantity discounts."

MR. AVERY: I move that those be referred to the Board of Directors.

(The motion was seconded by several members.)

CHAIRMAN CARPENTER: I will accept a motion to refer to the Board of Directors but do not feel I could accept a motion for this body to pass on them because they were not handed to the Resolutions Committee and not acted on by them. Are you ready to vote on the motion to refer to the Board of Directors?

(The motion was put to vote, and was carried.)

Announcements.

(The meeting adjourned at 1:20 o'clock.)

JUNE 23, 1937

(Wednesday Afternoon)

The meeting, held in the Sherman Hotel, Chicago, convened at 3:00 o'clock, H. K. Carpenter (WHK, Cleveland) presiding.

CHAIRMAN CARPENTER: Gentlemen, we have established some kind of a record in opening this final meeting on time exactly when it was called—3:00 o'clock.

In the discussion this afternoon there are a few very simple rules. Outside of that, it's a free-for-all. First, you will pardon me if I should decide that any one's comments are not on the particular question which we are discussing at a given time. We must stick to the questions as outlined. Second, you may agree or disagree with anyone who speaks, violently or otherwise. You may ask questions of anyone in the room and if that person won't answer the question, they are at perfect liberty to pass the buck on to some one else. We shall continue as long as there is general interest and you care to continue because it is your meeting. We want you to participate in the discussion. And, finally, may I say that there are only two persons in the room who will not participate or take sides and that is Mrs. Gleason and myself. Don't ask me my opinion of any particular thing because if you do, I'll just simply ask somebody else.

Here is the first question for this afternoon: "How should a station service its local accounts?" I take local accounts to mean retail advertisers and by "servicing" them, I take it means how can we best satisfy them and best produce results for the retail advertiser on the station. Lew, since Mr. Oreck is a guest of ours, suppose you start first.

MR. AVERY: The view which I purpose to propound is not entirely in accord with my personal views but at the luncheon meeting this noon we decided it best to take a rather radical stand which Mr. Oreck proposes to answer in part and perhaps stimulate the rest of you to participate in the discussion.

It is my contention we have heard altogether too much about studying the retailer's problems and learning his language and why the store operates the way it does. We have become retail experts in selling merchandise. It seems to me that really is the duty of the store personnel and executives. It isn't our problem to do that; our problem is to sell the medium and make them apply it intelligently to their work. Too often—and this is from a personal case history—a department store account has been sold on radio and the buyers and merchandise managers have then sat back and said, "Make that thing work. Prove to us it is any good." And, no matter what merchandise is advertised on the air, a sincere effort is made to hide it behind the counter or under other merchandise on the shelves. It seems to me it is about time we did something to convince store executives to make a study of our medium. After all, they have had to make a study of the newspapers and why shouldn't they know those things about our medium! Instead of telling them about the miracle we are going to perform, shouldn't we convince them they should study our work and fit themselves into it?

Would you care to answer that, Mr. Oreck?

MR. ORECK: Well, it is not my purpose to enter into a controversy with Mr. Avery—I like him too well! But, the average retailer's reaction is that radio is a new-fangled thing which might increase his costs and his advertising department is not used to writing the copy, and altogether, there is a lot against the station in soliciting and getting that business and building it.

I think the average sales promotion manager in a retail store takes the scientific attitude that if all the radio towers were put on the ground and stretched out end to end, it would be a good thing for the country. (Laughter.)

But, actually, those who have tried radio with some intelligent use have found it gives them a big dollar's worth in expenditure.

I would say the station that does our job does a particularly good job because it is almost ideal. I would like to describe it for you. They don't expect the selling and production of our job to be done by the same person. It doesn't seem to fit into one personality. There is one man who sells our account and keeps constant contact not only with the sales promotion department but with the buyers. Then they also have a continuity writer who is assigned to cover our store for the station. He, in conference with the sales promotion manager, learns which departments are going to use the radio. Then he sees the buyer and discusses the item with the buyer. He then discusses the type of copy with the advertising department, gets their ideas and some new angles, goes to his station and pounds out the copy the best way he knows how. The store executives and buyers have an opportunity to know how it is going to sound when it goes on the air. We have proofs of our copy just the same as newspaper copy. In that way, we are able to keep permanent files as it goes on the air. It gives concrete proof and the results of daily sales are written after it.

CHAIRMAN CARPENTER: I have a question I would like to ask and I ask it out of ignorance. It is this: do you mean to say, generally speaking, you think in department stores it is proper to contact the buyers direct without going through the merchandise manager or some such official as that?

MR. ORECK: That certainly varies with the store and personnel of the store executives. As a rule, the functional division of the store is so made that all advertising goes through the sales promotion or advertising department, and I wouldn't recommend it as good ball to go to the buyers without first having permission from the sales promotion division. Otherwise, you are only going to put two strikes on yourself. But, I think an intelligent discussion with the sales manager urging that certain experiments be tried, would leave you a good opening then to discuss it with the buyer.

HARRY TRENNER (WNBF, Binghamton): I'd like to ask this gentleman a few questions if I may.

Is your store a member of the National Retail Dry Goods Association?

MR. ORECK: Yes.

MR. TRENNER: Have you personally attended any of their meetings?

MR. ORECK: Yes.

MR. TRENNER: To your knowledge, was there any radio exploitation at those meetings?

MR. ORECK: No.

MR. TRENNER: There were, however, many talks about newspaper advertising—am I correct?

MR. ORECK: Yes.

MR. TRENNER: Then, with regard to what Mr. Avery said, may I suggest in view of the fact that newspapers are promoted and radio is not at the meetings of the National Retail Dry Goods Association, which is, as I believe, the outstanding department store association in the country, if there was some promotion done by radio as an industry at those meetings, it is possible there would be more buyers coming to us to know about our medium.

Now, would you mind answering some questions with regard to the method of computing the comparative costs with regard to radio and newspaper advertising?

MR. ORECK: More specifically, what questions?

MR. TRENNER: For example, you keep a pretty close check on radio?

MR. ORECK: Yes.

MR. TRENNER: As to results per dollar expended? Do you take your radio program cost in toto and divide it between the departments that participate on that particular day?

MR. ORECK: Yes. I'd like to answer that a little more directly. We charge each department with the advertising that goes directly to that department and we don't confuse them at all. We take the number of spots used to promote the department and charge that to the department directly, and then the so-called institutional ads the store might run on air cooling are charged to institutional advertising and, of course, there is no way of judging direct results.

MR. TRENNER: Spot announcements or programs?

MR. ORECK: Spot announcements.

MR. TRENNER: If you had a spot announcement on ladies' stockings, you would charge that much back to the department. Do you charge to it any of the cost of operating your advertising department?

MR. ORECK: Now, those are general advertising expenses the same as the newspaper preparation is charged to general advertising. I think that is general procedure.

MR. TRENNER: In case of newspaper advertising, how do you charge your heads and tails in newspaper ads?

MR. ORECK: What do you mean?

MR. TRENNER: If you take eight columns to advertise Jones Store, you can't charge that to a specific department.

MR. ORECK. You mean heads of ads?

MR. TRENNER: Suppose then you have a full page ad subdivided with four columns on a coat sale and a small ad for hosiery.

MR. ORECK: The general practice is to charge that pro rata to each of the participating departments.

MR. TRENNER: Would you care to give out a percentage of what you figure your cost per advertised item?

MR. ORECK: You mean the percentage of sales that we consider good practice on a particular event?

MR. TRENNER: What would be the cost per advertised item?

MR. ORECK: It is generally considered good practice in so-called sales to produce ten times the cost of the ad on your first day's business. If you spend $100 to advertise a coat sale, you ought to do $1,000 worth of business on the first day.

MR. TRENNER: In the course of a year, however, that would be reduced to over-all advertising cost. Does the N. R. D. G. A. prescribe any percentage of total volume?

MR. ORECK: No. The N. R. D. G. A. shows the averages; it doesn't recommend any percentage.

MR. TRENNER: And what is the average?

MR. ORECK: Let me put it this way. There are different terms in advertising. There is so-called advertising expense and publicity expense. The average costs at this time are five and one-quarter of sales for total publicity cost. Direct space and time at this particular time run slightly under four per cent.

MR. TRENNER: Did you ever receive a questionnaire from the National Retail Dry Goods Association as to how much money you spend on radio?

MR. ORECK: Yes. The figures I gave were the result of a survey of that type.

CHAIRMAN CARPENTER: May I interrupt on this question? Would you mind, Harry, indicating how you were going to tie this in—what is the thing you are driving at?

MR. TRENNER: I believe you should know how much money a store should spend and in computing that, too many of the stores will charge off the entire cost but in the case of newspapers, they are not willing to because of the heads and tails, and the cost of operating.

Now, the last figure I read for radio was that out of every dollar spent for advertising by department stores in the United States, I believe the amount of money out of that dollar for radio was a little less than one cent.

Now, that is a rather sorry state of affairs and I would like to conclude this conversation with this gentleman by suggesting that this Commercial Committee or whoever would have charge of those things take steps to make arrangements at the next meeting of the department stores that something be done for radio as an industry.

MR. ORECK: In line with this suggestion, I am so fully in accord with it that I suggest that your Association through its Directors or some other officials petition the Sales Promotion Division of the National Retail Dry Goods Association and urge that a panel discussion on radio be held at their next convention which will be at New York in January.

CHAIRMAN CARPENTER: That is fine.

MR. TRENNER: Thank you.

CHAIRMAN CARPENTER: That is a very good suggestion and we certainly will see that it is taken up with the proper committee.

Now, is there anything else on this subject of servicing the department stores? By the way, may I say this: if it is necessary, we shall limit the time assigned to any one man who cares to speak on any of these subjects because we want to cover them all and get as much out of each one as we can.

May I put my question this way: have any of you done or heard of some one else doing a particularly good job of servicing local accounts?

MR. GILLESPIE: Mr. Carpenter, I understand there is a radio station here getting the entire appropriation of a department store. I'd like to hear from that gentleman.

CHAIRMAN CARPENTER: Is Paul Morency in the meeting? Does anybody else have any information?

MR. GILLESPIE: He has a very interesting story. There is another store in Tulsa. The department store down there is spending about $300,000 a year.

We are getting about $25,000 out of a store account but we are having to do a complete servicing job from selling to copy writing. We are doing everything on it.

CHAIRMAN CARPENTER: Do you say you write the copy?

MR. GILLESPIE: Yes. We are doing a complete job and I think Martin Campbell is doing the same.

MR. CAMPBELL: No.

MR. ORECK: Well, I remember the time when I was a little fellow when all of the retail advertising used to be written on wrapping paper by the owner of the store, and the newspapers had to work it out and specify the type and everything else. Today the newspapers are older and specialized, and they have special people in the stores to do that. They have their own production departments. Maybe in this stage of radio it still has not served its purpose long enough to have department stores sold on it. Certainly the stores are not equipped to write broadcasting copy without the help of the station because the technique is utterly different.

CHAIRMAN CARPENTER: Any other comments?

S. P. WILLIS (WPRO, Providence): Our experience has been to approach a local account as a new idea and let the station control every phase of it. We make no promises and whatever comes in, we are more surprised than the advertiser.

CHAIRMAN CARPENTER: In that connection, I would like to ask this question: will you give that store a series of programs for nothing?

MR. WILLIS: Absolutely not because we have too much respect for our facilities!

CHAIRMAN CARPENTER: Do you guarantee any number of responses or sales?

MR. WILLIS: No guarantee. We guarantee nothing. We recently had one account that had a one-minute announcement. We went to them with a five-minute dramatization and said to them because of the nature of their product, we suggested the five-minute dramatization at a certain time of the evening to get the logical audience. We wanted them to say the right thing to the right people at the right time. They were charmed with the idea, had an audition, and even though there was an agency, we wrote the copy and helped.

MR. GILLESPIE: I was going to ask this gentleman how he combated a lot of this newspaper publicity. After all, when Jim goes to the buyers market, he gets his picture in the paper. I think if the radio stations went into that sort of thing—you don't have to mention merchandise or price—we might get farther. We get so god-almighty-high! When a new store comes to town, he might be given a thirty-minute program. He is employing people and adding to the population. The citizens of the community are on his pay roll and he is bringing in a new group of citizens. What do the newspapers do? They devote a front page to it, with a picture of the store, and he doesn't pay for it. I think radio could do that and I don't think it is giving something away or cheating.

MR. WILLIS: Well, there is a logical way to give community support. We do that in Providence. At Christmas time the leading retailers are invited to come up and give a five-minute talk. They can talk about the decorations or anything like that.

MR. TRENNER: I don't entirely agree with the gentleman about this as a test proposition. That, in my estimation, is a very negative way of trying to make a sale. I believe the medium should be presented to the store as a proposition definitely doing business for everybody else and if you are not taking some of it, you are losing your share. It is like going into a store and saying, "Why don't you try this? This is pretty good stuff. Cut yourself a slice." If, instead, you say, "Here is the cake. Everybody is grabbing. If you don't stick your hand in, you are going to miss something real good," that is a much better approach. After all, they have been leaning on the newspaper crutch for nearly a hundred years. These men have been brought up on a bottle of printer's ink and are very reluctant to turn to something else.

CHAIRMAN CARPENTER: Mr. McCosker, would you mind coming up? I know you just stepped in and this looks like putting you on the spot. If you don't want to answer, it is all right. The questioning has been going on for a few minutes in connection with local department store advertising and the thought was advanced by one man that we shouldn't give anything away, but another man says that the leading light of the department store gets his fair daughter's picture in the paper or a picture of the store's decorations, and that should be done by radio, that that will encourage him to use radio. What is your opinion? Would you care to express it in any way?

MR. McCOSKER: This is probably worth what any sidewalk opinion is because I haven't given it special thought. Do I understand you to say that similarly to the way the newspaper is known to give space in the form of publicity—you are asking what in connection with radio?

CHAIRMAN CARPENTER: Should radio attempt to do the same thing or should the broadcasting station limit itself to commercial programs and anything that has the name of the store is commercial and has to be paid for?

MR. McCOSKER: I don't think you do the newspapers justice when you refer to their printing the picture of the owner's daughter. They might do that as a courtesy but they don't in the larger cities. Of course, I am not acquainted with what goes on in the smaller cities. I would say that was a very unworthy method to sell a newspaper and I don't believe it is resorted to.

I think in the matter of radio broadcasting, none of us are doing so good a job that it couldn't be improved upon. I know of one instance that endeared us to an advertiser. It is true it occurred sometime ago but I think it is along the line of effort you referred to. I happened to be listening to a program on one occasion broadcast by WOR. It was just in advance of the Christmas season and this store had the copy consist of what practically amounted to a catalog reading of presents that men might buy for women for various prices—$5, $10, $15 and $25. I came in on the middle of the program and even for the short time I listened to it, I was sure we were emptying the house rapidly and accordingly, the man who followed was not buying an audience. So I gave instructions that a credit memorandum be written for the time that followed rather than have him pay for what I suspected was fairly empty air.

Now, I think a practice of that type is apt to increase the favorable attitude of the buyer toward the station more than any backstage method of presenting the occasion of the daughter's graduation or something of that kind.

MR. GILLESPIE: May I ask Mr. McCosker a question? Mr. McCosker, WOR is in a large city but my station is in a town of 150,000. If a store does something that is purely news—builds a new front or something like that—how far should a radio station go in giving publicity to that type of thing? Do you see what I mean? My idea is simply to broadcast it as news—no commercial on it, no price. The newspapers play that type of thing up and I think it would be a swell way for the radio station to land your feet on the buyer's desk or in that man's store. That is what I mean. What do you think of that?

MR. McCOSKER: Giving a literal answer to begin with, I envy you living in a town of 100,000.

If you are speaking of a grandmothers' tea, I can't think of anything so vital there as to interest anybody but the grandmothers who hadn't been able to get out of the wheel chair to go to the tea.

But, if they were doing something in the nature of expansion of the store—I don't mean just opening another department—but if they were adding a new wing or celebrating an anniversary (not the first or second but some anniversary that had enabled tradition to accumulate), I can very well see an opportunity to felicitate, assuming the program, which is always my basis of judgment—in reaching for special events, I don't believe the motivating influence at WOR is the desire on the part of the sponsor or owner or customer, it would be more determined, determined exclusively, I am sure, at our station by the program that was to be presented.

Now, we have on occasion assisted people who have the nucleus of a special event but either hadn't appreciated it to the fullest extent or were timid.

My belief is that what you have to sell pretty much is an audience. I regretted sincerely at luncheon that I hadn't risen to express my accord with Mr. Pryor on the subject matter of his talk this morning. I think that he has the alpha and omega of radio when he puts his finger on the matter of program content. Mr. Shakespeare said it a great many years ago, "The play's the thing," and nothing has transpired in my experience—in theatre, motion pictures or radio—to cause me to doubt that, so I take this opportunity publicly to thank Mr. Pryor.

CHAIRMAN CARPENTER: Thank you very much, Mr. McCosker.

Before going on, may I say just this one thing in case somebody else does not say it. From my little knowledge of newspapers, it is my understanding and belief that all progressive, modern newspapers do conscientiously try to keep those two departments separate and you have to go some to chisel anything out of a newspaper.

MR. PRYOR: There is one point that has often occurred to me on this subject. It seems to me a local radio station has a great opportunity to do a marvelous job of entering the consciousness of executives of a town in this manner. I often wondered (if I had time and facilities and people good enough) why it wouldn't be a good idea (one filled with civic virtue and all that sort of thing) to do a job on all the business institutions, particularly those that are clients. I think it would be very interesting if a station would outline the history of the large companies, tell where the goods come from, tell how many people they employ, and get the most important executive to come down and take part in it. I think that couldn't possibly be marred with any of the stigma that the more direct method could be accused of, and I think you would also be doing a very fine job in impressing everybody in your town with the intimate vital part your station plays in the life of the community.

CHAIRMAN CARPENTER: Lew Avery wanted the floor.

MR. AVERY: Several references have been made to the National Retail Dry Goods Association. The Executive Secretary of the Sales Promotion Division was a department store advertising manager and you will find him very helpful if you want to know what department stores are using radio. We have just finished writing thirty-five or forty stores and in some cases we have received letters with valuable information.

The second thing is that organization's publication on the use of broadcasting by department stores. The present edition is $2.50. And, in that connection, if the Board of Directors decide to get out a new book, that decision will be reached at the fall meeting and the book would be available about a year from now.

The third thing is I feel a little discouraged that nobody has advanced my pet theory that you should sell a department store a non-cancellable contract or don't sell them at all. I sincerely believe that is the thing to do even though you don't make the sale today, tomorrow or next year. It may take a long time to sell them that way but you have a whole year to prove your case when you do it.

KENYON LEE (WQAM, Miami): I wish to ask a question. Going back to the question here, I understood Mr. Oreck to say that his station has a contact man and a man to write the copy. I wonder if it would be out of order to lead into a discussion as to what size personnel a station should have. You are speaking in terms of two men that work one large account. Would that imply you would have two men available for every account if you have a staff of five or ten in a city of 150,000?

MR. PRYOR: That function logically belongs with an advertising agency.

THE CONVENTION: Can't hear him!

CHAIRMAN CARPENTER: He says that function belongs naturally with an advertising agency. Do you mean to say we ought to have an advertising agency write our copy for us?

MR. PRYOR: Absolutely.

A MEMBER: That's a commercial! (Laughter.)

MR. LEE: It's nice work if you can get it! (Laughter.)

CHAIRMAN CARPENTER: Mr. Oreck?

MR. ORECK: I don't know anything about the expense of operating a radio station but I know the average man who can write good sound copy isn't always a good ambassador, isn't even the man who is a creator of new ideas.

I think in addition to good copy writers, the stations should have good so-called promotion men, if nothing else, personality men, who can win the confidence of store owners—and don't forget the buyers.

CHAIRMAN CARPENTER: Now, we will try to close the discussion with Mr. Trenner's question of Mr. Avery on his recent comment.

MR. TRENNER: Mr. Avery, you said it is absolutely imperative that you sell the department store fifty-two weeks in the year and I assume you mean in addition a goodly number of times a week.

MR. AVERY: The more the merrier.

MR. TRENNER: Did you ever have advanced to you the argument that newspapers are flexible, that in good selling seasons you can use much and in bad selling seasons you can use very little and that there are other times when you don't use any at all? They may say, "We don't have to use the newspaper every day; we can use it according to our selling season. Why do we have to do it on radio?"

MR. AVERY: You are right. That is one of the most serious questions. If I had the solution, I would think I was a genius.

The only thing you can do, in my estimation, is say that the radio audience, fortunately not like newspaper circulation, is a large audience and you can retain that audience when the department store's budget is cut to the bone. They advertise every month, with the appropriations in April and September carrying the heaviest load.

CHAIRMAN CARPENTER: May I interrupt to say that I believe we have brought out those two points for your consideration and you can see that there are two sides to that, and take your own picture of the situation. Is there anything more in conclusion?

RALPH H. BRUCE (WHBC, Canton): I am from a small station in a town of 110,000 population. I'd like to ask a question that I think will bear on this subject. We find in going out to sell an account where small shops have been using newspaper ads, say, for used cars or credit furniture, they run their ads day after day in the newspapers and sometimes it works but sometimes it doesn't.

On the specialty sales, we take two or three spot announcements a day throughout the week and some of the accounts want to advertise ten or fifteen items and put a price on them. You can't do that.

This is the point I'd like to make. We have the greatest success with novelty stunts. In the small towns they can't afford these big programs that will attract a lot of listening attention. I will give you a little example. For instance, on an account where we couldn't start anything else, we started a spelling bee. Now, these ideas seem to be at a premium but pretty nearly every station gets hold of an idea for promotion. Now, if there was some way of exchanging those ideas, I think we could open a lot of accounts. We find in approaching a man in a small town, even though his fellow merchants have used radio, he will say, "Well what can you do for us. Show us!" before he wants to buy a long-time contract. If you come to him with something, from then on it is easy.

We have had several different small ideas. For instance, in the selling of used cars, we have nine accounts using spots. We take a big used car lot with seven or eight salesmen, put in a mike and have a sort of man-on-the-street program. It is very effective. That is what I mean by local promotion. In a small town if you go up with a specific idea in mind, it is easier to get him started on the use of radio than to sell them spots.

CHAIRMAN CARPENTER: Thank you, and may I say in concluding this subject we are discussing that several years ago there was an attempt to form a Program Managers Section the same as we have a Sales Managers Section and it was not very successful. I am hearing increased talk about that and I am in very great hope that something can be done within the next year to stimulate an exchange of ideas between program managers which may start us toward this thing we were discussing this morning and that Mr. Pryor mentioned.

Let's go to the next question. "How can we simplify our rate cards?" John Gillin and Arthur Church are both tied up in the board meeting. Martin Campbell is going to talk and in the meantime, John may come in.

MR. CAMPBELL: I think I want to suggest a little indoor sport. Get a copy of Standard Rate and Data. Plan a campaign covering twenty or more stations. Go through Standard Rate and Data at random. Make up your schedule and submit it theoretically to the advertiser without first having to go back to the station and ask what this means and that means. It can't be done!

Now, follow that up at the end of the theoretical twenty-six weeks when you are going to renew. Take the same twenty-odd stations. See what your discount is and what you are going to do and if you are only going to write eighteen the first time, you have to write all twenty the next time. I really mean that.

We have had to do that and I am telling you it is a job, a tough one, and I don't see how the agencies put up with it.

I am going to call on Miss Black to amplify those remarks.

ELIZABETH BLACK (Ruthrauff & Ryan, Inc., New York): Mr. Chairman.

CHAIRMAN CARPENTER: Will you come up here, Miss Black? Now, some of you may have some ideas brewing so get your ducks in a row.

MISS BLACK: I have been learning an awful lot from the session this morning. The most startling is that anybody has difficulty selling department stores. I was surprised the gentlemen had so many problems in trying to sell them.

Of course, Martin was not looking at me but he was talking about me because we have had several heated bits of correspondence about his rate card. In fact he once said that he never answered a letter from Ruthrauff & Ryan until he consulted his attorney. (Laughter.)

We found a few years ago rate card structures were very difficult for people of average intelligence to cope with and we believed it would be serving the stations as well as the agencies and our clients if uniformity would be established. We then went back to other forms of media and worked out a plan of releasing orders as we had newspaper orders and further that the contracts be on a yearly basis. We found at the time although fairly new and as far as we knew we were doing a bit of pioneering, we received considerable commendation from the stations after the first time. We have worked out what seems to us an efficient manner of handling our contract situation but we still have difficulty with the rate.

When Martin spoke about the agonies we go through, I have had considerable experience in trying to convey to the account executives when they ask us how much it is going to cost, that we can't tell them this afternoon so we have taken the trouble to show the operation. That is, first, you have the stations show the rate after the discount is taken off. You have those that show open rate and scale of discounts below so that calculation is done at the agency. They are divided fifty-fifty. Then beyond that there are a number of stations that have a three time a week discount or three spots run in the same week cost the same as five, so that even though you understand the rate card, when you come to the end of the estimate and submit it to the client, some bright person looks it over and says, "That three times a week only applies if the whole schedule is in this limit of time. Don't you see that line down there?"

We would like to see some concerted opinion about how those rates should be presented to the buyer. We'd like to have our lives made a little simpler. I realize, after being here this morning and afternoon, that you have your problems, too, but perhaps we can get together. I have discussed this with Ned Midgley and I think he has something of the same idea. I believe by suggesting the particular points we find difficult and without making undue burden for you station people, something could be worked out to the advantage of everybody.

MR. CAMPBELL: I just want to ask you a question. You mention part of the stations have discounts shown; others show the open rates and discounts. Now do you want those rates published—one, thirteen, twenty-six, and so forth—the open rates and discounts. Which do you prefer?

MISS BLACK: We prefer to have the rates shown—one time, thirteen and so on. In other words, each station would have to do that calculation once whereas for the agency with the set-up of discounts, it means a repetition of the mathematical procedure as many times as it happens.

MR. CAMPBELL: The standard form suggested by the AAAA —is that a practical form from your standpoint? Or, are you familiar enough with that ancient history to recall it?

MISS BLACK: Of course, the standard form was drawn up before I was personally engaged in the purchase of time. I have read it. It is my feeling, having read it, there are too many features apply more specifically to network than spot. There are so many contingencies arise in spot. There is no protection on rate against non-consecutive service. Then, too, it was drawn at a time when spot broadcasting wasn't as large a factor, when campaigns weren't handled the way they are now.

MR. CAMPBELL: In other words, if we want to go screwy on the rates—at least print them. (Laughter and applause.)

CHAIRMAN CARPENTER: Thank you very much, Miss Black. May I say in that connection that I believe there is one advantage of printing rates on a rate card, printing all the rates in dollars and cents rather than printing a basic rate and then giving a list of discounts. Not only should it make it easier for an agency to read but there isn't nearly as much chance of salesmen inadvertently with his pencil figuring it wrong. It is there in dollars and cents, and anybody can read it.

I wanted to ask you, Martin, if you cared to comment on our discussion of a short time ago with reference to sending out a series of questions on rates.

MR. CAMPBELL: I'd rather ask you a question first. I notice on many of the rate cards we say one rate for one announcement a week for thirteen weeks and another for two or three up to six or seven a week. Can you tell me why six or seven announcements a week are worth less to your station than thirteen announcements run, we will say, once a week? In other words, why are six a week worth less than thirteen announcements, one a week for thirteen weeks?

CHAIRMAN CARPENTER: Let me see if I have it straight and then I'll ask somebody. (Laughter.) In other words, you want to know why a station should quote a lower rate per announcement on six a week than on thirteen announcements regardless of how they run?

MR. GREENWALD: For the same reason that the railroads give a thirty-day excursion rate.

MR. CAMPBELL: That still doesn't answer the question.

DR. GEORGE YOUNG (WDGY, Minneapolis): The basic reason for this I have heard discussed many times and that is that the greater volume that any advertiser secures, the more discount he earns. Some stations have this arrangement where if a man would use in a month's time $10,000 worth of business, he would earn a two per cent. discount. If he would use $20,000 worth, he would get a four per cent. discount. The amount of volume he uses designates the discount he earns.

CHAIRMAN CARPENTER: I believe you are correct in that but the thing Campbell is getting at is apparently a reversal of that on some rate cards, that is where a lower rate is quoted for six than thirteen. Am I not correct?

MR. CAMPBELL: Yes.

MR. TRENNER: Despite the presence of the gentlemen from the agencies, let's take the bologna out of this thing and say that is done strictly for the purpose of promoting business and promoting it quickly by the same token an announcement is worth $25 or $15 or $10 or whatever you charge. You charge that rate because you believe that is good value for the money. Now, if a man buys 26 or 52 or 150 of those things, they are still worth $10 and if you are going to give discounts for additional times, there is no reason for additional discounts for quicker use.

If I may, I would like to make this additional remark while I have the mike. First, as far as Miss Black's problem, we are all naturally in accord with it although some of us feel reluctant to use the only function a representative has left. (Laughter.)

At the same time I would like to ask one of the members for the purpose—I would like to ask some of the agency people present why a thirteen-time discount is necessary. Our experience has been that the number of accounts we have received that run less than thirteen times are practically zero. Why do we have a base rate and a thirteen-time discount when our base rate is really the thirteen-time discount?

CHAIRMAN CARPENTER: Anybody have an answer to that? All right, you answer him.

MR. CAMPBELL: In Washington about two weeks ago Carpenter and Jim Baldwin and several of us were sitting around . . .

CHAIRMAN CARPENTER (interrupting): I think it was an unholy three, if I remember correctly.

MR. CAMPBELL: And among the things discussed, I made the remark—and I made it without any feeling of criticism—I made the suggestion that a good many of us talk on subjects at the convention about which we have too little information.

My report this morning doesn't mean a darned thing except take up Mrs. Gleason's time and get my name in the record, which doesn't mean a darned thing either.

My suggestion was that we have a series of questions asked of the stations not only about rates but about time discounts and frequency discounts and all of those problems that concern so many of us. There are many of those things we would like to know.

We may be standing here talking about a subject that is of concern to only a very small number of us. We may be overlooking a subject that is of vital interest to all of us. We want to try our darndest to make the job of the agency easy and as inexpensive as possible. By way of illustration, an advertiser takes a page in a national magazine. The copy goes through the mill; it goes to that publication and is published. The magazine sends the bill—$8,000. The agency deducts the commission and pays it. Let that same advertiser try to spend $8,000 with the radio stations and if you don't think his costs have gone up, you better go to him and ask him a few questions.

So, we discussed whether a series of well thought-out questions could be sent out and answered. A couple of us said "yes" and others "no". I won't say who's who. But, I do think if something like that is worked out, we will at least have a basis next year for intelligent discussion of many of our questions.

CHAIRMAN CARPENTER: The next question we will omit for the minute and still see if we can get Mr. Gillin and Mr. Church. May we go to the next one, Mr. Pryor, which is the question we would like you to discuss briefly: "How can creative selling be encouraged?" If you wanted to ask Mr. Pryor some questions this morning and didn't get to it, here's your chance.

MR. PRYOR: Speaking from our own experience, here is the way it usually works out. Ned Midgley's department contacts station representatives and executives. They write a memorandum form sometimes about a program they have for another advertiser who is about to cancel or goes off for the summer, and tell us about the show. That ends it.

Another man will now come in all steamed up and tell us about the show and get us interested. If he can bring along a record of that show and tell us something about the results, how it has worked out, give us personal confidence in that program, it is much more liable to be sold.

Now, I can't recall a program causing the sale. In other words, I don't believe—maybe Ned recalls one—I don't believe I can remember when anybody brought a program in and enabled us to make a sale that there hadn't been a desire for it already.

More and more our clients and lots of other agencies' clients are supplementing their national radio job with spot. We usually are in position to place a show in a certain area if we can get a good one. Now, we have people whose job it is to visit local stations but it takes us a long time and costs us a lot of money. If you want to get a program with us, the best thing to do is write us—or, better yet, come and see us—and include a record, if you can. For the smaller stations, that isn't practical unless you happen to be in our town but in that case I believe the station representative is the next best way to contact us. Has anybody an idea that is better on how to do it? That is the way it usually works out in practice, wouldn't you say, Ned? We usually know all about what is available on that station and if we know about it in sufficient detail that we are sold on it ourselves, we very often can have one of our sponsors put in on.

CHAIRMAN CARPENTER: Does anybody have a question?

DAN DWYER (WSYR, Syracuse): Apropos of your talk, you spoke disparagingly about spot announcements between programs. I would like to know what is so harmful following Terry and Ted with 240 words, or following Procter and Gamble with 400 words—why that 35-word spot hurts radio?

MR. PRYOR: I believe, and a lot of my associates believe, that radio has come to a point where it is very vital to increase the prestige of the business. We cannot stay where we are. We have educated a lot of non-musical people to a point where they can criticize, and criticize intelligently, dance bands and symphony orchestras. We can't stay where we are. We have to increase our prestige.

It is my personal opinion (and it is shared by a lot of people) that one of the things that makes radio a catch-as-catch-can, cheap, unimportant, crass sort of thing is these darned announcements. I think an audience will accept a commercial at the end of entertainment, even if it is long, with much more good will than they will these thirty- or forty-second things dropped in ad lib. They are usually the cheapest kind of sales, not always, but particularly through the South, the patent medicine man or the two-pants suit man, the poorer advertiser, the less dignified advertiser, more or less monopolizes those things, and while I know the financial return comes from that part of the business, I do believe the elimination of a lot of the spot announcements would improve the situation. In other words, we are limited by our ability to create good programs.

It seems there is one thing that would have a very, very important effect on the listening public as a whole. I may be completely wrong. We raise the devil when they come in front of our own shows. I think it is one of the very definite things we can change, if we desire, that will increase the importance of the industry.

MR. BORTON: Mr. Pryor, I don't know whether I understood you correctly. Did you say if it was a case of the station attempting to sell it, that you weren't interested, that you knew all about the station?

MR. PRYOR: The mechanical details, importance in an area, general run of programs, we are pretty well familiar with. That, of course, wouldn't apply to a number of small stations. But, in Mr. Midgley's department we have all that data. We contact the folks constantly or their representative.

Ned, I don't believe there is anything we ought to know about the stations that we don't know, from the mechanical standpoint, is there?

Mr. Midgley: It may sound arrogant but we really have a lot of information.

MR. PRYOR: We are really old—have had radio ten years. We are simply interested in available time and talent.

SIDNEY BLISS (WCLO, Janesville): I am glad to see one 100-watter stand up and get his ten dollars' worth.

I was interested in your statement a while ago about your having the information about the larger stations in the larger cities. I passed through the promotion display room with considerable interest and envied those who had spent probably literally thousands of dollars in preparing the promotional material and wondered how many of them were feeling the same as I do now about all this money being spent on promotion and perhaps have three or four or five nice accounts on the air. And, as I looked through the promotional material, some, I presume is in competitive markets like ours, and I would pick up one piece of promotional material after another that had probably sent you one of their promotion brochures claiming coverage of 150 or 200 miles around the station, and we have purposely been conservative in building our promotion material, I wondered whether it is worth while. I have wondered that in the past. You may know about the mechanical details but the only thing worth a damn is audience, I don't care whether it is a 100-watt station or a 10000-watt station. We have spent about as much as any station our size on such material. We send it to you agencies. I am never sure whether it gets into the file or the wastebasket. If it is filed away, I don't know whether it is referred to. It seems to me a lot of money is spent on exaggerated claims which are sent to your office. How much of that material do you believe? When you buy a market, how do you know Joe Palooka is covering the area his brochure says he covers?

I talked to a man the other day who has made a study of the spot business in the local stations in the country, and out of 100 how much national business did he find? Four national accounts on these stations. I talk with this gentleman or that gentleman. He says he is carrying a fine lot of national business but never gets down to dollars and cents. He isn't carrying much more than I am.

Now, we are developing a lot of local business. We have a local audience. Our coverage doesn't mean a thing if we haven't an audience. Now, some of those other stations are competition and some aren't. Some of them the advertiser is using because he thinks he is getting coverage. He may have an audience and he may not.

It seems to me the promotion material we have been sending out is very weak because we have had very little reaction to it and yet I think we spend as much money as the next man in sending promotional material to the agency.

MR. PRYOR: I think Ned Midgley would be valuable on that.

MR. MIDGLEY: Along about the second round, I thought Braddock was going to win the fight. I lost my voice asking him to do it. (Laughter.)

I am tickled to death that Arthur Pryor is here to take some of this cuffing around I usually get from representatives of station managers when they are in town.

These meetings today have been a lot of fun. A couple of things made me chuckle considerably. This morning one of you gentlemen said, "So you aren't buying power any more." Arthur said, "We never did."

"Well, you'd never guess it." (Laughter.)

I think the answer might be in a fable. Once upon a time there were a couple of stations in a town, a 100-watter and a big station with lots of power. It happened that the 100-watter was owned by a distributor that distributed the products for which the campaign was being considered. They intimated if the 100-watter was used on the schedule, they would buy several carloads of the product; if the 100-watter were not used, this co-operation would not be forthcoming. So we got pig-headed and strangely enough bought the station with the high power.

Another charge here is leveled against us, not too seriously, I hope. It dates back to January this year. We bought a series of Terry and Ted programs on the station and with some strange psychic instinct realized that daylight saving time would come into effect in April. Therefore, we requested the protection and guarantee of a later period for the programs after that date. Daylight saving time came and we suddenly found we could have a much later period at noon or else be off the air entirely on that station. Then a representative of that station complains because we use 240 words in the closing commercial announcement of a program which isn't even existent on his station. At that he was lucky, because we usually try to crowd 240 words into a 100-word announcement. If he only has that many words, he is pretty lucky.

There is one thing that does worry me and I want to be serious, and that is the charge of men who run smaller stations. Yes, we get your information and we read it and, believe it or not, we file it and not in the wastebasket. You have an educational job to do with the agency. The agency has an educational job to do with the client. I can only speak for our own outfit. When we get a request for spot broadcasting, a request for specific markets, or in the case of some clients, "Here is $10,000. We want national coverage. Three fifteen-minute programs a week for thirteen weeks," you know we can't do it and it is a gradual process of educating the client to use intermediate markets. We have darned good dope about stations here, there and other places that will give daytime audiences but in the aggregate, the markets themselves are not of sufficient importance to the client to have them included in the plans. And, I don't want any of you people to think for one single solitary moment that B.B.D.O.—and I know I speak for Miss Black, too—doesn't digest every bit of that—although most of it gives us indigestion.

"RED" CROSS (WMAZ, Macon): This is Cross—Red Cross—from Macon. (Laughter.)

Being merely a rebellized Yankee, I would like to take the only exception, apparently, to one of Mr. Pryor's remarks, especially about the South, (Laughter.) about patent medicines and two-pants suits. (Laughter.)

Mr. Pryor, I happen to be wearing a suit that I bought with two pair of pants. I am not a bit ashamed of it. It cost me eighty dollars and Mr. Hickey-Freeman made it. It's a pretty darned good suit. You know, the secretary and treasurer of our 1000-watt station has never gotten humpbacked since 1929 carrying any B.B.D.O. checks to the bank. (Laughter.)

But, on the other hand, this little bunch of peanut shuckers that use our station have kept me and my staff in grits, gravy and groceries, and just as long, Mr. Pryor, as they pay our salaries every week and leave us $1.15 in the bank, and as long as the President of the United States sees fit to write us twice within the year complimenting us for some national job we have done and the Governor of our State of Georgia has on many occasions accorded personal congratulations for work well done, we are still going to carry 100-word spots on two-pants suits and collect the money.

Now, you may have some accounts up there that you put out nationally. I don't know your accounts personally because we have never been favored with any of your business. (Laughter.)

If it happens to be Listerine, we could advertise Listerine very well because there is a very great need for it. But, if we advertised Listerine to the exclusion of all two-pants suits, wouldn't it be funny seeing everybody walking around with a bottle of Listerine, and with kind of a bare neck! (Laughter.)

MR. PRYOR: I was warned I'd catch hell if I brought that up! As a matter of fact, it is no secret the minute announcements have been a godsend to the radio business. It has meant fine income and done a swell job for an awful lot of you. We use it and use it all the time—get swell results.

I am looking ahead to a life in this business. I have a little different picture, or anybody in a job like mine has a different picture than anybody else can possibly have. I realize you cannot eliminate spot announcements without adequate financial return to take its place. It means running at a loss.

I do feel—and it is a firm conviction—if I could just plant it in your minds that everybody in this business has got to be conscious of a desperate need for elevating it! Which will never end! And not just use it as a means for a livelihood! I shall stand by my guns. I know just how vital it is. But, watch out. I have studied audience reports for ten years and there are entirely too many people tuning in for special events. Every year that audience you can expect to get is a little bit less and one of the worst things we can accuse our medium of is we are not jealous enough of our importance and place in the life of the community, and, mark my word, little old spot announcement is largely responsible for that—honestly!

MR. BLISS: May I ask a question? Isn't your problem of having too much commercial or too long commercial, whether or not the same thing can be said in shorter words? Isn't it true that a long announcement well done is not criticized as much on the part of the audience as a thirty-second announcement poorly done?

MR. PRYOR: Absolutely right. I have always contended that a three-word announcement with the wrong words offends more than a three-minute announcement if done intelligently. It is that awful little offender that damns the whole thing—done by a stupid fellow or one who doesn't give a damn what he does. It is that little fellow who crucifies the whole structure.

CHAIRMAN CARPENTER: Let's have two more and just to wind up properly, let's have Trenner and Gillespie. Some of you haven't said anything at all. Won't you express your opinion?

MR. TRENNER: I am heartily in accord with Mr. Cross. Here is what I want to say: The reference to the content of announcement is not, in my estimation, absolutely relevant because you can control the copy of announcements as well as the program. Some of our station breaks have some cute little poems with advertising in them.

There has been a contention by an automobile manufacturer in Detroit that there should not be any spot announcements before or after his program, that he bought one hour and not fifty-nine minutes and thirty seconds, and by virtue of that fact, because he concedes to you the privilege of identifying your station, you shouldn't take advantage of it with a spot announcement. That may be very well and true but he didn't buy one hour and thirty seconds. But, I don't believe it is so much the matter of revenue we get out as whether we are doing any tangible harm.

One question I would like to ask Mr. Pryor is does he believe the average listener accepts a commercial on a sponsored program, that they will give you their ear in appreciation for what you have done? Does he believe there is any difference in the listener's acceptance between what comes before a program and what comes at the end of a program? After all, what the audience thinks should dictate the policy along these lines.

MR. PRYOR: I do believe after you have entertained the average fellow and he has stuck with you because you have entertained him, that he is in a more sympathetic mood to accept the message on behalf of your product than he is when you jump in between two shows and give him two or three minutes with thirty seconds of somebody else's tucked in the middle. I have seen it happen. People become deaf to radio announcements simply because it doesn't interest them and that piling up of spots at the end tends to weaken the opening and closing. That is my opinion. I do believe the advertiser gets more attention because most people are nice and feel obligated to him.

MR. GILLESPIE: Mr. Pryor, it has been a pleasure to hear you talk. This is my third convention and I am like you—I am in this radio business and I regard it as a sacred thing. I give many hours a day to it. I live it. I'd like to know about it.

We have talked about spots between breaks. We have talked about how to sell national advertisers and manufacturers. I am going to ask you a question. Don't you think the station should first sell its town, the local merchants, the local distributors, even though not trying to sell them time but trying to sell them on the program and first get the local town sold so when the manufacturer comes in and makes a survey, he might not go to the radio station but to the drug house and say, "What is the best station? Isn't it a fact that you fellows pay a great deal of attention to what those fellows say—the distributors and wholesalers?

MR. PRYOR: The reputation of a radio station in a town is of vital importance. A radio station is the voice of the city. It represents that city to the world. And, the men and women who run a radio station and neglect to impress their own home folks with their responsibility and the sincerity of that effort are just overlooking the strongest bet, in my opinion, that they have in their business.

MR. GILLESPIE: Now, this is so critical, but isn't it true that all radio station managers are selfish? I'll supplement that this way. We discussed department store advertising. I wonder how many stations really have men that know merchandising, seasonal trends, that can go and talk to an advertising manager sensibly. Have you ever had one come in that can discuss types of merchandise and offer suggestions how to sell, offer suggestions if you have stock that costs money to keep?

Now, instead of sending you pictures of antennas and equipment and turntables—good Lord, you know if we have a license we usually have some sort of equipment—you are more interested in the talent and civic promotion we are doing, isn't that right?

MR. PRYOR: On this business of personnel, I think that it is a grand tribute to the broadcasting industry the way they have kept broadcasting in this country on the high scale that they have.

It is a terrible responsibility when you figure in all the little personal things, the weaknesses of people. I think it is a great tribute that they have maintained the high ideals. There isn't a man in the business that doesn't hope and wish constantly it could be better.

As far as the merchandising, I think it has been my experience that most of the stations do a pretty good job as far as they can go in intelligently discussing the merchandise.

(Announcements.)

MR. GILLESPIE: One thing more. I have one man who does know merchandising. I think there is a trend you have to have that kind of a man in your station.

MR. PRYOR: Definitely.

G. T. STEWART (WKZO, Kalamazoo): With all due respect to Mr. Pryor, may I ask this question? In the national advertising agency set-up, do you have any particular objections to a station going over your head to a client when you can't sell them?

MR. PRYOR: No. Very often we have stations go direct to our clients but they usually take it up with us. We are not so thin-skinned. If we can't do it, God bless him!

MR. STEWART: With all due respect to B. B. D. O. and Ruthrauff and Ryan, my contention is 95 per cent. of the agencies expect the station to sell the business and the station representative expects his commission. I'd like to know whether stations are adopting a policy of going over the agency's or station representative's head on national business.

CHAIRMAN CARPENTER: I am wondering whether the thing you are thinking about is the thing some stations are beginning to work out, putting men in the national field to co-operate with the representative and the agencies in any way possible in supplying them material and in supplying the prospective client direct with material also, and those stations (and I have talked to a few of them) consider the thing as not going over the head of their representative or going over the head of the agency. It is more in the belief that they can supplement the work of those two organizations to their own benefit.

MR. STEWART: I don't mean supplement. I mean going direct and doing the selling with the understanding the agency gets its commission and the representative gets his but I have to do the job. Should we consult the agency or go over his head if he doesn't show the proper co-operation?

MR. PRYOR: I have just had an example where a fellow came in and wanted to sell a program to one of our clients. We took two hours with him. We said, "We know the story. We wouldn't recommend it." He said, "Do you mind if I go and see him?" Today is Wednesday. He is in my office on my turn-table playing the record.

MR. STEWART: Would you have any objection to that?

MR. PRYOR: No, we like to work with you because we can advise you of the peculiarities of the situation.

MR. STEWART: If I came to you with an idea and you still get your commission?

MR. PRYOR: If I told you, "It's lousy," and you said, "I'm going to your client," I'd say, "God bless you."

MISS BLACK: Any time they want to call on our clients, we are delighted to have them do it.

MR. PRYOR: I do believe it is wise to let us know because we might know something that is very wrong. It creates a little unrest. It's bad for the business to have a lot of people contacting people and worrying them about things. If we can advise with you, it is better.

MISS BLACK: There is just one thought in connection with that, and that is when a manufacturer appoints an agency, he does so for efficiency and expediency, and in doing so, he has looked over the field and for the time at least he is satisfied the agency will handle the assignment satisfactorily. People in the agency have a job to perform for that client. Now, I wouldn't have my job and Ned wouldn't have his if we didn't understand the needs of our clients and serve them to the best of our judgment.

We can't be right all the time. We can be wrong. But, we couldn't afford to stand in the way of a good idea or better service for the client because for purely selfish reasons we have individual interests to protect and beyond that we have to move merchandise for our clients. So, if you will keep that idea in mind, any station manager will realize he himself couldn't afford to offer that type of interference.

EDWARD PETRY (Edward Petry & Company, New York): I want to speak as a station representative. We consider ourselves as employees of the stations. Any time they want to go to any of the clients, we are perfectly willing. In the four and a half years we have been in business, we have only gone over a station's head three times with practically the consent of the agency.

CHAIRMAN CARPENTER: There is another angle.

FLETCHER BOLLS (Eldorado, Arkansas): I'd like to ask Mr. Pryor just how you determine the difference in rate cards on 100-watt stations. I know some are higher than others. I know mine is—and I'm not apologizing for that either.

You suggested this morning that we spend a lot of money for program directors and announcers and continuity writers. We have done that. As far as our station is concerned, we have continuity writers that can really write continuity. Maybe it is because we started out that way and continue to do it. But, we have the equipment and the other fellow has the equipment. We have the personnel and the other fellow has his personnel. How do you determine the value of those?

MR. PRYOR: I didn't hear him.

CHAIRMAN CARPENTER: The question is: here are a couple of 100-watters. One is really doing an outstanding job, the best they can with continuity writers and other personnel. The other is doing very, very little. How do you distinguish between the two?

MR. BOLLS: I might put it this way: we have an announcer making money who is good enough to go to a bigger station, but we are paying him and the reason we are paying him is because he is getting a job done. We have continuity writers the same way. We wouldn't sell a 200-word announcement. You are talking about selling 75 or 100 words. I wouldn't sell that way. I make him buy a program. But, our announcer is making a good living. The other fellows hire $15 and $20 a week boys.

Now, do you know the difference between the two set-ups, as far as that is concerned? You probably know the equipment we have and the equipment they have but I wonder if you know the difference in the personnel and the job we are getting done or whether we have to depend on local advertising. We do not have enough business for a station representative and have to depend on ourselves. We are getting a job done to get over 50 per cent. of the money spent by the majority of merchants on our advertising. We know we are doing that because we check the man's business and find how much money he spends for advertising—how much his budget is a year and then how much he sets out for radio and newspapers and other mediums. We find that people wear clothes down in Arkansas in the summer as well as in the winter—maybe not as many. They buy about as much food in the summer. We are beginning to find out they sell merchandise in the summer. With hammering, we are able to keep going and to do that, you have to have the personnel.

MR. PRYOR: It is very true there are things other than mechanical aspects. We are aware of the personnel and other qualities as well as the mechanical features.

Now, please don't misunderstand me on the business of improving programs. I don't mean by money. Study it over to see if you are doing it with good taste. My contention is that you can include a higher type of person, a more sensitive personality, a higher intellect as well as the cheap fellow who doesn't much care. It is a matter of attention and doesn't necessarily require more money.

MR. WILLIS: I do believe there are still many stations represented here now who realize that a representative is exactly that in the true sense of the word and an agency is that in the true sense of the word. The agency represents the client as well as the medium and appreciates the function of both groups.

H. M. LOEB (WFDF, Flint): About four years ago I happened to be the man that sat in an agency in Pittsburgh and bought a great deal of time from radio salesmen. Then I slipped and bought myself a radio station. (Laughter.)

I have a great deal of sympathy for both the advertising agencies and the smaller radio stations. I listened to my friend Sidney Bliss and I can sympathize with him 100 per cent. because my station is a 100-watt station and my problems are similar. And yet, I do not blame the advertising agencies today for not being too enthusiastic about 100-watt stations even though I am one myself.

When I had my agency in Pittsburgh, there were many advertising accounts that I did not accept. I was running the business and I did not accept them because I could not make money on those accounts. I had to render a certain service and had to have a profit over and above that service if I handled those accounts, so I refused to accept them.

The same thing was true to a certain extent regarding those radio station time salesmen who came in and tried to sell me their radio station. When I was able to place KDKA at $100 a minute—and I placed it a great deal—but when a 100-watt station came in to sell me and quoted rates at 50 per cent., my commissions were the same, always that 15 per cent. It had to be very outstanding or very unusual for me to buy that station at 15 per cent. when their rates were so low. Their packages were not large enough.

Now, I suspect much of the difficulty that faces the 100-watter may be analogous to the position in which I found myself. I wonder how many national agencies are set up today to handle the smaller radio station as it has been presented to them. If we can buy time on a 5000-watt station, it requires no more work for that station than it does for the 100-watt station. I really do not blame any advertising agency for selecting WLW as against my station even though I am a darned good radio station.

Now, I think the problem is largely that of the smaller fellow organizing himself in such a way and standardizing himself in such a way that he can be referred to by the advertising agency as part of a certain single factor. That can be done by standardizing his rates 100 per cent., by controlling them and working together as a group, and by co-operative sales and promotional plans.

I think this is the essence of much of the discussion which has occurred up to date. You have to sell your product and it has to be something that people want. You can't expect a national advertising agency to come out and say, "We are not handling your business because it isn't profitable." It isn't fair to expect him to say that. If he did, it would be admitting to his clients that he wasn't doing his job, and no national advertising agency should be placed in the position where it is even requested. It is true pressure is placed on agencies and many advertising agencies have to succumb. This is no reflection on the agencies at all—merely a matter of business. In the case of 100-watters and other low-powered stations such as the 250- and 500-watt, I believe that the agencies should be told the story correctly and the burden is on us to do the job. I would like to know, Mr. Pryor, if there is such a thing as a marginal profit line in the purchase of radio stations.

MR. PRYOR: As a matter of fact, selection of radio stations is two things: where we would like to go and how far our money will take us. If we wouldn't consider selling stations that didn't mean much to us, where in the hell would we be! It is the same thing on trade paper copy—we don't make a profit. But, believe me, a lot of profitable accounts we couldn't handle without them. It is a case of justifying the selection of a station and having sufficient money.

CHAIRMAN CARPENTER: Now, there was one other thing we would like to get today but haven't time. May I refer you to resolution 15 on the blue sheet referring to merchandising. More discussion could be had on that, but we started at 3:00 and wanted to wind up at 5:00. It is now five minutes of five.

I personally have gotten a lot out of these discussions today and I have gotten a lot out of it because you people helped. I'd like to take this opportunity to thank very, very much Mr. Pryor, Mr. Oreck and the other persons other than broadcasters who are here and have helped so much today. I should also like to thank the men on the panel and every one of you present for being here and helping make this the successful meeting it has been.

Thank you. The meeting is adjourned.

(The meeting adjourned at 4:55 o'clock.)

Adjournment sine die